

# Legislative Council

Thursday, 5 November 1981

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

## QUESTIONS

Questions were taken at this stage.

## JUSTICES AMENDMENT BILL

### *Introduction and First Reading*

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

## LEGISLATIVE COUNCIL: 150th ANNIVERSARY

### *February 1982 Sitting: Motion*

THE HON. G. C. MacKINNON (South-West)  
[2.57 p.m.]: I move—

That this House doth resolve—

That on the last sitting day during 1981, the Leader of the House be requested to move that the House adjourn until Monday, 8 February 1982, at 8.00 p.m. for the purpose of receiving from His Excellency the Governor a Message from Her Majesty the Queen relating to the 150th Anniversary of the first meeting of the Legislative Council in Western Australia and to enable both Houses of this Parliament to move an Address of Loyalty to Her Majesty.

That the Address should be moved by the Leader of the Government and supported by the Leader of the Opposition in each House.

That for the meeting of the House on 8 February 1982 so much of Standing Orders that allow of any additional business being transacted be and are hereby suspended and that a copy of this resolution be transmitted to the Legislative Assembly acquainting it thereof.

I wish to add some words of explanation to the motion I have moved, for two reasons: The first is in order that members are aware of the details involved, and the second is that the matter may be on record.

When one is involved in the organisation of anniversary celebrations of this nature, seldom

has the previous history been recorded in detail. That was certainly the case in relation to the 150th anniversary celebrations in which this State was involved in 1979. Therefore, it is necessary to set out the details of the events leading up to the celebration of the 150th anniversary of the Legislative Council.

It was you, Sir, who asked me to chair a small committee which was set up to organise the celebration of the 150th anniversary of the establishment of the Westminster system of government in Western Australia.

On 7 February 1832, Captain James Stirling called the first meeting of the Legislative Council. The members of the Council at that time are, of course, enshrined on the wall of this Chamber immediately to your right, Sir.

When the committee was formed it consisted of the Hon. H. W. Gayfer and the Hon. J. M. Brown from this House, the Hon. C. E. Jamieson from the Legislative Assembly, yourself, Mr President, and the Speaker *ex officio*. We have progressed from there and a number of other people have been drawn in, but I will mention those in a moment. It is hoped we will be able to make addresses outside the Parliament and, to that end, all members have been supplied with brief history notes of Parliament in this State, starting with the enactment of Westminster which empowered Captain Stirling to make all necessary laws and constitute all necessary courts for the peace, order, and good government of the settlement. Organisations such as Rotary, Lions, Jaycees, Apex, and others have been circulated with an advice that members of Parliament may be asked to speak on Parliament at their meetings.

The Hon. D. J. Wordsworth: Did you say that will happen or has happened?

The Hon. G. C. MacKINNON: It has happened.

The Hon. D. J. Wordsworth: It is news to me.

The Hon. G. C. MacKINNON: The celebrations will run for a week, starting on 7 February 1982. The seventh is a Sunday and therefore it was felt not appropriate that we should have any parliamentary meeting on that day. However, it has been decided by the committee that Parliament House should be open on that day and, of course, the week will be opened by you, Mr President, as the direct parliamentary descendant of Captain James Stirling, later Sir James Stirling, and that will be done at the front of this building. Symbolically, Mr President, you will mark the occasion by unveiling a plaque. The Joint House Committee

has been advised of this and has agreed to it. The Premier has very kindly agreed that the Government will make a gift to Parliament which will take the form of an historic painting. Mr Owen Gard has been commissioned to do that. The painting will be a portrayal of an early meeting of the Legislative Council with the addition of Captain Currie, who was the Clerk in the Legislative Council. Sufficient information has been given to Mr Gard about Mr Currie so that he may be portrayed reasonably accurately.

It is interesting to note that most of those gentlemen became famous later in their lives and most of the pictures of them were made when they were in their senior and mellow years, whereas when they commenced their activities in 1832 they were all young and around 30 years; the difficulty is in portraying them at a younger age. Mr Gard is tackling that problem with his usual skill and it is hoped on the day the Premier will be able to unveil this painting and present it to the Parliament. It will then be affixed in a suitable position in Parliament House.

In order to cope with the number of people who are expected to visit Parliament House during this week, it will probably be necessary to provide special facilities on the lawns for the serving of tea and cool drinks for the visitors. The whole of the week is expected to be an open week and, based on the experience of the experimental opening day conducted by you, Mr President, it is believed it will be fairly popular.

A small committee consisting of Mr Jamieson, Mr Pendal and Mr Clarko, in conjunction with Mr Davies of the Education Department, has made arrangements for some 29 country high schools, which have been paired with 29 metropolitan high schools, to be contacted. It is hoped each will supply a student in the final year of schooling. These students will be trained and placed under the tutorship of the current guides of Parliament House. Mr Harding and Mr Reed will act as tour captains and the students will act as guides and it is anticipated they will take groups of 10 on tours of Parliament House and its environs, such as the gardens, pointing out where the Tjurunga stones have been buried and providing details about them.

They will point out the cherubs which were provided by the House of Commons and which are part of the structure. They will provide historical and academic tours of Parliament House. These are conducted currently, of course.

The Art Gallery is assisting by preparing a catalogue of the Parliament House art collection; that is, the local authority collection and the

Hotchin bequest. This catalogue will be used by the tour guides during the conducted tours of the building. It is hoped the students will wear their school blazers in order that people will know which school they are from.

These open days will continue throughout that week. Arrangements have been made to bring the students to whom I have referred from various parts of the State to Perth and to accommodate them with people in the metropolitan area.

On the Monday the Lord Mayor will lay a paving stone. This was the Lord Mayor's own idea because Perth has become quite famous for paving stones. This will mark the original site of the Legislative Council; that is the original Government building. The title deed for that site, where Council House is now situated, is one of the few signed by Queen Victoria. The Legislative Council subsequently was moved up to the Town Hall annexe and then with the formation of the Legislative Assembly, it moved back again to the old building and the Legislative Assembly, of course, took over the annexe to the Town Hall, which is already marked with a plaque in the foyer of the R & I Bank. Many members will have seen that.

On the night of 8 February there will be a joint sitting of Parliament at which the Governor will read a message from Her Majesty the Queen. It is of interest to note that one of the few full records we have is that on an appropriate day in 1932 a message from Her Majesty's grandfather, George V, was read here by His Excellency the Governor. The Queen has been approached and although I have not received official notification as yet, it is my understanding, which was recently confirmed by the President, that Her Majesty has agreed to the message, and that will take place.

It is hoped that the Hon. Ian Medcalf, in his capacity as Leader of the House, will move a formal acceptance of that address in the form of the standard motion of loyalty to Her Majesty the Queen and the Hon. Des Dans, in his capacity as Leader of the Opposition, will second it, and then members will retire to supper. The guest list has been carefully checked in order to give it an historical flavour. Members and wives of all parliamentarians will be in this Chamber. Members may bring a guest and it will be a representative gathering. For example, it is not felt appropriate on that occasion that every departmental head in the Public Service should attend, but only those who are really representative of the original officers of the Legislative Council; that is, Treasury officers, Public Works Department officers, and the Surveyor General—that type of representation.

As I mentioned, a supper will be served on that occasion. The guest list will be numerically about the same as for a normal opening of Parliament. It is hoped members will be able to respond with alacrity to their invitations and encourage their guests to do likewise in order that the supplementary list can be brought in and places filled.

It is an important, historic occasion in the history of Western Australia, whatever one's views about Parliament; I hope all members agree it is fitting it should be properly marked.

On Tuesday, Parliament will be open for inspection by the public. At the instigation of John Roberts—whom many of us will remember—a river trip has been organised culminating in lunch at the Roe Estate, or Sandalford Wines Estate. We will take the opportunity to look at a number of historic places on the way. Members will be expected to pay for this trip, and they will be notified in due course. Naturally, because of the configuration of the terrain, and the importance of the river, many of the important houses of the area were built on the bank of the Swan River. It is considered it will be an interesting visit.

On Wednesday, the Governor has agreed to lay a founding stone to mark the site of the original Government House, erected by Captain James Stirling at his own expense, somewhere about where the tennis court is now situated. That will fill in the historic picture of Parliament in this State. Again, Parliament will be open to the public, and again on Thursday.

On Friday, a dinner will be held for members and their wives; the advice on the guest list will be distributed in the fullness of time. On that day, the inspection of Parliament will be until only about 4.00 p.m. in order to allow the other preparations to proceed.

On Saturday, the race club has agreed to hold a special parliamentary meeting. We will be providing a trophy for the major event, the President's Cup, and the Hon. Norman Baxter has been in touch with members in regard to this.

The Hon. R. J. L. Williams: Do you know the winner?

The Hon. G. C. MacKINNON: Four of the races will be named after parliamentary offices; the day will have a parliamentary flavour. All members will receive four double complimentary tickets in order that they may take along their guests; complimentary tickets will be provided also to members of the staff.

This probably is my last opportunity to place on record my appreciation of the work done by the committee, the Hon. Jim Brown, the Hon. Colin Jamieson, and the Hon. Mick Gayfer; they have been extremely helpful, as has, indeed, everybody who has been approached. The Royal Western Australian Historical Society has gladly added its assistance. Mr Les Hoft is the secretary of the committee, and he has been extremely helpful.

It is expected that wherever possible we will have stands of memorabilia of parliamentary life, which might not excite us very much, because we live with it, but which will excite visitors. As late as today, each secretary of the political parties has been written to requesting that they open their meeting rooms in Parliament House and arrange suitable displays. Officers of the Public Works Department will supply the stands on which material will be displayed.

Another task which faced the committee was to organise the photographs; it is hoped we can complete our records and have the photograph displayed at the entrance to this Chamber. We are hunting up all the pictures relating to early Legislative Council members. We will have a composite picture of the 50-year Parliament of 1882, and of the 100 year Parliament in 1932. And we will have the 1982 Parliament brought up to date. I notice one or two slight changes to the appearance of some members, and it may be necessary to have another photograph taken in order to bring our records up to date and give us a complete history in 50-year steps. I do not anticipate I will be here for the 2032 photograph, but no doubt one of the younger members will be able to make sure suitable arrangements are made.

I therefore hope all members will enter into the spirit of the 150th anniversary of the establishment of the Westminster system of parliamentary government in this State which, as I have said before, was on 7 February 1832, when the Legislative Council met under the presidency of the Hon. Captain James Stirling.

Debate adjourned, on motion by the Hon. Margaret McAleer.

#### **MRPA: WUNGONG GORGE AND ENVIRONS**

##### *Disallowance of Amendment: Motion*

Order of the day read for the resumption of the debate from 27 October.

Debate adjourned, on motion by the Hon. Tom Knight.

## WORKERS' COMPENSATION AND ASSISTANCE BILL

### *Recommittal*

Bill recommitted, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), for the further consideration of clause 11 of schedule 1.

### *In Committee*

The Deputy Chairman of Committees (the Hon. R. J. L. Williams) in the Chair; the Hon. G. E. Masters (Minister for Fisheries and Wildlife) in charge of the Bill.

#### Schedule 1—

The Hon. G. E. MASTERS: Yesterday I asked that the Bill be recommitted and indicated it would possibly be considered today for a good reason; that is, the Hon. Howard Olney put forward two amendments to schedule 1, both of which were opposed by me at the time, but having listened to his arguments and having reconsidered them as the Bill progressed, I came to believe there was justification to recommit the Bill and consider his amendments once again. If the honourable member is prepared to resubmit his amendments, I indicate I am prepared to support them.

The Hon. H. W. OLNEY: I move an amendment—

Page 142, clause 11(1) of schedule 1, last line—Insert after the word “agreement” the following passage—

plus any over award or service payment payable on a regular basis as part of the worker's wages, salary or other remuneration

I thank the Government for giving me the opportunity to move this amendment again. I appreciate the serious thought the Government has given to the matters we have raised. This amendment overcomes what we see as an anomaly with the inclusion of over-award and service payments which the Minister said, in his second reading speech, are intended should be part of weekly payments paid under this Bill.

The Hon. G. E. MASTERS: I urge members to support this amendment. After careful consideration of this clause it seems there is some conflict. It is obvious the Government's intention was that weekly earnings would include over-award payments. Mr Olney said yesterday he did not believe subclause (1) covered that situation, and having further considered the matter and having received advice on it, it seems he was right. It could be construed that over-award

payments are not included. If there is any doubt it should be cleared up.

Amendment put and passed.

The Hon. H. W. OLNEY: I move an amendment—

Page 143, clause 11(2) of schedule 1, line 18—Insert after the word “applied” the following passage—

plus any over award or service payment payable on a regular basis as part of the worker's wages, salary or other remuneration

The Hon. G. E. MASTERS: I support the amendment. Both amendments were originally included by the Minister preparing the Bill. The matter was discussed at length with the trade union movement, but there was some conflict of opinion and the Minister was persuaded, under pressure by the trade union movement spokesman, to withdraw these words. There was obviously a misunderstanding. The Government firmly believes these words should appear in the Bill. There should be no doubt about the intent and purpose of the Bill and this amendment will clarify it.

Amendment put and passed.

The Hon. H. W. OLNEY: I move an amendment—

Page 143, clause 11(4) of schedule 1, lines 1 and 2—Delete the passage “(except over award payment and service pay)”.

This amendment is consequential upon the amendments just agreed to by the Committee. The problem with clause 11(4) has always been the presence of a double negative. Members will see that immediately following subclause (2) is the passage “but excluding in each case referred to in subclauses (1) and (2)”. We then go down to subclause (4) which refers to “any bonus or incentive (except over award payment and service pay)”. The amendment will exclude from the exception all over award and service payments without making a positive assertion that they are to be excluded along with ordinary award wages.

As I said last night, most insurers have given these words a construction which they probably are not capable of bearing. With the positive words inserted it is appropriate for the exception to the exception to be removed, so removing a most undesirable double negative from this legislation.

The Hon. G. E. MASTERS: The Government supports this amendment. It is quite clear the Government's intention is not fully explained in the clause as it now stands, and obviously the

assumption has been that if over-award payments are not excluded, they would be included. Nevertheless, unless this is written into the Bill, plainly there could be some doubts.

Amendment put and passed.

