

Legislative Assembly

Wednesday, 18 October 1989

THE SPEAKER (Mr Barnett) took the Chair at 2.15 pm, and read prayers.

PETITION - EAST THOMPSONS LAKE URBAN DEVELOPMENT

Jandakot Mound - Cessation

DR ALEXANDER (Perth) [2.17 pm]: I have a petition in the following terms -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned, are concerned that the proposed East Thompsons Lake Urban Development, being given over the Jandakot Mound, will cause pollution of our water supply, and degradation of parts of the Beeliar Regional Park, so we hereby request that you take action under the provisions pertaining to the Underground Water Pollution Control Areas to prevent development until a full Environmental Impact Statement has been prepared and publicly reviewed. Your petitioners therefore humbly pray that you will give this matter earnest consideration, and your petitioners, as in duty bound, will ever pray.

The petition bears 75 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 66.]

PETITION - DUCK HUNTING SEASON

Government Declaration - Opposition

MRS HENDERSON (Thornlie - Minister for Works and Services) [2.18 pm]: I have a petition which reads as follows -

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

We, the undersigned petitioners of Western Australia and residents, urge you not to declare a Duck Hunting Season for 1990 and to legislate for the prohibition of any future Duck Hunting in this State, because of the cruelty inflicted on our wildlife; the incompleteness of ecological data on which the decision to allow duck hunting is based; the multitude of other pressures on wildlife and their habitat.

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

The petition bears 7 556 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 67.]

PETITION - LONG POINT (PORT KENNEDY) LAND

Future Use Concern

MR MacKINNON (Jandakot - Leader of the Opposition) [2.20 pm]: I have a petition couched in the following terms -

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

We, the undersigned as citizens of W.A. would like to stress our concern for the future use of land known as Long Point (Port Kennedy). We disagree with any development that would change its present use, ie public access to beach, destroying of the local environment and removal of shacks.

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

The petition bears 6 222 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 68.]

PETITION - RESERVE 860, WARANGRUP SPRING, DAWESVILLE

Conservation and Land Management Department - Vesting Request

MR READ (Murray) [2.21 pm]: I have a petition which reads as follows -

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

We, the undersigned petitioners of Western Australia and residents urge you:

To retain the integrity & continued public use of reserve 860, Warangrup Spring at Dawesville, Mandurah, by vesting the reserve under the Department of Conservation and Land Management, (C.A.L.M.) for the purpose of recreation & conservation.

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

The petition bears 121 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 69.]

PETITION - TRAFFIC ACCIDENTS

Youth Death Rate Concern - Blood Alcohol Content, Legislation Amendment

MRS HENDERSON (Thornlie - Minister for Works and Services) [2.22 pm]: I have a petition which reads as follows -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the upper school students of Lesmurdie Senior High School are concerned with the high road traffic accident death rate of youths in the 17-24 year age group. We request that Section 64 (1) of Road Traffic Act 1974 be amended to lower the percentage of alcohol in blood from 0.08 to 0.05 per centum.

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

The petition bears 112 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

[See petition No 70.]

PARLIAMENTARY TIMES OF SITTING

Days and Hours

MR PEARCE (Armadale - Leader of the House) [2.24 pm]: I move -

For the balance of the present session the House shall meet for the dispatch of business at 2.15 pm on Tuesdays and Wednesdays and at 10.45 am on Thursdays and shall sit until 6.00 pm if necessary, and, if requisite, from 7.30 pm onwards.

The sharper members of the House will realise that this motion means the dinner break will be extended by 15 minutes. Less sharp members of the House are those who approached me and asked why I was moving the same motion again. I am prepared to provide a list of those names and if provoked may use it in the House on some occasions. Members will also have

noticed that the practice of extending the dinner hour by 15 minutes has been illegally in practice for some time. I understand this happened because of the great Australian tradition of consensus. The mood of the House changed on this matter and the Government is pleased to move to have the sessional order amended. I think many members have found the extra 15 minutes convenient when attending meetings within the House or, having been away, being able to be back in time for the evening session.

Mr Hassell: It was your inflexible colleagues who did away with it in the first place.

Mr PEARCE: That could be the case. Cynics may feel that those who have been here for a long time like me are getting old and slow and need to eat in a relaxed manner, matching the Legislative Council which has never been hasty in these matters.