Schedule 1, as further amended, put and passed.

#### *Further Report*

Bill again reported, with further amendments, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by the Hon. G. E. Masters (Minister for Fisheries and Wildlife), and returned to the Assembly with amendments.

### **COMPANIES (APPLICATION OF LAWS) BILL**

#### *Second Reading*

Debate resumed from 3 November.

**THE HON. J. M. BERINSON** (North-East Metropolitan) [3.29 p.m.]: Almost three years ago this State agreed to participate in a uniform law to regulate the companies and securities industry. Uniformity is to extend to the six States and the ACT and accord with that process has always enjoyed bi-partisan support.

The present Bill is a further part of the substantial package of legislation which has been required to give effect to that agreement. It is especially interesting to note that this Bill not only provides for uniformity in the first place, but also embodies a scheme to ensure that uniformity is maintained.

That situation no doubt results from earlier attempts to obtain uniformity when initial good intentions were soon confused as various States decided to go on small frolics of their own. The Opposition previously has supported all Bills directed towards having the uniform legislation, and consistent with that approach we support this Bill.

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney General) [3.31 p.m.]: I thank the Opposition for its indication of support for the Bill. I believe it is an important step forward in the commercial history of Australia. We can only hope it will work as well as the circumstances will allow.

Question put and passed.

Bill read a second time.

#### *In Committee, etc.*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney General), and passed.

### **APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL**

#### *Consideration of Tabled Paper*

Debate resumed from 14 October.

**THE HON. J. M. BERINSON** (North-East Metropolitan) [3.33 p.m.]: There can be few people left still prepared to argue that this Legislative Council has some useful function as a genuine House of Review.

The Hon. G. E. Masters: Hang on!

The Hon. R. G. Pike: What about yesterday? We had a practical example of a bicameral system functioning properly.

The Hon. J. M. BERINSON: I am sorry the Hon. Bob Pike interjected so early in my comments, especially with a point as cynical as the one he has just expressed. Yesterday we had the advantage of some most valuable contributions by the Hon. Howard Olney, and we did pass many amendments. Many members certainly would know as I do, and many would know much better than I do, the reason those amendments were passed in this Chamber. They were passed not because we were acting as a House of Review, but because the responsible Minister in the other House agreed in advance it would be a useful course to follow. That is all; we were being used as part of a useful procedure by the responsible Minister in the other House. The opportunity for this House to exercise an independent judgment did not exist.

The Hon. R. G. Pike: Do you say the comments by the Hon. Norman Baxter were of no account?

The Hon. G. E. Masters interjected.

The PRESIDENT: Order!

The Hon. J. M. BERINSON: If there are any lingering doubts about my opening proposition I suggest they would surely be resolved by considering the cavalier and amateurish way in which this Council approaches its consideration of Appropriation Bills.

We have before us proposals by the Government which involve the raising and spending of over \$2 000 million. As well as the huge sum the Budget involves, it is important as an indication of Government policies and priorities. If ever there were a time for a proper

and detailed review of the Budget legislation one would think that this is surely it. In fact, for all practical purposes, we do nothing. We do not call for detailed explanations of departmental expenditure; we do not arrange for face-to-face questioning of responsible Ministers and public servants; and we do not attempt to adopt some equivalent of the Senate system of Estimates Committees, although they have been clearly most successful. We do not even have a proper debate. All we do is have a bit of a natter; successive speakers jump up to discuss one unrelated topic after another.

The Hon. G. E. Masters: It may be important to the individual members, even if it is not to you.

The Hon. J. M. BERINSON: Important or not, the exercise certainly is isolated and haphazard because the speeches do not relate to a consideration of the Budget by this House. The Budget deals with \$2 000 million, and we will pass it through more quickly and with less examination than a Scouts club would examine the expenditure of \$100.

The Hon. G. E. Masters: You are a very bitter man. I feel sorry for you.

The Hon. J. M. BERINSON: I am not at all bitter. I am disappointed that 32 grown men and women are forced into the position of engaging in the work of an institution which is of such little value. That does not make me bitter, it simply leaves me disappointed.

The Hon. D. J. Wordsworth: Cynical.

The Hon. J. M. BERINSON: I live in the continuing hope that one day we will find some more useful occupation for ourselves to justify the expense of 32 people, let alone the 34 who will be imposed upon the people of this State after the next election.

The Hon. D. J. Wordsworth: Why did you join this exalted Chamber?

The Hon. P. H. Lockyer: Why don't you resign?

The PRESIDENT: Order!

The Hon. J. M. BERINSON: The members interjecting are being unusually provocative, but given your guidance, Sir, I will refrain from responding to the less sensible of the interjections such as that made just a moment ago by the Hon. D. J. Wordsworth.

Because of my limited respect for the procedure I adopt I propose to speak briefly in this debate and to limit myself to one topic only. It relates specifically to the Attorney General's portfolio.

The Hon. I. G. Medcalf: You did say once you were not going to speak on this debate ever again.

The Hon. G. E. Masters: Yes, he did.

The Hon. P. H. Lockyer: It is on the record.

The Hon. J. M. BERINSON: Perhaps, like William Pitt the Younger, I am entitled as a politician to change my mind from time to time.

The Hon. G. E. Masters: Every day.

The Hon. J. M. BERINSON: If the Attorney General contains himself—is a little patient—he will understand my reason for going back on my original good intention, which I still assert is the best intention, given the utility of the Budget debate in this Chamber. He will learn that my only purpose in speaking in this debate is to be helpful to him in the administration of his portfolio, since I have come across some matters related to the Law Reform Commission which are worth discussing.

I thought quite seriously that the Minister would be prepared to listen to the matters I intend to raise. However, if he prefers, I am quite happy to raise these matters in the adjournment debate. We have had some discussion previously about that matter. So far as I am concerned the adjournment debate is more useful in this House than the Budget debate. The adjournment debate forces the Minister into an immediate reply, and he does not like that procedure. I decided to go back on my original good intention with the view to accommodating his desire to marshall his answers. Recently he complained of insufficient notice.

The Hon. I. G. Medcalf: I am sorry to cause you to break your word.

The Hon. G. E. Masters: Are you suggesting you now have some bad intentions?

The Hon. J. M. BERINSON: I really do not appreciate the Attorney General putting his comment in that form.

The Hon. I. G. Medcalf: I am sorry. Break your good intention.

The Hon. J. M. BERINSON: I am not in the habit of breaking my word, and I did not give my word that I would not speak in this debate. I indicated it was not my intention to speak.

The Hon. I. G. Medcalf: I was congratulating you.

The Hon. J. M. BERINSON: I said that it was not my intention to speak in debates as futile as this one. I am not in the habit of breaking my word and I did not give my word on that occasion.

Returning to the discussion of the Law Reform Commission, which has taken me an unconscionable time to reach, I draw the attention of the House to the limited requirements

for report imposed on the commission by the Act. Section 13 of the Act simply requires that the commission, as soon as practicable after 30 June each year, should present a report on its activities and proceedings during the previous 12 months.

That provision could be satisfied by a sketchy report of very limited scope and the commission is to be commended for its comprehensive statement which not only covers fully its work in the financial year just completed, but provides a sort of cumulative account of its activities since inception.

I draw the attention of the House to the report itself and in particular to appendix 4 which indicates that since 1968 the commission and its predecessor have produced 50 reports recommending legislative action. Twenty-one recommendations have resulted in legislation. As of 30 June, 29 recommendations had resulted in no action at all by the Government, not even to the extent of a clear rejection of the commission's proposals.

The commission, quite properly, has drawn attention to this highly unsatisfactory state of affairs. In its 1980 report, and again this year, it urged the adoption of a practice whereby the Government, within six months of a commission report being tabled, would be obliged to declare its attitude to the recommendations in that report. It should be noted that there is no suggestion in this that the Executive should be limited in any way in its discretion to accept, reject, or modify recommendations; all that is asked is that the recommendations not be pigeonholed.

To do that—especially as often as has been done—is to have the worst of all worlds; the disappointment of raised expectations; the loss of commission morale; and the serious risk that the commission itself, as an avenue for law reform, will be brought into disrespect.

Lord Scarman was the Chairman of the Law Reform Commission of England and Wales between 1965 and 1973. In an address in Perth at which the Attorney General and I were present he dealt with this very problem. His comments, as summarised in the commission's report on page 22, are worth repeating in full. It states—

Lord Scarman said that it was also important for legislators to give proper consideration to proposals for law reform. Progress was made, he said, even when a proposal was properly considered and rejected. If certain law reform proposals are accepted and the others rejected after proper consideration, no one could complain. However, if proposals are not accepted

because they are not properly considered, then law reform bodies became dispirited and the process became discredited. It was imperative that governments announce promptly their intentions in relation to the proposals for law reform made by law reform commissions.

Lord Scarman's pointed observations are in line with the views expressed by our own commission and by the 1979 report on this same subject by the Senate Standing Committee on Constitutional and Legal Affairs. They could hardly be more appropriate anywhere than in our own State where 60 per cent of the recommendations have been left to gather dust—some from as long ago as 1969—and over one-half for more than five years.

These delays must raise serious questions as to the credibility of the Government in its declared interest in law reform. It is only fair to add that I do not doubt the Attorney General's own genuine interest in this area. The question is: Can he get his Government to go along with him?

*Sitting suspended from 3.46 to 4.00 p.m.*

The Hon. J. M. BERINSON: Before the afternoon tea suspension I asked whether the Attorney could get the Government to go along with him in regard to the implementation of law reform proposals. I conclude, so far as that point is concerned, by expressing the hope that the Attorney General will respond to this question later in the debate. If and when he does, I hope also that he will address himself directly to this view of law reformers, that there should be a commitment by the Government to declare its attitude within a specified period after a commission report has been presented.

Two other matters from the same report also call for attention. As at 30 June 1981 the commission programme involved 28 ongoing projects. As the average number of reports which the commission has presented each year is between five and six, it follows that even without any further references its present case load will occupy the commission for the next five or six years. Again this tends to mock the notion of law reform and of Law Reform Commission procedures. Either reform is important enough to justify early action, in which case it ought to be referred to the commission with the prospect of a fairly prompt response, or, desirable or not, a matter does not have the urgency to justify a reference in the first place.

For present purposes I leave out of consideration the further alternative of expanding the commission, and I do that for two reasons. In

the first place one has to recognise the State's financial difficulty. As well as that, we have a clear indication in the 60 per cent of reports not acted upon that there must be considerable scope for distinguishing the desirable from the urgent, and restricting references, at least for the time being, to the latter. Pursuant to the Act, the Attorney General is the only person who is able to refer matters for the consideration of the commission. I suggest there is a good case for his reviewing the outstanding references with a view to reducing them to a number which can be reasonably finalised while he and I are still young enough to read them.

I turn finally to one aspect of the financial statement which is attached to the annual report. I have acknowledged already the financial restraints which the State is experiencing, and I would have thought it is all the more necessary to eliminate unnecessary costs. In this context, and considering the fairly small staff of the commission, I wonder how an office rent in excess of \$1 000 per week can be justified. If I am told that is simply the going rate for 44 St. George's Terrace, I am forced to ask what the commission is doing at 44 St. George's Terrace, which, as members well know, is at the very heart of the city's most prestigious office district. Each day on my way to the Parliament I pass acres of vacant office space in West Perth and similar areas.

The Hon. P. H. Wells: Some of it is more expensive.

The Hon. J. M. BERINSON: I have not checked on this in detail, but I would be most surprised if adequate space could not be found for the commission at a third or, at most, at a half of what it is presently paying. If the honourable member would care to visit the commission he might be surprised at how few members of the staff there are, and at the limited space the commission requires. I am sure that half the cost of the rent could be saved, when we consider that nothing in the operation of the commission requires it to be in such a prestigious location.

The Hon. P. H. Wells: Don't say that, because I have checked out the cost of other office space.

The Hon. J. M. BERINSON: I am prepared to accept that some other locations may be expensive but without Mr Wells' knowing more about the needs of the commission and the space required, that is something we need not pursue in any great detail at the moment. All I am trying to say is that we are dealing here with anticipated office costs—according to the report—of about \$60 000 a year.

The potential for saving is not insignificant, especially if a review of the siting of the commission were accompanied by an inquiry into which other Government offices might also be occupying excessively luxurious accommodation. I commend that possibility also to the consideration of the Attorney.

I hope, however, that these latter questions—and particularly that last question of cost—will not distract attention from the main point of these comments; that is, the need for adequate and prompt processing of law reform proposals. In the coming year we will spend about \$500 000 on the Law Reform Commission. That factor, together with the more fundamental reasons expressed by Lord Scarman, should encourage us to ensure that the commission's recommendations receive active consideration and early decision; we must ensure they are not merely left in limbo as so many of them now are.

**THE HON. P. H. LOCKYER** (Lower North) [4.09 p.m.]: In a brief foray into the Estimates debate, I would like to deal shortly with the matters that affect my own electorate—the Lower North Province. This province covers 500 000 square miles of sparsely populated country, and it is absolutely necessary that it should be represented by the two members of the upper House who represent it presently. I sincerely hope the electoral boundaries do not change in the near future. I would not mind if the electorate were smaller, but certainly not larger.

The Treasurer, in his wisdom, has recognised the importance of the fishing industry, and I am pleased that he did so. A rather serious cyclone hit the Shark Bay area some two or three years ago and demolished the fishing facilities and jetty, and it has been an arduous task to repair the damage. In the present Estimates, \$35 000 has been allocated for final repairs to the beacon, which is the only navigation aid in the Shark Bay area.

While touching on the subject of Shark Bay, I inform members that the way in which the money allocated for the reconstruction of the land-backed wharf and the repairs to the jetty has been spent is a considerable disappointment to the residents and the fishing fraternity. The fishermen, in their submission to the Public Works Department, indicated specifically that they required a land-backed wharf. For the information of the House, that would mean a boat could tie up and the fishing catch could go directly onto a utility; or goods could be transferred directly from the vehicle to the boat.



To the very great surprise and disappointment of the fishermen and residents of Shark Bay, the PWD has seen fit not to do that. In fact, it has built a structure which, to many in the area, seems to be an utter waste of funds. In fact, the PWD constructed a turn-around harbour basin flanked by an angled heap of rocks. No vessels can tie up to the land. They have to tie up to a short part of the jetty, and unload the catch onto an antiquated railway trolley that is pushed along. Double handling still occurs, as it has occurred for the last 50 years.

I have been told by the engineering gurus this was the only way the funds could be spent. However, I have made inquiries of people who are third generation fishermen in the Shark Bay area, and they have assured me that not once did the engineering gurus seek the advice or guidance of the local people. That is somewhat disappointing.

I have brought the matter to the attention of the Minister for Works, who has some sympathy with my plea. However, the point I make is that the harbour is not satisfactory. It is not what the people wanted. I hope that in future Budgets the Government will take into consideration the unsatisfactory construction of this jetty. I am told by the local fishermen that it needs sheet piling to make it a land-backed wharf.

One of the problems in the Shark Bay area is the new rock lobster fishing industry that came into existence in 1981. In coming years, it is estimated it will be a multi-million dollar industry in Shark Bay alone. The present facilities will be totally inadequate.

The Government did a fine job in providing a sum of \$45 000 for fish landing facilities in Carnarvon. That allocation will allow the completion of a small landing so that wet fishing boats can unload their catch more efficiently. This brings the money spent on the facility to a total of \$130 000. The allocation has been well received.

As honourable members are probably aware, the town of Exmouth is a budding game fishing area. I am pleased that, on a visit to Exmouth this year, the Treasurer handed to the local shire council a cheque for \$25 000 as part payment on a suitable boat launching ramp in the town. It is incredible that a town that boasts some of the best game fishing in the world, let alone in Australia, has had a problem in that people have been unable to launch their boats. This allocation is a step in the right direction.

The allocation is still insufficient; and I hope sincerely that the Department of Industrial Development and other departments which give

assistance to such towns will have a sympathetic ear for the Shire of Exmouth when it puts forward its submissions in the next couple of years.

The town water supply for Carnarvon and surrounding areas has always been a very important question. The Carnarvon-Gascoyne plantation area is extremely important to the agricultural and fruit and vegetable industries of Western Australia. In fact, the production from Carnarvon accounts for a double figure percentage of the State's income.

My predecessor, the Hon. G. W. Berry, never failed to raise in his speeches in the House the great need for damming the Gascoyne. I will not linger on that subject today, but one becomes a little philosophical when one reads in *The Bulletin* about the great blunders of Governments with respect to the Ord River. I am not reflecting on any Government, but it is a great shame that the Ord River project was not carried out on the Gascoyne. I wonder whether that type of money should not have been spent in a location much closer to the metropolitan area. That could have led to a massive agricultural and fruit and vegetable industry in the area.

I have no doubt in years to come Kununurra and the Ord River will somehow come good; but at present the project is not operating at the level it should be.

In the Murchison, the towns of Cue and Mt. Magnet have to undergo a major reconstruction of their water supplies. The estimate for Cue is \$230 000, and for Mt. Magnet it is \$226 000. That is a measure of the recognition by this Government of the mining expansion in the area. Goldmining at Mt. Magnet alone is at a high level with the Western Mining Corporation. Exploration has been completed at Hill 50 and production is now in full flight. The company has seen fit to build a number of new homes in the town of Mt. Magnet; and what was almost an abandoned town some years ago has become once again the thriving metropolis it used to be.

The Hon. D. K. Dans: The hub of the universe!

The Hon. P. H. LOCKYER: I am pleased at that, because I was born in Mt. Magnet, and my family is still there.

The Hon. D. K. Dans: It is quite a place, I will agree.

The Hon. P. H. LOCKYER: I have heard of the visits by Mr Dans. The people still remember them very well!

The Government has estimated an expenditure of \$70 000 for the groundwater supply scheme at

Carnarvon. In the coming years, I hope the people concerned with the organisation of the groundwater supply will take into consideration the number of people who wish to move into the plantation industry. Since I have been in this place, I have been somewhat distressed by the case of a young local fellow. A second or even third generation young man in Carnarvon—Stephen Williams—has bought a block of land on the river at Carnarvon, and he has applied consistently to the Gascoyne Advisory Board for an allocation of water so that he can operate his land as a plantation. Despite many deputations and action on his part, he has run into a brick wall.

I do not know what that young man will have to do to obtain an allocation. I am sure he finds it as difficult to understand as I do.

The Hon. G. C. MacKinnon: Have they been to the local committee?

The Hon. P. H. LOCKYER: I understand there is a local committee and this matter has been directly placed before it. However, it distresses me somewhat that young people who were born and bred in this area are unable to obtain some sort of preference there. I have used the name of the gentleman concerned, because I have run out of ideas as to what to do for him. Perhaps the relevant Minister would like to take up his case again, because it is a great disappointment that at present he has not received an allocation. This person almost hand waters his banana plants. He is not trying to build up something to sell overnight and make a quick profit. He wants to better himself in this world and make a living in the area.

The Hon. G. C. MacKinnon: Are you asking the Minister to interfere with the local committee?

The Hon. P. H. LOCKYER: No; I am asking the Minister to look at the situation again and advise me as to what I should tell the gentleman concerned to do next.

I am sure the Hon. Graham MacKinnon will agree with me that it is my duty, as this man's member of Parliament, to explore every avenue.

The Hon. D. K. Dans: Very well put.

The Hon. P. H. LOCKYER: While dealing with Carnarvon, I want to bring to the attention of the House the situation in regard to professional rock lobster fishermen operating at the Blow Holes. I am indebted to the Hon. Des Dans for the support he has given me over some months in regard to this subject.

In a non-political way, the people of Carnarvon have tried to impress on the Minister for Fisheries and Wildlife the very great need to restrict professional rock lobster fishermen from operating at the Blow Holes which is situated approximately 50 kilometres north of Carnarvon.

I know the Minister who is returning to his seat will stoutly defend his department, as I would expect him to; but I want to make this point in the Parliament, because recently the Department of Fisheries and Wildlife, through the Minister, made a decision—

The Hon. G. E. Masters: No, I made the decision.

The Hon. D. K. Dans: It was completely insensitive to the people.

The Hon. P. H. LOCKYER: Then the blood is on the Minister's hands. Regardless of the fact that the people concerned with the Blow Holes have met responsibly with the Minister, have shown him the area, have had a public meeting, and have presented a large petition to him, and despite the fact that every sliver of evidence has been brought forward, the Minister has said no restriction, other than one very small one, can be given.

The Hon. D. K. Dans: Mr Kailis has more lobbying power than the people in Carnarvon.

The Hon. G. E. Masters: You go and talk to the fishermen and see what they say. You should be very careful what you say.

The Hon. D. K. Dans: I am fully aware of what the fishermen say. Mr Lockyer should go and whisper in Mr Kailis' ear.

The Hon. P. H. LOCKYER: I ask you, Sir, who is making the speech?

The PRESIDENT: Order!

The Hon. P. H. LOCKYER: I do not know whether the big fraternities have the Minister's ear—

The Hon. G. E. Masters: They do not.

The Hon. D. K. Dans: Of course they do.

The Hon. P. H. LOCKYER: The people of Carnarvon have acted in a very responsible way in regard to this matter. They have accepted the Minister's decision by sagely nodding their heads. However, when the rock lobster fishing season commences this month—I am told that is when it will begin—I do not want to be the umpire at the Blow Holes. I know these blokes in Carnarvon very well and there is no question as to what will happen. There will almost be a war. When the professional fishermen come whinging to the

police and to the Minister, he should remember what I have said.

Last year the local people did not cut the pots or get stuck in, because I asked them not to; but this year they have said, "We listened to you last year, but this year we will do our own little bit". Therefore, I believe there will be a confrontation this year, and it will be a sad day for everyone concerned. Those people have been diving for crayfish at the Blow Holes for over 50 years.

The Hon. G. E. Masters: They still can.

The Hon. P. H. LOCKYER: One has to be pretty brave to go diving amongst cray pots and boat propellers. If one wishes to travel from the beach to a safe spot from which to dive it is necessary to go through a set of breakers, so it is a dangerous trip. It has been made doubly dangerous, because instead of doing a dog leg in a boat to get out there, one must now avoid pots, floats, cray boats, and the whole bit.

It is a fragile area and I know the Minister has been sympathetic, but he has not come up with the goods. I do not know who has given him his advice, but I suggest he change his advisers, and obtain other advice, because he is not receiving the right information.

The Hon. D. K. Dans: Who is leaning on him?

The Hon. P. H. LOCKYER: I do not necessarily think anyone is leaning on him, but his officers are not giving him the right advice and he should consider it on a more individual basis.

The Hon. D. K. Dans: On a recreational basis.

The Hon. P. H. LOCKYER: It is important this point be made, because next year I shall stand up and say to the Minister, "I told you so" and he will not laugh then.

The Hon. D. K. Dans: He has no regard for the ordinary people.

The Hon. G. E. Masters: That is a very silly statement to make.

The Hon. P. H. LOCKYER: I should like to refer to the activities of the Main Roads Department in my electorate. In particular, I should like to mention several roads which are very rapidly moving towards completion. In Leonora the Teutonic Bore-Leinster Road is to be opened on 21 November. That is a tremendous achievement for the Government. In fact, the completion of the road is ahead of schedule.

In particular, I should like to voice my appreciation of the day labour people employed by the Main Roads Department.

The Hon. Peter Dowding: They are slowly getting rid of them.

The Hon. P. H. LOCKYER: Dame Nellie Melba makes yet another appearance! The Main Roads Department day labour—

The Hon. Peter Dowding: The Government is slowly getting rid of them.

The Hon. P. H. LOCKYER: The Hon. Peter Dowding is about as useless as wings on an emu!

The day labour people have taken on this job over the contractors who submitted quotes and not only have they done a good job, but also they have finished it in time.

I contrast that situation with the position which obtains in relation to the contractors who took on the construction of the Blow Holes road from Carnarvon to Dampier Salt and made an enormous botch of it to the point where it was supposed to be finished in November but, according to an answer I obtained to a question directed to the Minister representing the Minister for Transport, it could be March or April of next year before it is completed. I do not blame the Main Roads Department for that, but it should be a lesson to all of us that these types of jobs should be given to the people who know what they are doing. The day labour people of the Main Roads Department, particularly those who have operated in the north for a long time, know what they are doing.

Bond Resources is the company responsible for constructing the road to the Blow Holes and it has made an awful botch of it to the extent that every time the inspector from the Main Roads Department examines the work, it has to be torn up and started again.

This matter causes the day labour people in Carnarvon much mirth. We fought very hard to obtain the job for them and it is a great shame this has occurred.

The Hon. R. G. Pike: I support the free enterprise system.

The Hon. P. H. LOCKYER: I support free enterprise, but there is no question in my mind that the wrong decision was made in this case. If these free enterprise contractors are to venture into this area, they should get some experience first and we should employ experienced operators in this field. It is of no use sending a boy on a man's errand and this is what has happened in relation to the construction of the Blow Holes road.

The day labour people who are constructing the Leonora-Leinster road have done a fine job and they have finished ahead of time.

I am delighted to learn the Yalgoo-Mt. Magnet sealed road will be the next to be completed.

Therefore, only one other road will remain unsealed, and that is the road from the Overlander on the North West Coastal Highway to the town of Denham, Shark Bay. Approximately 60 kilometres of road needs to be completed and it is essential it be done.

Tourism is an extremely important business for the town of Denham. There is little else to do apart from fishing. The 60 kilometres left to be sealed is an extremely bad section of road. I am pleased to say the Minister for Transport accompanied me in the last three or four weeks along this road by motor vehicle, and I am sure he now appreciates the importance to Denham of the road being sealed.

I understand the Main Roads Department is considering placing a bridge over the Murchison River to offset the confusion that was caused during major flooding in 1980. However, I ask that the Minister and his department, when considering this decision, take into account the dollars and cents that tourism is worth, in particular to Denham and Shark Bay. I use as an illustration the huge difference that was made to Kalbarri once the road was sealed. In fact, I am told tourism trebled. Perhaps the Hon. Margaret McAleer could indicate why. The number of people who went there trebled and it has become a thriving place.

The Hon. Margaret McAleer: It certainly made a big difference.

The Hon. P. H. LOCKYER: The people of Denham are expecting the same sort of increase when the road is sealed, and I sincerely hope it will come. It was not my intention to speak for longer than 10 minutes, as the Hon. Alexander Ashley Lewis has just reminded me, but before closing I want to mention the subject of the Police Commissioner's report which was raised on the adjournment debate the other night.

I want to clarify my personal situation so there is no confusion in anyone's mind. I agreed with the Hon. Peter Dowding's comments in one area only and that was the area of the small part of the written report. I do, however, condemn his attitude and that of his colleagues towards the police. I am a great supporter of the Police Commissioner and particularly the police in the bush and those who have the most difficult jobs in some of the more remote areas.

At times those police operate far beyond the call of duty and certainly they do not need criticism from people who know very little or nothing about the subject. I know the honourable member has a fixation about this and is more sensitive to it than most people, but I want to

make that clear, because the small part that appeared in *The West Australian* may have led people to believe that I totally supported the honourable member's comments that night.

I want to clarify my position to the House. I agreed only with the small section that was printed in the commissioner's report which lumped all Aborigines together; I did not think that was right and, in fact, I stand by that opinion. I place my whole support behind the commissioner and, in particular, the Police Force which operates thoroughly and does a tremendous job in the bush under difficult circumstances. The police do not need people with axes to grind and who are ill-informed to give them a hard time.

**THE HON. TOM KNIGHT** (South) [4.33 p.m.]: I am pleased that the Council has seen fit to table paper No. 445, which relates to Estimates of Expenditure. I know it has been stated on numerous occasions that it gives country members the chance to go on an electoral tour. This is an opportunity for country members with big electorates to take the advice of the public and illustrate the sorts of problems they are experiencing because of Government action and to mention the things the Government does that are appreciated by their constituents.

Accordingly, before moving off onto my electoral tour, I will make three points, and the House will be pleased to know they will shorten my address by some 20 minutes. They are three points I intended to raise in respect of which I had been fighting the Government for the last 12 months. The Minister for Works (the Hon. Andrew Mensaros) has agreed to support me and my fellow members in the electorates we represent.