Mrs Beggs: It means we can see our children now and then.

Mr PEARCE: As the Minister for Planning points out it allows some members to see their children every now and then. I do not expect any dissent from this motion.

MR COURT (Nedlands - Deputy Leader of the Opposition) [2.26 pm]: The Opposition supports this small amendment to the sitting hours. During the evening dinner break we have to attend many functions and both Government and Opposition members are often seen travelling down to the Terrace for this purpose. We often have to leave before some of the important speeches are given at the functions. Although the request is for only 15 minutes, it will allow us the opportunity to carry out our duties in a proper manner.

The Leader of the House mentioned the possibility of spending more time with our families during the evening break. I am one of those fortunate members who lives close enough to be able to go home. However my father, a member for 29 years, had a habit of coming home and spending about 13 and a half minutes with his family. That was about all we ever used to see of him. He used to come through the front door, say hello, have a quick meal - the telephones were handled by my mother - and change his suit. When he put on his oldest suit we knew the House would be sitting until five o'clock in the morning. The Opposition supports this change.

MR HOUSE (Stirling) [2.28 pm]: While the National Party does not oppose this motion, it made an approach to the Government to allow the House to rise at 5.00 pm on Thursdays. Most of the National Party members have a four hour drive to make when they leave here on Thursday evenings. It would have been very helpful to the members of the National Party if they were able to leave here an hour earlier. It makes quite a bit of difference if one can arrive home at, say, 10.00 pm instead of 11.00 pm. We suggested a compromise to the Government that Parliament could sit an hour earlier on the Thursday, and if not on Thursdays then perhaps on the Wednesday. We are rather disappointed that the Government did not accept that proposition.

Mr Pearce: The Government is prepared to consider that proposition for the next session. However, it did not agree to that proposal, advantageous as it is to country members, because Ministers require at least some working time away from Parliament while it is sitting. A couple of years ago members of the House Committee, including members of the National Party, voted to not allow Ministers to have offices in Parliament House which makes it very difficult for Ministers working while the Parliament is sitting.

An Opposition member interjected.

Mr Pearce: No, an effort was made to get extra recreational facilities for members instead of allowing extra office space for Ministers in Parliament House. If Ministers could work in Parliament House while the House is in session it would be easier to agree to requests of that kind.

Mr HOUSE: That particular proposition has not been put to members of the National Party. I am quite sure we would be prepared to consider allowing the Government to have a little bit more working space in Parliament House if we can leave at five on Thursdays.

Mr Peter Dowding: It is something we need to look at.

Mr HOUSE: I am pleased the Government is prepared to look at the matter. I hope this can be done as quickly as possible.

Question put and passed.

BILLS (3) - INTRODUCTION AND FIRST READING

1. **Perth-Joondalup Railway Bill**
Bill introduced, on motion by Mr Pearce (Minister for Transport), and read a first time.
2. **Electoral Distribution Amendment Bill**
Bill introduced, on motion by Mr Thompson, and read a first time.
3. **Racial Fairness Amendment Bill**
Bill introduced, on motion by Mr MacKinnon (Leader of the Opposition), and read a first time.

MOTION - GOVERNOR OF WESTERN AUSTRALIA*Retirement - Motion Discussions*

MR PEARCE (Armadale - Leader of the House) [2.31 pm]: I move -

That Order of the Day No 13 be now taken.

In doing so I point out that this motion was placed on the Notice Paper by the Leader of the Opposition and relates to the retirement of the Governor, Professor Gordon Reid. The Government proposed to move its own motion regarding Professor Reid's retirement later this week. I have had discussions with the Deputy Leader of the Opposition regarding this motion because it is appropriate that the motion should be moved by the Premier on behalf of the whole of the House, which I am sure will be supported by all members. The arrangement I have made with the Opposition is that the motion drafted by the Leader of the Opposition be put forward today, and, as is proper in the circumstances, it will be moved by the Premier and seconded by the Leader of the Opposition. I thank the Opposition for its bipartisan cooperation in helping to congratulate and thank someone who has given such great service to the State.

Question put and passed.