Number one is the Hopetoun Bowling Club. The House will remember that for many years my annual attack on the Government was in respect of the development and establishment of a water supply in Hopetoun. We recall that last year I was proud to announce to the House this was a fact and the town had a water supply. Following that, the residents of Hopetoun decided that, since they had a water supply, a bowling green would be an attraction and would allow recreational pursuits they had not previously enjoyed. The Government adopted the attitude that in no way was water from the Hopetoun supply going to be used in the establishment of a bowling green. However, I am proud and pleased to say that three weeks ago the Minister and the Government agreed that the residents of Hopetoun could utilise water from the supply because the aquifers had been tested and it had been proven that there was sufficient water to allow this.

The next point is the Ravensthorpe water supply. The sealed catchment area servicing the dam was such that, had three times the annual rainfall fallen on the area, there was no way it would have filled the dam because the catchment area was not big enough. Year after year we suffered the embarrassment that Ravensthorpe was always short of water and had restrictions. The catchment area also was inadequately constructed and was causing many problems, so much so that the four-wheel drive vehicle from which an inspection was conducted at the member's request got bogged on the sealed area in the middle of summer. As a result of this the Minister agreed that the catchment area would be increased and money was allocated for the job. That problem was then solved.

The next problem was the need for the people of Borden to establish a sporting arena for which water again was needed. Although I realise it is against Government policy to allow individuals or local organisations to utilise Government resources for the purposes of catchment areas to service private dams, the Government has seen fit to allow this to happen as well.

I thought I should at least make those acknowledgments before I moved on to make points I consider would be critical of the Government.

I am terribly disappointed in the money and funds that have been allocated to the South Province for this year. In comparison with that which we have been successful in obtaining over the past seven or eight years, it is a disaster. It is an area that has been growing tremendously, needing the development for which I have endeavoured to strive.

I now get back on to funds. I see money going into some areas where I believe it is not warranted, areas which certainly are not worthy of the support the South Province deserves. However, for the benefit of the record, I will indicate some of the moneys that have been allocated and, even though they are well below what has been allocated for other areas, I suppose we can be thankful for small mercies.

In relation to navigational aids for ports: Albany's new outer channel has been allocated \$66 000; Emu Point fishing boat harbour pens have been allocated \$25 000; Middleton Beach jetty, which is a well known landmark and a popular tourist attraction and is of great benefit recreationally to the people of Albany, is to have \$21 000 spent on upgrading and repairs; Princess Royal Harbour town jetty, which has been closed to fishermen for the unloading of fish and the

loading of equipment because it has deteriorated, is to have \$150 000 spent on its upgrading; and the Esperance fishing boat harbour, stage one, which was supported by the south coast fisheries study group several years ago is to have \$820 000 spent on the first stage. The latter is one that I appreciate because the fishing industry is so very important to Esperance, and with a fishing industry of the magnitude now operating from that town, there is great necessity for proper facilities.

The North Beach in Esperance will have rehabilitation work done at a cost of \$32 000, and \$49 000 is to be spent on the slipway winch modification.

I am disappointed with the provision for the country areas water supply and the Kendenup water supply, which is considered to be the lower great southern regional water supply scheme, and will have works carried out in its subdivisions amounting to \$72 000. The figure should be 10 times that because I believe the great southern comprehensive water supply scheme should be finished in its entirety.

The Cranbrook water supply will have \$74 000 spent on it. Cranbrook is the lower great southern regional water supply, and because it has a dam I do not believe that sum of money should have been spent on it. The money could have been better spent on the extension of the scheme; in other words, the extension of the main which runs from Albany through to Tambellup. The town of Newdegate is to have the sum of \$20 000 spent on its water supply. The sum of \$210 000 is to be spent in Ravensthorpe for the upgrading and increasing of the catchment area in the town.

The sum of \$536 000 is to be spent on sewerage in Albany, and extensions to the headworks in Denmark will cost \$232 000. Sewerage is a necessity for that area. The sum of \$78 000 is to be spent on headworks for subdivisions in Albany and \$72 000 in Esperance.

Another point I have raised on many occasions concerns subdivision work and the reticulation of sewerage, which is paid for by the developer who, in turn, charges the new home owner. New home owners are usually young people who then have to turn around and pay rates on something they have already paid to have established. This has been a sore point with me for a long time. After forcing these young people to pay for the reticulation of sewerage they then have to pay water rates and power charges.

Home buyers should be exempted from paying those costs for at least five years because they have paid taxes and they have paid for the capital

works programme. The Government collects taxes for capital works, and those people who buy their homes have to pay rates as well. In many cases maintenance and servicing is not required for some four or five years and it would create a better climate in which young people can own their homes.

A branch of the Albany District Hospital—the Albany rehabilitation unit—is to be given \$73 000 for public works on a rehabilitation unit. Over the last 12 months \$217 185 has been spent on this unit, making a total of \$290 000. We must give due credit and praise to the people of the Albany region who have raised \$83 533 by way of public subscription for the project. The project started off as the Albany hydrotherapy pool for rehabilitation and as a local workout for asthmatics in the district. However, the Government saw fit to establish a total rehabilitation unit, which is the first outside the metropolitan area. The unit has a physiotherapist and an occupational therapist attached to it and has a hydrotherapy pool with water jets which can be turned up for strong swimmers and turned down for weaker swimmers. No indication is made in the Budget that the people of the region contributed \$83 000-odd for the project. I believe tribute should be paid to people such as Bill Reside, the chairman of the committee to raise the funds, and Colin McArthur, a member of the Jaycees, who was convinced of the need for a heated pool in Albany for Asthma sufferers. As a result of all those efforts we have the hydrotherapy centre.

I am very pleased to state that the new Albany High School, after many years of discussions and negotiation, is to be commenced this year. Tenders have been called and work has started on the school which is estimated to cost \$2.6 million.

The Hon. A. A. Lewis: A lot of money is being spent in your district.

The Hon. TOM KNIGHT: I think we have to look at the overall position and I believe that my electorate has been dealt with quite badly.

The Denmark Agricultural High School is to have \$3 000 spent on it and the Cascade school will be replaced at a sum \$20 000. The primary school at Spencer Park will have \$17 000 spent on it and the Esperance school, \$148 000. The technical education buildings at Albany are to be upgraded; the work on workshops will cost \$251 000, and further classrooms and additional facilities will cost \$220 000. The Esperance trade training, commercial and business studies area will receive \$366 000 and the Department of Corrections at Albany will be upgraded and the sum of \$279 000 spent on it.

The Department of Agriculture district office in Jerramungup is to have work carried out at a cost of \$25 000. Other buildings in the Albany area which require engineering extensions, etc. will have work done amounting to \$35 000.

The Port of Albany is in a very depressed situation at the moment and works need to be carried out to dredge the channel and basin to allow bigger ships to turn around and avoid the rocks. The slipway is to be upgraded with ancillary equipment on the 320-tonne cradle and upgrading will be carried out on the fender system on berth three, as well as petroleum products handling facilities. There will be an upgrading of handling facilities, amounting to a total cost of \$1.313 million. The port authority has to raise this money with the support of the Government. The Esperance Port Authority is spending \$175 000 this year. In addition, recreation and laundry facilities at the Albany Amity Hostel will cost \$62 000.

I refer now to the Kendenup water supply. Members will recall that earlier this year I presented a petition to the Parliament voicing the concern of residents of Kendenup at the fact that the great southern comprehensive water scheme had stopped at Mt. Barker, and had not been extended for the last couple of years. Several years ago, I approached the Minister to establish when the water scheme was expected to reach Kendenup, and was assured it would be during the 1981-82 year. Unfortunately, due to expenditure cuts, one of the areas to suffer has been the great southern comprehensive water scheme.

In the 1969-70 financial year, water was carted from every available source to supplement town and, particularly, farm supplies in the Tambellup-Cranbrook-Kendenup-Frankland River areas. Everyone thinks that because 10 years have elapsed and a severe drought has not occurred since, it will not happen again. At that time, the Government saw the need to extend the water scheme to ensure the problems we faced during that period did not recur. However, the extension of the water supply has come to a stop.

In 1974, as the endorsed Liberal candidate for the area, I emphasised that the Government's policy at the time was to establish the great southern comprehensive water scheme, which was expected to be completed in the next few years. We are now facing a situation where there is no guarantee the main will be extended within the next 12 months, or, indeed, in the next Budget.

Kendenup was established well over 100 years ago, and at no time in its recorded history have

big sums of State Government money been spent in the area. The school tennis courts were provided several years ago by the local P & C association and the community, and the dam servicing the school was also a community effort. The Education Department, in its wisdom, has seen fit to cart water to that school to supplement the dam, which actually ran dry early last year; at a cost of thousands of dollars the Government also carted water to homes in the area owned by the Department of Aboriginal Affairs, and other departments. This is wasted money when one considers it could be used to extend the scheme, bringing it closer and closer to Kendenup.

With inflation, the cost of getting the water supply to Kendenup is accelerating and if the Government does not move quickly its next argument will be that it will be uneconomic to continue the scheme. I would argue very strongly against such a decision, because I believe my constituents have had a raw deal. Years ago, after pressure by other members and me, we were assured the scheme would be going through. People had water tanks which were nearly rusted through and they decided not to spend hundreds of dollars replacing them only to find the water scheme had been extended to their town. Now, as a result of the delay in extending the scheme to Kendenup, these people are suffering not only from the lack of an adequate water supply to their houses but also financially because they must make arrangements to make available sufficient water as a standby until the scheme is extended.

I strongly criticise the Minister and the Government for not recognising the need to continue the scheme to supply the town of Kendenup; it is one of the oldest established areas in Western Australia, and its residents have suffered for too long. Deep and serious consideration should be given to the matter. Although I know it is an unusual statement at this stage of our programme, I hope the Minister can find sufficient money from any surplus funds to extend the great southern comprehensive water scheme to ensure the residents of Kendenup receive their just reward, something for which they have waited for so long. It is the Government's duty to ensure the scheme is extended.

I refer now to a proposal to train "farm cadets" in the Albany region. Moves have been made by the Albany Technical College to purchase land, or a farm near Albany for the purposes of training farmhands, farm cadets, or what might be described as farm apprentices. I believe such a move will represent a duplication of facilities. The technical college should be using the facilities

which are already available in the area. South Province is a vast area. The Albany Technical College should consider using the facilities at the Denmark Agricultural School, the Mt. Barker High School farm annexe, or the Gnowangerup Agricultural School. Two of those towns are 30 miles from Albany, and Gnowangerup on a direct route is about 78 miles from Albany.

It is ridiculous to outlay some \$500 000 to purchase a farm suitable for the training of farm cadets. The college should look towards utilising the existing facilities and giving support to the smaller decentralised town.

The school has buses, and it would be a half-hour journey each way. One hour out of each day would cost the Government a lot less money than establishing a farm and duplicating existing services.

Obviously, I would like to see the project established in the vicinity of Albany, but only if facilities did not already exist. However, in times when we are looking to crack down on education spending, we should be utilising the existing facilities, rather than duplicating them by establishing similar facilities elsewhere.

Let us assume the college purchases a farm 10 miles from Albany. By the time the students board the bus, travel the 10 miles and get off the bus, there would not be a great time difference between travelling the extra 20 miles to Denmark or Mt. Barker. If the project were established at Denmark, the students could train on a wetland farming situation. If it were established at Mt. Barker, they could train on sheep, cattle, and grain country. The Gnowangerup area, 78 miles from Albany, is one of the top sheep breeding and grain growing areas of the region.

So, within 80 miles of Albany facilities are available in three different towns which would give young people the chance to train in all aspects of farm management, including farm labouring and farm workmanship.

The Hon. A. A. Lewis: It might teach them how to buy them, too.

The Hon. TOM KNIGHT: Some of the farmers in the Albany region complained to the Commonwealth Employment Service recently that although at times they need farm labourers, they are unable to obtain experienced people. A course could be established to instruct these young people on how to crutch sheep, drive a tractor, repair fences, and all the other little things a farmer can allow his worker to do while he gets on with the more important jobs on his farm. At the peak harvesting time, the top of the cattle season, or at shearing times, additional farm

labourers are always required. We are continually looking to creating new employment opportunities. Such a scheme would provide unemployed people with a skill in an area where those skills would be needed.

I realise the Federal Government would need to be involved in this area and to provide the necessary funding. However, when one looks at the money spent in other areas to train people for employment, it cannot be said this would be money wasted. Here is an area where there is a known work source and an opportunity to teach young people a skill which will be of benefit to them, the community, and our rural industries.

The Mt. Barker High School has been very keen to extend its services into this area. As a result, representatives of the Plantagenet Shire Council approached the Minister for Education seeking support for the ideas I have just put forward; I have also approached the Minister as the local member for the area.

His reply was in the following terms—

I vigorously support the Shire's concern that duplication of facilities may occur at Albany Technical College. The proposed building at Albany is a shed that will include some basic wool facilities to enable overnight holding of a few sheep to supplement some basic sheep work. While the shed will include two shearing stands it is not intended to offer shearer training or extensive shed hand courses. The necessary back up facilities would be inappropriate to establish at Albany. Such courses would operate elsewhere on farming properties or at the Mount Barker or Denmark schools. I endorse the Shire's suggestion that Albany students be encouraged to use the excellent facilities at Mt Barker.

That shows without a doubt that the Minister for Education is aware of the existing facilities and of the benefit of utilising them rather than spending badly needed Government funds on a duplication of them.

Another part of the letter is as follows—

In the mean time, the machinery already exists for occasional short courses to be conducted at Mt Barker Senior High School for community groups. Such courses need not be in the pattern that already exists for the part-time (usually evening) technical courses at Mt Barker; they may be designed to suit a wide range of situations. Short courses of this type have not generally been requested, but during 1980, some very promising work has begun at two or three centres. It is likely

similar work would prove popular at Mt Barker.

You may assure members of the Plantagenet Shire Council that I am appreciative of their concern over duplication and also for their interest in agricultural education for such an extended period of time. I will ensure the points they have made are considered if and when the Wagin scheme is to be extended and when the report from my Advisory Committee on Agricultural Education is completed.

Recently I obtained a publication of the education advisory committee on agricultural education entitled *Proposed WA Farm Skills and Cadet Scheme*. It deals with a cadet scheme for boys and girls, rather than an apprenticeship scheme, to enable the young folk to work and at the same time learn the basic background of the farming industry. I commend that publication to all members because it points out that facilities should be made available for the training of farm labourers, as I have suggested from time to time. They should be given a minimum guide as to what is required on a farm, so they can assist a farmer at the peak of his season.

All these things create work and a better industry with increased productivity in the Albany region and other areas of the State where farming is important. The chance of young people obtaining work in rural industries would be enhanced greatly if we provided this sort of basic training for cadets or for labourers. The labourers looking for part-time seasonal work require the basic farming skills which would assure them a job on most of the farms.

The next item with which I would like to deal relates to a very sore point with many members. A few years ago in this House we had a debate on clearing bans in salt-affected areas. At that time, the Government indicated it would purchase land that was not viable—the farmer could not make a living from it. Many members expressed the concern that the type of money required would be beyond the resources of the Government.

In some cases, the land was bought and utilised for research work. In other cases, it was used for the purpose of adding to a farm on which clearing bans had been imposed—if that farm was undersized—so that it had a large enough area that was practical for a viable operation. The idea was that the remaining farmers would have enough land to make them viable.

A constituent named Mr Williams applied to the Government to purchase his farm. In such a case, the component of compensation is raised



also. In working out a compensation figure the Government has been very fair in most cases. When a farmer sells the land before the compensation figure is determined, the figure applies to the farmer who purchases the land.

Once compensation is paid, a memorial is lodged with the certificate of title, indicating that compensation has been paid, but there is nothing to stop trading or dealing in the land.

In the case of Mr Williams, the purchase figure for his farm was \$125 000. He suggested that he would like three months rent free to allow him to make other arrangements. When the department replied that it would accept the \$125 000, it did not mention that the three months' rent-free period had been agreed to.

The matter lapsed, and now the farmer is in a very embarrassing position. He has now made an offer on another farm, and that offer has been accepted. The Government has indicated that because Mr Williams had not communicated with the department, the whole business has lapsed. The department pointed out that the three-month period worked out at \$3 112.50, which is only a little more than one per cent of the total sum offered to him. However, in correspondence, the department stated—

As mentioned in my earlier letter, the requirement for a rent free period was overlooked when an offer to purchase the property for \$125 000 was made in May 1980 at which time this could have been used for either exchange purposes or for parkland clearing experiments. The situation has, however, since changed and no use for the land is now known to exist. As explained to you previously, the Rural Adjustment Authority is unable to consider the purchase of the property unless exchange arrangements have been agreed with other farmers.

The Rural Adjustment Authority, which finances the purchase of such farms, obviously has decided that it does not want to purchase any more. It has enough land for its experimental purpose. The farmer was told that his only hope was to interest another farmer in the area in purchasing all or part of the existing land, and then perhaps the authority would assist with the finance. The onus is put back on my constituent, Mr Williams.

The department maintained that the issue was dropped because Mr Williams did not contact it after the original offer was made. However, an officer of the department overlooked telling Mr Williams that it had agreed to allow him the three months rent free.

Mr Williams assures me that he came to Perth and saw an officer of the department, whom he told that he wanted to carry on. He said he was not satisfied with what had been done, but that he was more than happy to discuss the matter, and to come to some agreement. After the discussion, the officer said, "Well, I'll pass this on for you. However, I'm leaving the department tomorrow". Mr Williams believes that the officer's name was Mr Abbott. If I remember rightly, the date on which this occurred was 19 June 1981.

The department has no record that a discussion took place. Therefore, it is saying that my constituent has no leg to stand on.

Mr President, you are in business, and I have been in business. If one of my employees does something and leaves me at the end of the week, because he was employed by me when he did what he did, I would be responsible for his actions. Whether that man left on that afternoon or the next day, if he did not pass on the information that Mr Williams put before the department through the officer, that should be accepted by the department. Mr Williams should be in the position of being able to claim that certain things happened.

I hope the Minister will see fit to reopen the negotiations and find some way of assisting my constituent. The department should bring about what it said would happen when it told Mr Williams that it had overlooked to tell him about the rent-free period. To me, everything sounds a little fishy.

To me it looks like a way of sliding out from under and leaving Mr Williams with land the department has stopped him from clearing. It means the area he has left to farm is insufficient to run a viable operation. He will have no chance unless he can make arrangements to find perhaps three or four other farmers who might be prepared to buy a section of his land which could be joined to their own farms, thus perhaps making their own farms more viable. I hope the Minister will consider this problem and do something to assist my constituent.

Another point of concern to me is annual ryegrass toxicity which is affecting all the Gnowangerup area. Farmers have established a ryegrass toxicity committee. I understand that although the losses of sheep from ryegrass toxicity throughout the whole of Western Australia is low in comparison with the losses as a result of other causes. If we isolate this problem to a specific area and multiply it by the balance of the State we could have the greatest stock killer to be found anywhere in this State or this country.

That is the point I am wanting to make. The Government is not spending enough on this problem; it is not paying enough attention to it.

Three years ago this disease was isolated in Gnowangerup, Tambellup, Lake Varley, and Ravenshorpe. As I said, if it were to spread it would become the greatest stock killer in this State. There was an outbreak last year in South Africa. Last year in Gnowangerup four farmers could not crop all their farms because they were not game enough to put stock on the paddocks concerned.

The Department of Agriculture has said there has been no serious outbreak over the last three years, but rainfalls during this time have been very inconsistent. The day we find we are receiving normal rains we will also find that ryegrass toxicity will be rampant throughout the entire great southern. The Government will then find it will be too late to do anything to prevent significant stock losses.

The Gnowangerup area is known to be one of the top sheep-breeding areas in the State. Many farmers in the area are cropping more than 50 per cent of their land because sheep losses have been so bad because of ryegrass toxicity. The dry seasons they have experienced over the last three years have prevented most of the stock losses from this disease because the season did not entice the growth of the rye.

About 2½ years ago I went through the area and saw hundreds of dead sheep lying in heaps on different properties. I saw sheep in different stages of the disease in shearing sheds where they were being tended by the farmers and their families in an attempt to keep them alive. If the animals can get over the second stage of ryegrass toxicity there is a chance they will survive. There is no chance they will survive if they are left in the paddocks.

I understand that the CSIRO is very concerned about this problem and is doing quite a good job to try to overcome it, but, because the Department of Agriculture has been involved in this area over here, I gather the CSIRO does not want to buy into our situation.

This year at their own expense four members of the annual ryegrass toxicity group went to South Australia to study the problem. I applied to the Department of Agriculture and the regional development committee to get some financial assistance to help these men, but I was unsuccessful. Ryegrass toxicity is also quite prevalent in South Australia. In fact, the group visited a farm very near the South Australian and New South Wales border and spoke with a farmer who was stocking out hay by the truckload into

New South Wales even though the hay had been affected the year before by ryegrass toxicity. There is every chance in the world next year that New South Wales will find that it, too, has annual ryegrass toxicity.

The disease now affects the Shires of Gnowangerup, Katanning, Tambellup, Kent, Brookton, Wickpin, Kulin, Quairading, Lake Grace and others. If members consider that area of our central wheat belt they will realise this is not a problem we can ignore. The first normal season we have will mean further outbreaks. When we are losing thousands of sheep it will be too late for the Government to do something. The Government must be made aware of this problem right now.

There has been a slight depletion of stock over the last three years, but in 1979-80 there were 3 677 sheep deaths and 21 cattle deaths from annual ryegrass toxicity. At one stage it was thought that only sheep were affected, but it is now realised that cattle also are affected.

I wanted to express my concern because I would not want people to say that there is really no need to worry and that everything will be all right only to find that in the very near future I will have to come back and say, "I told you so".

An annual ryegrass committee has been established and I would like to quote the following from a document produced by it—

The disease, known as Annual Ryegrass Toxicity, is now spread in Western Australia from Wongan Hills in the north, Lake Varley in the East, Narrogin in the west and Tambellup and Ongerup in the south, an area of 2 000 000 h.a. In that area there are at least 200 known affected farms with 30% of those farms having their complete arable area affected by the disease. The disease can kill all types of grazing livestock, with most losses being recorded in the common farm animals of the area, being sheep and cattle. It affects farmers in several ways, firstly there is the direct loss of animals by death, which have been as high as 800 sheep and 99 cattle from the one mob; by the sub clinical affects on these animals causing poor production e.g. low lambing and calving percentages and poor wool and meat production; by farmers reaction to the disease by locking up and not utilizing large areas of otherwise productive pasture; by being forced to apply inadequate control measures that are not satisfactory and by being forced into husbandry methods that are time consuming and result in lower

productivity. It is believed in some circles that the control programmes given to the farmer have allowed the farmer to learn to live with the problem, but the truth is that because of these programmes which are aimed at the eradication of the ryegrass plant, they drastically reduce the traditional productivity of the area and subsequently cause massive management and husbandry problems.

What I am trying to point out by indicating the dangers involved is the rate at which this disease is spreading and the danger it represents to the rest of the State and, indeed, Australia. We must also consider that we send stock food overseas. We are losing productivity now because farmers are not prepared to graze these areas. They are moving more towards cropping than they were previously. They are not using the stubble from that crop to raise wool and meat. To continue—

The potential for the spread of the disease, both between farms and areas and within those farms is frightening indeed. There is some 7 000 000 h.a. of Ryegrass pasture in W.A. with approximately 3 500 farms in that area. It is felt that many more farms now have the problem in a minor form but will, because of the nature of the development of the disease, become toxic over the next 10 years while farms that are not now affected will gradually become so over the next decade or two. When it is considered that the majority of the states sheep and a large number of cattle are located in these areas there is potential for drastic escalation of the disease.

There are also large areas of South Australia now affected and potentially that state, the adjacent Wimmera areas of Victoria and New South Wales is at as much risk as we are in Western Australia.

From a recent study tour that members of the Great Southern Annual Ryegrass Action Committee undertook various things were learnt and conclusions arrived at.

Work with the isolation any typing of the toxin was progressing steadily and fruitfully. Nematology has made good gains and a fair understanding now exists about the nematode. We feel the work must go on and would suggest the following areas as needing an extra effort.

From the farmers point of view it is essential to work out some control strategy that will allow rye grass to be used as a grazing plant because in many areas this plant has been the

basis of our pastures, producing early feed in the winter and an abundance of spring growth for spring and summer fodder as dry feed. So we feel that we must have control measures that will allow us to use this plant as it has traditionally been utilised. So controlling the disease in the plant or before it gets to the plant would be very acceptable.

Therefore the study of the pathology of the plant is very important. The production of an anti toxin has been suggested, but the job of inoculating or drenching the nations stock against this disease would be extremely expensive. However, as an interim measure it appears as a useful short term alternative.

Biological control of the nematode could be a very helpful tool to apply and there are indications that in South Australia there is a predator of the nematode and a fungus that attacks the plant that can have a steadying influence on the multiplication of the nematode. In the same vein maybe it is possible to deal with the bacteria in a way as to render it harmless or self destroying. Could the breaking of the life cycle of either the nematode and or the bacteria be of benefit? Much more research needs to be applied in these areas.

The document refers further to suggestions made by these people who have travelled to the Eastern States at their own expense to look at ways in which control and management can be achieved by using ryegrass, which has been one of the great stock feeds in this State for many years.

I could present a great deal more information on this matter, but the main point I wish to emphasise is that I hope the Department of Agriculture will recognise the need in this area and the danger the problem can create for this State. Therefore, I trust the department will take action on this matter.

The next point I wish to mention involves a criticism of the Government. Last year another fishing boat jetty was established by the PWD at the Emu Point marina. The jetty was constructed right at the end of the dredged basin and only one side of it was accessible, thus boats could be moored only on that side. The jetty also crosses the complete width of the basin so there is no way in which boats can get around the end of it and moor on the other side.

The fishermen have exerted a great deal of pressure on the Government and local members to create mooring facilities in Albany for the growing fishing fleet. Recently the Minister for Fisheries and Wildlife (the Hon. Gordon

Masters) and the Deputy Premier visited the area. I showed them the jetty at the Emu Point marina. It was agreed the matter would be taken up with the PWD, because it is possible to obtain only 50 per cent utilisation of the jetty.

It was suggested that we dredge past the end of the jetty and the other side of it, which would create an additional 10 to 15 mooring pens. The fishermen stated that, if this were done, it would probably answer Albany's fishing boat mooring problems for the next five to 10 years.

Let us say it would solve the problem for five years. At the present time the Government is experiencing lack of finance and yet it is involved in drawing up plans and specifications for the first stage of a fishing boat harbour at Princess Royal Harbour. It should be borne in mind that, if money were spent on the Emu Point marina at this stage, it would ease the problems in the area for five years. Some of the fishermen who were present when the Minister for Fisheries and Wildlife visited the area, said it would solve the problems for five to 10 years. Here is a short-term answer which should be taken up.

When I contacted the Minister for Fisheries and Wildlife in this regard he indicated he intended to refer the matter to the Minister for Works and it would be considered also by the subcommittee which was set up to examine fishing boat harbours and marinas.

I wrote to the Deputy Premier pointing out the position to him. I mentioned we had inspected the area in Albany and I asked him to look into the position and bring it to the Minister's attention.

In a statement made by the Minister for Works he indicated I had been very unfair in my criticism of the PWD. The statement reads, in part, as follows—

He was replying to a call from the South province MLC, Mr Tom Knight for the extension of mooring facilities at Emu Point.

Mr Mensaros said that the plans for extra pens were discussed and approved at two separate meetings during which the prior need for the development of fishing industry facilities in Princess Royal Harbour were also clearly established.

This had resulted in advance allocations of \$100 000 for sand fill at the neck of the Town Jetty.

In another statement the Minister said—

Mr Mensaros said that one of the constraints which had influenced the design of the Emu Point Harbour, as was approved

at the meetings, was an environmental consideration.

In a letter, the Minister for Works mentioned I had been given a plan of the proposal. Mr Mensaros may think I was given a plan, but my secretary and I have gone right through my office and we did not find a copy of any plan of the Emu Point fishing boat harbour. Had I seen such a plan, with my background in building, I would have realised straightaway one side of the jetty would not be utilised.

The Minister said also I was invited to a meeting held in Perth with the member for Albany and some other people. At that time I was overseas, so that is another mistake which was made either deliberately or unintentionally. It was mentioned also that consideration was given to another meeting which was, in fact, held at Dumas House in Perth. Nowhere in my files could I find a document indicating I was invited to such a meeting.

I repudiate the statement made by the Minister for Works that I was involved in the development of the Emu Point fishing boat harbour. The whole matter has been a disaster and it involved poor planning, either on behalf of departmental officers or by the Minister. The jetty is being used to only 50 per cent of its capacity. If it were utilised properly, it would ease the fishing boat mooring situation in Albany for another five to 10 years.

The Minister should look carefully at the matter and should not make unsubstantiated accusations. Particularly it should not be said that I was involved in anything, because I know damn well I was not. Whether a Minister of the Crown or anyone else is involved, I will not accept accusations like that when I am fighting for something to be provided in the area I represent. I do not care who it is, I will stand up for what I believe in.

Bearing in mind the economic constraints being faced by the Government, it should take advantage of the opportunity to establish a facility which will be fully utilised and not wasted as is the case now. I do not care whether I am treading on people's toes. Everyone makes mistakes at some time and, regardless of the education and qualifications of the engineer who designed the jetty at Emu Point, it is a damned disgrace!

I have been very keen to see the establishment of fishing havens along the south coast. No allocation has been made to provide such facilities in this year's Budget. However, I believe fishing havens or similar facilities should be provided

along the south coast, firstly, to assist the fishermen, and, secondly, because it is more economical to be able to call into two or three points along the coast, rather than have to steam all the way to Albany or Esperance to unload.

It has been indicated the Government is examining the feasibility of establishing fishing havens along the south coast. I am most disappointed nothing is being done at the moment, and I should like to bring this matter to the Government's attention.

The fishing industry along the south coast is a big income earner for the State, and the Government has to ensure facilities exist in order that the industry may operate in a safer and more productive manner. This can be achieved by establishing havens, landings, and jetties along the south coast.

Recent reports indicate that the Port of Albany will close if waterside workers do not agree to be employed on a part-time basis and receive casual rates for that work instead of having the permanent status that many of them have enjoyed for several years. The permanent status was created when the port reached a certain level of operation, and it meant that a set number of waterside workers could be paid an annual wage, regardless of whether they worked 10 hours or 40 hours in each week. The situation has reached the stage that the cost of servicing the small number of ships utilising the port is too high for the waterside workers not to be paid at casual rates. The present costs will cause the port to close.

I am sure the workers would agree to accept casual rates if the Government guaranteed that if the level of shipping at the port increased to the necessary level the workers would again be placed on that permanent status.

The Hon. D. K. Dans: Isn't that the prerogative of the Albany Port Authority?

The Hon. TOM KNIGHT: The authority has said that if the workers do not accept the casual rates the port will close. The authority wants to pay the workers only for the work they do.

The Hon. D. K. Dans: Under the stevedoring authority the port authority has the right to set the hours of work. You must understand that this is under Commonwealth legislation.

The Hon. TOM KNIGHT: The port authority has said the port will be closed if something cannot be done about the situation. Successive Governments have spent millions and millions of dollars on developing the port facilities at places such as Esperance, Bunbury, and Geraldton. However, Australian Governments have been held

to ransom by the Australian Northbound Shipping Conference.

Several years ago the conference laid down to the Australian Government the proposition that ships would call at only three ports, Melbourne, Sydney, and Fremantle. Later it was indicated that only two ports—

The Hon. D. K. Dans: They still have that idea.

The Hon. TOM KNIGHT:—were to service the whole of Australia because the shipping lines did not want to call at and utilise the billions and billions of dollars worth of port facilities the Australian Government and our Government have seen fit to establish over the years. Previously I have said it is time for the Federal Government to show its intestinal fortitude by saying to shipping lines, "We want you to call here and here. The produce we have will go out of this port and this port. If you don't take it we will call in another line". There must be a way around the present difficulties rather than have the country dominated by and dictated to by the Australian Northbound Shipping Conference. The Government should come out and say, "If you want to service our country you will call here and you will do this".

Previously I have mentioned in this Parliament that the Federal Government has not shown a great lead in economic matters or established a greater use of our outport facilities. To some degree the Fremantle Port should subsidise Western Australia's outports if we allow it to take the majority of trade. We should have the Fremantle Port wholly and solely devoted to containerisation, and have other ports service all other shipping so that we utilise the State's rail and port facilities in full. Previously I have said, and I maintain now, that Albany is in a peculiar position in that when wool sales are conducted the wool is railed to Fremantle to be shipped overseas or wherever. It does not matter where the wool is going, it is first railed to Fremantle for shipment.

Several years ago two roll-on roll-off ships worked out of Albany. They were the *Baranduna* and the *Tricolore*, and they took on 20 000 bales of fleece on each trip. The waterside workers did not have sophisticated equipment available, but were able to maintain the highest rate of loading for roll-on roll-off operations anywhere in Australia. Of course, the ships were the type that have the stern area drop down and tractors and loaders are able to cart the wool. The type of containerisation we have at Fremantle is the high overhead gantry type.

The Hon. D. K. Dans: One of those ships went to Fremantle as well.

The Hon. TOM KNIGHT: I am saying that such ships should call at the outports, and Fremantle Port should be used as a container facility only. In that way we would fully utilise the facilities of all our ports instead of adopting a centralised system to please an overseas consortium which says it wants to call at only Fremantle or wherever. We have to stand up to these people and say that if they want our business they must operate on our terms. I am not sure of the exact course to follow, but in any situation people must be fronted. If we do not do so we will never get anywhere.

I am concerned for the future of Albany Port and other outports in Australia, and I am concerned for the future of waterside workers.

At the Port of Albany I am sure the waterside workers would accept being paid casual rates for part-time employment provided they could return to permanent employment if there was an increase in shipping.

The Hon. D. K. Dans: Make an application to the stevedoring authority and it will do that.

The Hon. TOM KNIGHT: The Albany Port Authority has said ships will not go to Albany because the costs are too high, but the costs are too high because not enough ships go to the port. I have raised this matter previously and again hope that appropriate action will be taken.

The last matter I wish to raise relates to the Department of Youth, Sport and Recreation. In regard to budgetary matters we had a razor gang, and funding economies were brought about. Government departments have sought ways and means to keep expenditure down so that the Budget does not show a deficit. Several years ago we established the Department of Youth, Sport and Recreation with a director, an assistant director, a typist-secretary, and a board. An amount of \$1 million was allocated to sporting institutions in Western Australia, bearing in mind that we employed only three people and a board to carry out that function. No doubt the board members were paid fees, but those fees would have been insignificant.

In the present Budget \$3.711 million is allocated to the department, but only \$540 000 will be provided to recreation institutions. The department now has a staff of 122. These increases have occurred in only four or five years. We should return to the situation of having a board and three people to operate the functions of the department. In that way an extra \$3 million would be available to the State and we would not have the empire building that obviously has occurred in the department.

The department uses the entire second floor of the Perry Lakes Stadium. When I first went to the department to determine what it does I expected it would be difficult to find the department because I anticipated it having only eight or nine people on the staff. However, when I arrived I could see that it utilised an entire floor, and people were running everywhere—

The Hon. W. M. Piesse: Running?

The Hon. TOM KNIGHT: I am sorry, but they were moving. I saw a library and many other facilities. To my mind the growth of the department represents empire building to the detriment of sporting and recreation institutions of Western Australia. If we consider the inflation rate since the department was established, the amount of money going to sporting bodies should now be in the vicinity of \$2 million. The State is missing out because of the department's growth.

In my electorate sporting bodies and recreation institutions have made application to the department for assistance, but many of those application have been knocked back, and existing allocations each year have become lower and lower.

The increase in the size of the department and the decrease in the amount of allocations to sporting bodies was raised last year by the Hon. Phillip Pandal and me. We did so somewhat tongue in cheek because we were not sure of the details of what was actually happening. Now the facts are before us. We raised the matter cautiously last year, but the situation has continued. Last year the staff of the department numbered 115, and this year it is 122, which is not a large increase in percentage terms. However, any increase in this department is a waste of money. As I have indicated, the amount of money the department provides to sporting bodies is now half what it was when the department was first established.

I had to raise this matter because the present situation in regard to the department is disgusting. We often consider ways of saving money and keeping the Government on the straight and narrow. Lately we have had much discussion about education funding, and I believe the \$4 million spent on the Department of Youth, Sport and Recreation could be utilised in the education system instead of being wasted as it is at present.

For what the matter is worth, I have raised it and I hope the Government takes note of the other points I have raised. I could have raised other matters, but as evening is drawing on I

thank the House for allowing me the opportunity to make the remarks I have made.

**THE HON. R. G. PIKE** (North Metropolitan) [5.40 p.m.]: I rise to comment in regard to the question before the House, which deals with funding for Western Australia. It is very proper and appropriate, when looking at the fundings of Western Australia and the figures that are being presented to us today, to make a fair and accurate comparison with the Budgets and charges that are being presented by other Governments in the Commonwealth of Australia.

I find that, notwithstanding the fact that Western Australia received the toughest deal by far from the Commonwealth when it came to payments by the Commonwealth to the States, its Budget and its performance bear more than favourable comparison with those of other States and, in particular, with the States of New South Wales and Tasmania. I have used those States because their charge increases have been the highest, and in the process of highlighting that fact, I came to the conclusion that when the Labor Party in this State hears the word "fairness" it reaches for the dictionary, because the facts of the matter are—

**The Hon. D. K. Dans:** The facts of the matter are that New South Wales has gone from the highest unemployment State to the lowest and has reduced real unemployment by 35 per cent. Read that into your speech.

**The Hon. R. G. PIKE:** When I hear the Leader of the Opposition—

**The Hon. D. K. Dans:** Read that into your speech and be honest.

**The Hon. R. G. PIKE:** When I hear the Leader of the Opposition comment like that, I come to the conclusion that he has some difficulty—

**The Hon. D. K. Dans:** I have never heard you make a speech yet that you have not read.

**The Hon. R. G. PIKE:**—in distinguishing his elbow from any other significant part of his anatomy.

**The Hon. D. K. Dans:** Get up and tell the truth and use your brain instead of the piece of paper in front of you.

**The Hon. R. G. PIKE:** I am so glad that the Leader of the Opposition has asked me to do that, because I will now quote from *The Sydney Morning Herald*.

**The Hon. D. K. Dans:** I will speak on the adjournment, as you have invited me into it.

**The Hon. R. G. PIKE:** I will illustrate from that newspaper article some of the charges that have been imposed, and I repeat that what we

have is the clear hypocrisy of the Labor Party in Western Australia which, through the media and other channels—wherever it can manage to get a statement in the Press—highlights the so-called unfair, incorrect, even improper charges made by this Government when in fact the charges made by way of increases in the Labor States of New South Wales and Tasmania are significantly greater. In order to accommodate properly the question that has been asked by the Leader of the Opposition, I turn to *The Sydney Morning Herald* of 22 October in which there appears the headline "Government fares, freight charges up". Perhaps the Leader of the Opposition will listen to the facts of the matter.

**The Hon. D. K. Dans:** The people of New South Wales do not seem to be very concerned with the Labor Government, do they? I think the Liberals are down to 14 members.

**The PRESIDENT:** Order! I ask the honourable member to direct his comments to the Chair, please, and I ask the other honourable member to refrain from interjecting.

**The Hon. R. G. PIKE:** When he and the House hear these charges, they can compare the charges made by the Government of Western Australia and will realise—

**The Hon. D. K. Dans:** I still believe the people of New South Wales made a very wise choice a couple of months ago.

**The Hon. R. G. PIKE:** I hope the member will at least acknowledge the fact.

**The Hon. D. K. Dans:** Do you acknowledge there are 14 members of the Liberal Party left in New South Wales?

**The Hon. R. G. PIKE:** Whenever the Labor Party uses the word "fairness", it reaches for the dictionary, and that applies to the Leader of the Opposition.

**The Hon. D. K. Dans:** Will you agree there are 14 members of the Liberal Party left in New South Wales?

**The Hon. R. G. PIKE:** I hope the House will allow me to deal with the facts. The article in *The Sydney Morning Herald* states—

The State Government is to raise rail, bus and ferry fares and rail freight rates by up to 25 per cent next month.

It goes on in great detail. That is the first charge. If we look at charges by way of increases, we find that freight rates were increased by only 15 per cent by the Government that is the best economic manager in this Commonwealth, and that is the State of Western Australia.

The Hon. D. K. Dans: They just made \$1 million last week in the Budget—according to the answer to a question of mine today.

The Hon. R. G. PIKE: We find Western Australian freight rates were increased by 15 per cent.

The Hon. D. K. Dans: To what, Mr Pike?

The Hon. R. G. PIKE: The charges in New South Wales were increased by 25 per cent.

The Hon. D. K. Dans: To what?

The Hon. R. G. PIKE: Let us look at the fairness, if we can ignore the interjections of the Leader of the Opposition.

The Hon. D. K. Dans: They reduced them by 25 per cent several years ago in New South Wales.

The Hon. R. G. PIKE: It seems to me to be singularly remarkable that on every occasion that I get to my feet in this place in order to make a fair comparison of facts regarding the Government in Western Australia, in terms of its charges, and those of other Governments, and if by accident those Governments happen to be Labor Governments, we hear nothing but a tirade of volume from the Leader of the Opposition in order to prevent me from bringing my remarks to the House.

The Hon. D. K. Dans: The people of New South Wales are happy with it. After the next election there will be no Liberal Party left.

Several Government members interjected.

The Hon. G. E. Masters: Do you want to pay? You had better wait and see who your leader is first.

The Hon. D. K. Dans: You won't have the same leader at the next election.

The Hon. A. A. Lewis: The Labor Party here!

The Hon. D. K. Dans: Just about. We have had one leader since we have been in Government.

The PRESIDENT: Order!

The Hon. R. G. PIKE: I said before the Leader of the Opposition will continue with these interjections in order to try to prevent these very relevant facts on the State of Western Australia being presented to the House.

The Hon. D. K. Dans: I am very interested in debating the Budget of New South Wales in the Parliament of Western Australia.

The Hon. R. G. PIKE: The honourable member seems to think a loud voice is some substitute for logic or the facts.

The Hon. D. K. Dans: Put your papers down and make a speech. Drop your prompt sheet.

The Hon. R. G. PIKE: Let me continue the point. I have illustrated to the House that the freight rates in Western Australia increased by only 15 per cent and increased in New South Wales by 25 per cent.

The Hon. D. K. Dans: To what?

The Hon. R. G. PIKE: Let me illustrate another fact: The Government in this State properly made those increases when they were needed; and Mr Wran, the President of the Labor Party in this country, and the Premier of New South Wales, made his increases in a sneaky, sulky way just after Labor had been elected to be the State Government and completely misled the people of New South Wales. Within a week or two weeks of Labor members being elected they slammed on their increases in regard to transport and electricity costs, which I will illustrate again.

The Hon. D. K. Dans: Seven hundred men are getting the sack at Kwinana and you misled the public here when you said you were going to create 100 000 jobs. Answer that one!

The Hon. R. G. PIKE: The Leader of the Opposition has manifested again his great problem in dealing with facts and logic.

Several members interjected.

The PRESIDENT: Order!

The Hon. R. G. PIKE: The House, of course, comes to expect that from him.

The Hon. D. K. Dans: If I were in the New South Wales Parliament I would listen to you, because that is what you are on about.

The Hon. R. G. PIKE: The New South Wales Government has increased its freight charges by 25 per cent and this Government has increased its charges by only 15 per cent at a time when they needed to be increased. Having dealt with this increase, although I thought I would have been able to deal with it a little more quickly, I go on to the next increase. It appears in *The Sydney Morning Herald* of 4 November under the headline, "\$53-a-year slug on the power bill". The article reads as follows—

Price rises for electricity approved by the State Government yesterday mean that an average NSW household will pay \$53 a year more.

The article goes on to state that the increase for domestic consumers will be 20 per cent and for businesses, 25 per cent.

The Hon. D. K. Dans: Answer me one question: Are the people of New South Wales paying more for electricity than the people of Western Australia? Answer that one!



The Hon. R. G. PIKE: I do not have to answer whether they pay more or less. The people in this State pay a price for power which is, by comparison with all the other States in the Commonwealth higher, and the reason it is higher—obviously one would need to say this more than once and in a loud voice so the Leader of the Opposition can understand it—

The Hon. D. K. Dans: Why are you talking about New South Wales? The people in Western Australia are paying more for power and you talk of New South Wales. What a lot of rubbish.

The Hon. R. G. PIKE: Be fair.

The Hon. D. K. Dans: You are not being fair.

The Hon. R. G. PIKE: The answer to the Leader of the Opposition's question is this: The power source in this State is Collie coal, and the cost of the extraction process in this State is unfortunately more expensive than the cost of extracting the massive resources available in New South Wales and other States. If the Leader of the Opposition doubts that fact, let him go to the member who was Labor's spokesman on fuel—before the ALP improperly dumped him—Mr Tom Jones. He was a reasonable and informed spokesman on this matter and knew what he was talking about. Let him find out the facts. I challenge the Leader of the Opposition to do so and see if he can repudiate the facts I have made known here. Of course coal is dearer here because the cost of extracting it is more expensive.

The Hon. D. K. Dans: The fact is that the people of New South Wales get their fuel cheaper than those in Western Australia.

The Hon. R. G. PIKE: Let me continue to the second point and maybe I can do so in a reasonable voice and receive a modicum of courtesy from the Leader of the Opposition. Western Australia's great size is such that by necessity its power lines extend over many, many miles. The Liberal-Country Party in this State, in its fair attitude to development, incorporated legislation whereby the price for power is the same in the bush as it is in the country. Because the Liberal-Country Party Government is a far better economic manager than is the Labor Party we have a situation where power costs—

The Hon. D. K. Dans: You said it is the same cost in the bush and the country.

The PRESIDENT: Order!

The Hon. R. G. PIKE: People in the country pay the same for power as do people in the city because of the fair attitude of this Government. In a statement made in this House by another member, it was incorrectly said that there is an

availability of fuel resources which can be extended easily by power lines to other areas in this State. However, we must compare the situation here with that in New South Wales and consider the massive size of Western Australia and its population. So, on that basis his comment is puerile and stupid.

The Labor New South Wales Government has increased its power cost by 20 per cent for domestic consumers and by 25 per cent for business consumers. If we compare that with the power costs in Western Australia, we find our electricity costs for 1981-82 were increased by only 16 per cent.

Having dealt with New South Wales, I will now deal with Tasmania. It was reported in *The Mercury* of 11 September 1981—and we must bear in mind that we have heard from the Labor Party in this State a farrago of facts and fantasy in regard to the charges made by this Government, as though those charges have been made in isolation, and that all other States have made no such increases. *The Mercury* in Tasmania stated that the motorists, car buyers, smokers, and people with cheque accounts are hardest hit in Tasmania's State Budget. This was reported about the September Budget.

The article continues to say that there would be a fuel tax at 1.6 per cent. The Leader of the Opposition in this State has been unfairly referring to this State Government's payroll tax when in fact the charges in our pay-roll tax have been fairly adjusted.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: Again, with manifest hypocrisy the Leader of the Opposition in this place makes that statement when, in fact, the Wran Labor Government in New South Wales increased pay-roll tax across the board by a further 1 per cent.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: He has the gall, cheek, and hypocrisy to make those charges against the Government in Western Australia.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: I will continue to make the point with regard to the Tasmanian charges.

Several members interjected.

The Hon. R. G. PIKE: I do not mind the interjections, but I cannot continue to speak all night. The Tasmanian paper reported as follows—

It imposes a fuel tax of about 1.6c a litre of petrol, increases stamp duty on cheques by 5c, increases stamp duty on the purchase of

new and used motor vehicles, and adds about 2c to the price of a packet of cigarettes.

A new charge of \$25-\$37 will be levied against farmers to help pay for agricultural extension services—

This is how socialist Governments deal with farmers. To continue—

But with other tax collections rising with inflation, the Government's total tax rake-off this year will be up by nearly 20 per cent, or \$25.6 million on last year, to a record \$154.6 million.

The final point is very relevant when we deal with the criticisms made by the Labor Party about the Government in this State. The comments made by the Tasmanian Taxpayers' Association are fair and unbiased.

The Hon. Peter Dowding: What do you base that on?

The Hon. R. G. PIKE: The vice-president of that association said Tasmania will still have the highest pay-roll tax in Australia and that the taxes did nothing for the small business sector of Tasmania, or for the State's economy.

All the States in this Commonwealth make legitimate charges which need to be increased from time to time. The Labor Governments of New South Wales and Tasmania have increased their charges by a greater degree than has Western Australia.

Several members interjected.

The PRESIDENT: Order!

The Hon. R. G. PIKE: The Labor Party in this State is not emerging as an Opposition party, but as a decoy party or pretending party. The party is pretending that it is not socialist in order that it can pick up the middle ground in Western Australia. This decoy and pretense will not be swallowed by the people of Western Australia.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: I hope members of the House take cognisance of those facts when looking at the increased charges brought in fairly by the Government of Western Australia. The Labor Party Governments in other States have brought in larger increases.

The Hon. D. K. Dans interjected.

The Hon. R. G. PIKE: I remind members that socialism needs capitalism to pay the bills.

Debate adjourned, on motion by the Hon. A. A. Lewis.

## ADJOURNMENT OF THE HOUSE

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [5.57 p.m.]: I move—

That the House do now adjourn.

*Workers' Compensation Legislation: Role of the Hon. H. W. Olney*

**THE HON. J. M. BERINSON** (North-East Metropolitan) [5.58 p.m.]: Earlier today we concluded the remaining stages of the Workers' Compensation and Assistance Bill. I believe it would be a shame if we were to allow the occasion to pass without some acknowledgment of the special contribution made by the Hon. Howard Olney.

The background to this legislation is quite unusual. It was introduced earlier in the year as the Workers' Compensation Bill 1981 and by the time Mr Olney had drafted something over 100 amendments, it became clear not only that the Bill in that form was objectionable and industrially provocative in a number of areas of principle, but also that a considerable part of its concepts and drafting warranted further study. That Bill was withdrawn.

With the introduction of a new Bill—the Workers' Compensation and Assistance Bill—we again have had the advantage of Mr Olney's meticulous and expert consideration of it.

I do not wish to embarrass Mr Olney either professionally or in any other respect by further emphasising the contribution he made, but I regard it as invaluable. I make it clear that in what I am saying, there is no intention to reflect upon the responsible Minister and the draftsmen who also were involved. I am simply suggesting that Mr Olney's contribution on a matter which was both highly complex and extremely important to the work force in this State was of an exceptional character and ought to be acknowledged.

*Workers' Compensation Legislation: Role of House of Review*

**THE HON. G. C. MACKINNON** (South-West) [6.00 p.m.]: I also, like Mr Berinson, would like to extend appreciation on behalf of the Legislative Council to the Hon. Howard Olney who is one of the luminaries on this subject. I would also like to point out to the House that the workers' compensation legislation has frequently been before the House, and it continues to be very much a product of this Chamber. From the earliest time it has received consideration and

amendment here and it may be a good exercise in research if anyone would like to investigate it.

I find that every time a Bill to amend the workers' compensation legislation has come before the House it has been rewritten or clarified. Perhaps it is the fact that we have brighter members in the House now which leads to a more reasonable debate. The history of workers' compensation in this State does a great deal of credit to this Chamber. I see the tradition being continued in the handling of this Bill in which on this occasion I took no part. On occasions over the last 25 years I have taken a more active role and indeed on one occasion I played a similar role to that which Mr Olney has taken on this occasion. As far as the Workers' Compensation and Assistance Bill is concerned on this occasion the Opposition has found it in good company. It is our legislation and has been referred to as such, and in fact the ALP paid a tremendous amount of homage to Dr Hislop, particularly in regard to his work on pneumoconiosis and other diseases.

*Rock Lobsters: Blow Holes*

**THE HON. D. K. DANS** (South Metropolitan—Leader of the House) [6.03 p.m.]: I do not want to delay the House, but during the speech by Mr Lockyer I attempted, by way of interjection—and I do not interject very often—

The Hon. D. J. Wordsworth: He made a longer speech than you did.

The Hon. D. K. DANS: —I hit the Minister for Fisheries and Wildlife on a raw spot because

he invited me to make some comments during the adjournment debate on those that I had made by way of interjection during the earlier debate. To accommodate him I would like to say a few words. I interjected by saying that the Minister or his department had been leant upon by some pressure groups in respect of opening the Blow Holes area at Carnarvon to professional fishermen.

The PRESIDENT: Order! I suggest to the honourable member that he is contravening the Standing Orders. The time to refer to that subject is when the Bill is being debated or when the question is before the House. If the member refers to it during this debate then he is out of order. I would like to remind honourable members that on the motion in regard to the Estimates of Revenue and Expenditure it is perfectly legitimate for an honourable member to recite "The Charge of the Light Brigade". It is equally perfectly legitimate for a member in an adjournment debate to recite "The Charge of the Light Brigade", but it is not competent for a member to comment, during the adjournment debate, on a member's rendition of it during the debate on the Estimates of Revenue and Expenditure.

The Hon. D. K. DANS: I take your point and I can assure you, Sir, I will take the opportunity during the Budget debate to put my point of view in order to have my comments placed on record.

Question put and passed.

*House adjourned at 6.05 p.m.*

# QUESTIONS ON NOTICE

## LIQUOR: HOTELS

### Noise Levels

656. The Hon. P. G. PENDAL, to the Minister representing the Chief Secretary:

- (1) Is the Chief Secretary aware of a disagreement between the South Perth City Council and the State Licensing Court as to which is responsible for enforcing a Licensing Court instruction that a certain hotel be sound-proofed to reduce noise levels?
- (2) If so, will the Minister take action to break the deadlock?
- (3) If so, will the Minister outline the course of that action?

The Hon. G. E. MASTERS replied:

- (1) A previous difference of opinion between the Licensing Court and the South Perth City Council relating to noise levels has been resolved.

The Licensing Court is satisfied that the sound-proofing measures, which it ordered, have been carried out and it has a consultant's certificate to that effect.

- (2) and (3) Not applicable.

## PRISONS: PRISONERS

### Governor's Pleasure

674. The Hon. J. M. BERINSON, to the Minister representing the Chief Secretary:

- (1) How many persons are now detained during the Governor's pleasure having been acquitted on the ground of insanity pursuant to section 653 of the Criminal Code?
- (2) In respect of each such person—
  - (a) where is that person detained; and
  - (b) how long has that person been detained?

The Hon. G. E. MASTERS replied:

According to the records of the Department of Corrections—

- (1) Six persons are currently detained pursuant to section 653 of the Criminal Code with five being held in prisons and one being held in a psychiatric hospital for treatment.

(2) (a) and (b)

Prison	Date of Sentence	Period Detained
Fremantle	10/4/73	8 yrs 6 mths
Fremantle	12/6/74	7 yrs 4 mths
Fremantle	6/12/77	3 yrs 10 mths
Psychiatric Hospital	14/7/81	3 months
Fremantle	19/8/81	2 months
Fremantle	23/9/81	1 month

According to the records of the Mental Health Services—

- (1) A further seven persons are currently detained pursuant to section 653 of the Criminal Code.

(2) (a) and (b)

Hospital	Date of Admission	Period Detained
Graylands	8/6/66	15 yrs 5 mths
Graylands	30/3/78	3 yrs 7 mths
Graylands	15/3/54	27 yrs 7 mths
Graylands	13/8/76	5 yrs 2 mths
Graylands	20/12/71	9 yrs 10 mths
Graylands	10/9/77	4 yrs 2 mths
Graylands	30/10/79	2 yrs

## PRISONS: PRISONERS

### Governor's Pleasure

675. The Hon. J. M. BERINSON, to the Minister representing the Chief Secretary:

In the case of persons under 18 who have been sentenced to detention during the Governor's pleasure pursuant to section 19(6a)(a) of the Criminal Code, and who are now so detained—

- (1) How many persons under 18 are in each institution now used for such detention?
- (2) In which institutions is such detention normally served when the person attains the age of 18, and how many detained minors who have turned 18 are now in each such institution?
- (3) In each case, what period of indefinite detention has so far been served?

The Hon. G. E. MASTERS replied:

- (1) There are no persons currently detained under section 19(6a)(a) of the Criminal Code who are under 18 years of age.

- (2) Such detention is served in institutions according to security and management requirements and in such a manner as to avoid overcrowding while taking into account recommendations of the sentencing authorities. Currently 4 persons are detained as minors under section 19(6a)(a) of the Criminal Code, who have subsequently attained the age of 18 years. They are located at Fremantle Prison (1), Bunbury Rehabilitation Centre (2), and Barton's Mill Prison (1).

- (3) The person at Fremantle Prison has served 12 months. One person at Bunbury Rehabilitation Centre has served 6 years and 10 months.

The other person at Bunbury Rehabilitation Centre has served almost two years.

The person at Barton's Mill Prison has currently served 14 months after having been released to the supervision of a parole officer and having breached the conditions of his parole.

## PRISONS: PRISONERS

### *Governor's Pleasure*

676. The Hon. J. M. BERINSON, to the Minister representing the Chief Secretary:

- (1) How many persons are now detained during the Governor's pleasure as habitual criminals pursuant to section 661 of the Criminal Code?
- (2) In respect of each such person—
  - (a) what is that person's age;
  - (b) what was the finite term of imprisonment completed;
  - (c) what period of indefinite detention has been served since the expiration of such finite term;
  - (d) where is the indeterminate sentence being served; and
  - (e) is the institution referred to in (d) a reformatory prison, and if not, why and by what right are the requirements of section 661 not being observed?

The Hon. G. E. MASTERS replied:

- (1) Six.

- (2) (a) to (d)

Age	Finite Sentence Imposed	Indefinite Detention Served	Prison
35	3 yrs	—	Albany
45	5 yrs	1 month	Geraldton

Age	Finite Sentence Imposed	Indefinite Detention Served	Prison
56	4 yrs	—	Fremantle
30	1 mth	—	Fremantle
34	4½ yrs	—	Fremantle
30	5 yrs	2 yrs 3 mths	Fremantle

- (e) The issue of reformatory imprisonment has been raised in a case before the Supreme Court and therefore it would be inappropriate for the Chief Secretary to comment now.

## PRISONS: PRISONERS

### *Governor's Pleasure*

677. The Hon. J. M. BERINSON, to the Minister representing the Chief Secretary:

- (1) How many persons are now detained during the Governor's pleasure pursuant to section 662 of the Criminal Code having been convicted of an indictable offence?
- (2) In respect of each such person—
  - (a) what is that person's age;
  - (b) what was the finite term of imprisonment completed;
  - (c) what period of indefinite detention has been served since the expiration of such finite term;
  - (d) where is the indeterminate sentence being served; and
  - (e) is the institution referred to in (d) a reformatory prison, and if not, why and by what right are the requirements of section 662 not being observed?

The Hon. G. E. MASTERS replied:

- (1) Fifteen.

- (2) (a) to (d)

Age	Term Imposed	Period of Governor's Pleasure Served	Prison
35	7 yrs 7 mths	—	Fremantle
30	—	1 yr 9 mths	Albany
27	6 mths	—	Fremantle
59	2 yrs	9 yrs 2 mths	Fremantle
24	3 yrs	2 yrs 11 mths	Fremantle
30	4 yrs	1 yr 10 mths	Fremantle
33	—	10 yrs 8 mths	Fremantle
30	5 yrs	3 yrs 6 mths	Fremantle
30	3 yrs	—	Fremantle
25	5 yrs	—	Fremantle
33	—	2 yrs 10 mths	Fremantle
25	—	2 yrs 10 mths	Bartons Mill
34	—	8 yrs 6 mths	Fremantle
23	—	3 yrs 7 mths	Bunbury
31	—	4 yrs 7 mths	Fremantle

- (e) The issue of reformatory imprisonment has been raised in a case before the Supreme Court, and therefore it would be inappropriate for the Chief Secretary to comment now.

### ROADS

#### *Abernethy Road-Wright Street, Belmont*

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

- (1) Is the Minister aware that additions to the Belmont Shopping Complex on the corner of Belmont Avenue and Wright Street, Belmont are almost complete and the new shops will be opening shortly?
- (2) Is the Minister aware that this will further increase the traffic flow through the Abernethy Road-Wright Street intersection?
- (3) Is the Minister aware—
  - (a) of the continuing spate of accidents which are occurring at the Abernethy Road-Wright Street intersection;
  - (b) that most of the accidents are a result of vehicles turning right into the path of oncoming traffic; and
  - (c) that during peak periods it is virtually impossible to turn right off Abernethy Road into Wright Street without taking a risk?
- (4) In view of the current chaotic conditions at this intersection, will the Minister have the Main Roads Department install an arrow to facilitate a right hand turn off Abernethy Road into Wright Street for traffic travelling in a southerly direction?
- (5) If not, why not?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) It is reasonable to expect that more traffic will be generated in this area.
- (3) to (5) The Minister for Transport has asked the Main Roads Department to undertake appropriate investigations and he will advise the member of the outcome.

### WAGES: DETERMINATION

#### *National Inquiry*

680. The Hon. D. K. DANS, to the Minister representing the Minister for Labour and Industry:

With respect to the proposed national inquiry into wage determination—

- (1) Is the Minister able to provide details of discussions arising out of the meeting of Labour Ministers on 18 September 1981?
- (2) Can the Minister confirm whether the terms of reference for the inquiry have been finalised?
- (3) Is it the Government's intention to make a formal submission to the inquiry?
- (4) Will the Minister clarify the Government's wages policy?

THE HON. G. E. MASTERS replied:

- (1) The Federal Minister (Mr Viner) advised State Ministers at the Darwin conference that progress was being made in connection with the proposed inquiry, but he still had to have further discussions with the Confederation of Australian Industry, the Australian Council of Trade Unions, and States, in regard to certain matters.
- (2) Not to my knowledge.
- (3) and (4) The Government will consider these matters when it is known positively that the proposed inquiry will eventuate.

### TOWN PLANNING

#### *Broome: Hotel*

681. The Hon. PETER DOWDING, to the Minister representing the Minister for Local Government:

- (1) Did the Minister receive a proposed amendment No. 19 to the Broome Town Planning scheme No. 1?
- (2) If so, on what date?
- (3) Does the proposal provide for a change in the zoning of Lot 1216, corner Cable Beach and Lullfitj Drive, Broome, from rural to hotel/motel?
- (4) Are there any other proposed changes in the plan?
- (5) If so, what are they?
- (6) Was the Minister requested to reduce the inspection period and time for objections?

- (7) If so, from whom, and in what terms?
- (8) Did the Minister reduce the period from three months to two months?
- (9) If so—
  - (a) for what reasons; and
  - (b) under what power?
- (10) Has the Minister received any advice as to the reasons for the proposal?
- (11) Has the Minister received any material showing plans for developing the proposed rezoned site?
- (12) If so, from whom, and what are those plans?

THE HON. I. G. MEDCALF replied:

- (1) Yes.
- (2) 14 August 1981.
- (3) Yes.
- (4) No.
- (5) Not applicable.
- (6) Yes.
- (7) By the Town Planning Board, recommending a reduced advertising period of 60 days.
- (8) The period was reduced from 3 months to 60 days.
- (9) (a) Because the amendment was of a minor nature;  
(b) under the powers conferred by Regulation 25(f) of the Town Planning Regulations, 1967, made under section 9 of the Town Planning and Development Act.
- (10) Yes.
- (11) No.
- (12) Not applicable.

#### EDUCATION: HIGH SCHOOL

##### *Northampton*

682. The Hon. TOM McNEIL, to the Minister representing the Minister for Education:

- (1) Is the Minister aware that the Northampton District High School is in such a state of disrepair that another portion of the school collapsed on the morning of 4 November 1981?
- (2) In light of the school's apparent decrepit condition, and the possible danger to the safety of the children and staff, would the Minister advise when a decision will be forthcoming on the future of the school with regard to either upgrading or re-building it?

- (3) As funding from the school's minor works programme has been denied to this school for over 20 months, will the Minister recognise the urgency of an immediate decision?
- (4) If the decision is to re-build, will it be on—
  - (a) the existing site; or
  - (b) an alternative site?

The Hon. D. J. WORDSWORTH replied:

- (1) It is acknowledged that this school requires a substantial repairs and renovation programme. The "collapse" referred to in the member's question was a very minor fall of a piece of timber and a downpipe. There was, and is, no danger to children.
- (2) to (4) A comprehensive report on the condition of all the Northampton District High School buildings has been sought from the Public Works Department. When this report is received and has been evaluated a firm decision on the future of this school will be made.

#### PRISONS: PRISONERS

##### *Governor's Pleasure*

683. The Hon. J. M. BERINSON, to the Attorney General:

What action, if any, has been taken on the recommendations of the Parker report in respect of the detention of persons at the Governor's pleasure pursuant to sections 19 (6a) (a), 661 and 662 of the Criminal Code?

The Hon. I. G. MEDCALF replied:

The recommendations referred to are being considered in conjunction with the review of the Criminal Code now being undertaken.

#### RAILWAYS: FREIGHT

##### *Small Goods*

684. The Hon. TOM McNEIL, to the Minister representing the Minister for Transport:

With regard to the proposed joint venture between Westrail and private enterprise to handle small goods traffic, would the Minister advise—

- (1) What effect such a venture will have on locally-based carriers currently involved with Westrail?
- (2) Will local carriers be given an opportunity to transport less than wagon load goods into their own area, or will the franchise be only offered to large metropolitan based firms?
- (3) As Westrail will contract to carry wagon loads of goods for the company on the same commercial basis as it did for other customers, is it likely to include the transportation of beer?
- (4) As it has been suggested that Kewdale freight terminal would be leased to the company by Westrail, what country facilities are contemplated being leased in this manner?

The Hon. D. J. WORDSWORTH replied:

- (1) Westrail anticipates that, as far as possible, the joint venture company would use local carriers as agents to deliver goods from rail in a similar way that they are now employed.
- (2) No franchise is contemplated.
- (3) Yes.
- (4) Westrail would lease to the joint venture company any country facilities presently used in its "smalls" and parcels freight operation which the company requires.

## WATER RESOURCES

### *Binnu Primary School*

685. The Hon. TOM McNEIL, to the Minister representing the Minister for Education:

- (1) Has consideration been given to making finance available to allow test boring for a suitable water supply for the Binnu Primary School?
- (2) If (1) is "No", why not?
- (3) If (1) is "Yes"—
  - (a) what is the amount of the funding;
  - (b) when is it anticipated testing will commence;
  - (c) has written permission been granted by the farmer on whose property it is intended to carry out the testing; and

- (d) if sufficient water is found in the sand plain country, is it anticipated the Education Department will accept the Northampton Shire Council offer of 50/50 cost sharing to develop a school oval?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) Not applicable.
- (3) (a) Up to a maximum of \$5 000;
- (b) authority for expenditure was given on 27 October. Drilling will commence as soon as all necessary arrangements are made;
- (c) now that funds are available permission to allow test boring will be sought from landholders affected;
- (d) the present problem is to ensure that there is an adequate water supply for all essential demands. It is believed that the cost sharing proposal is only available if the supply is essentially for the development of an oval.

## QUESTIONS WITHOUT NOTICE

### RESEARCH STATION: AVONDALE

#### *Closure*

197. The Hon. W. M. Piesse (for the Hon. H. W. GAYFER), to the Minister representing the Premier:
- (1) Is he aware of the consternation being caused in the Beverly district with the rumoured mass movement of staff from the Avondale Research Station?
  - (2) Is it a fact that the research station is to be closed?
  - (3) If not, what is going on?
  - (4) Who made and why was the decision implemented to bring about the change?
  - (5) How many staff are involved?
  - (6) How many of these staff members are married?
  - (7) Why were not the shire council or the local members of Parliament advised of the proposal?

The Hon. J. G. MEDCALF replied:

I am indebted to the Hon. H. W. Gayfer for providing details of this question which really should have been directed to the Minister for Agriculture, but in his absence overseas, it has been



answered by the Premier. The answer is as follows—

- (1) No, nor am I aware of any mass movement of staff.
- (2) No. Because of Budget constraints, some of the research programmes would be relocated. However, some long-term experiments, including the new cashmere goat studies, would be carried on and the remainder of the station would function on commercial lines.
- (3) See answer to (2).
- (4) The Cabinet expenditure review committee made a recommendation following consideration of departmental submissions arising from financial restraints.
- (5) On present indications: two technical staff, one clerical assistant, and five wages staff.
- (6) Seven are married.
- (7) Under normal circumstances, local authorities and local members of Parliament are kept informed. However, in this instance and as stated by me in my Budget speech, a comprehensive statement will be issued on the financial cutbacks recommended by the Cabinet expenditure review committee.  
I understand the department has been in direct touch with the employees involved.

## SEXUAL ASSAULT

### *Statistics*

198. The Hon. LYLA ELLIOTT, to the Attorney General:

I refer to my question 593 of 21 October in which I asked for statistics concerning the number of rape cases which had reached the Supreme Court. The Attorney General's reply was that the information would be collated and I

would be advised in writing. I wonder if he could give me some idea when I might expect to receive a reply to that question?

The Hon. I. G. MEDCALF replied:

I will see that the member gets a reply as soon as possible.

## SEXUAL ASSAULT

### *Government Action*

199. The Hon. LYLA ELLIOTT, to the Attorney General:

This question is further to question 2 which I asked on 24 March last and which concerned the serious crimes of violence against women, particularly rape, which are taking place in this State. I refer particularly to part (2) (a) of that question which reads as follows—

What action does the Government intend to take in this State in respect to—

- (a) amending the law related to rape and sexual assault along the lines recommended by the national conference on rape law reform held in Hobart in May 1980;

The Attorney General replied, in part, that "the matter is under active consideration".

I ask the Attorney General whether he is in a position to say what progress has been made by his department on this matter?

The Hon. I. G. MEDCALF replied:

I am not in a position to say. The matter is receiving consideration in connection with the current review of the Criminal Code.