MOTION - GOVERNOR OF WESTERN AUSTRALIA*Retirement - Service Appreciation*

MR PETER DOWDING (Maylands - Premier) [2.34 pm]: I move -

That following the retirement on 30 September 1989, of the Governor of Western Australia, Professor Gordon Reid, this House conveys its appreciation to Professor Gordon Reid and Mrs Ruth Reid for the outstanding service they have extended to the people of Western Australia during their term in viceregal office and for the gracious manner in which they have worked to protect and enhance the dignity and respect that the position of Governor should hold under our Westminster system of Parliament.

I am delighted to be able to move a motion that was drafted by the Leader of the Opposition, because on the issue of the dignity of performance of Professor Gordon Reid we are as one. Professor Reid was appointed Governor on 2 July 1984 as a very distinguished Western Australian - although he is a New South Welshman. Nevertheless, he had a very distinguished academic career at the University of Western Australia and made a significant contribution to community life prior to assuming the office of Governor. Professor Reid had a university degree and subsequently attained a doctorate in philosophy from the London School of Economics. He was a professor of politics and a departmental vice chancellor from 1978 until 1982.

Nobody in this House would not be aware of the sadness which greeted the news that Professor Reid would not be able to continue in the office of Governor. All of those who knew him during his term in office knew him to be a man of indefatigable energy who performed his public and private office with dignity, care and generosity. Professor Reid demonstrated energy in visiting many parts of Western Australia on a regular basis. We were all shocked and saddened by his illness and its serious nature. I know that members on both sides of the House have visited him in recent weeks to convey their best wishes to him

and Mrs Reid. I know I speak for all members when I say we wish him as good health as he can possibly achieve at this time.

Mrs Reid, as the Governor's spouse, has earned the thanks of the community of Western Australia. She threw herself with great gusto and energy into those duties traditionally performed by the spouse of the Governor. Her friendship and interest in a variety of community groups and charitable works is well known throughout the State. It is a very difficult period for Mrs Reid and we send our very best wishes to her in these trying times. The community asks a lot of sacrifices from people who perform high public service and Professor Reid and Mrs Reid gave their utmost to that public office for all Western Australians. This House should recall its indebtedness and high regard for the work that was done.

Professor Reid has a reputation as a political observer and his studies, which were at least partially completed during his term in office as Governor, will stand historians of the future in good stead for analysis of the Federal political system. On behalf of all members of this side of the House, and I am sure for all members of Parliament, and on behalf of the community of Western Australia, I express our appreciation at the very fine work that both Professor and Mrs Reid did as Governor and as the spouse of the Governor for the community of Western Australia during their tragically short period in office.

MR MacKINNON (Jandakot - Leader of the Opposition) [2.40 pm]: I have pleasure in seconding this motion. It is a rare occasion in this Parliament that I am able to say with a great deal of sincerity that I support the actions of the Government. In this case I support its actions in appointing Professor Gordon Reid as Governor of Western Australia and in extending his appointment. I also unequivocally support the comments made by the Premier today.

The former Governor, Professor Reid, and his wife have earned the respect of all Western Australians. He brought some tremendous characteristics to the office of Governor. I, like the Premier and Ministers, observed the former Governor more than most members of the public and I found him to be a thoughtful man. I listened to his speeches and he always made sure that his speech was well researched and had meaning and it showed the professionalism of the Governor's approach. He was thoughtful in his approach to the people. As the Premier said his approach was supported by Mrs Reid who was greatly involved with a variety of community groups.

Professor Reid is a dignified man and he demonstrated that by his approach and attitude to the office. One may have thought that because of his dignified manner that he would distance himself from others, but that was not the case: He was an approachable man.

Mrs Reid is an outstanding person in her own right and she gave great support to Professor Reid. She has made friends with thousands of Western Australians and has supported many community causes.

From my discussions with Professor Reid and his wife it was obvious they had great respect for the office of Governor and they deemed it a great honour to hold that position. He worked hard all the time he held the office of Governor to maintain the dignity of the position and while maintaining that dignity he was an innovator. As I mentioned in this House last night at various times Professor Reid opened Government House and the grounds of Government House to the people. I believe that was a proper thing to do and I hope that this action will continue on a similarly limited basis in the future.

Despite the onerous demands on Professor Reid he took time to complete the first stage of a publication relating to the history of the Federal Parliament. I suggest to the Premier that the Government considers giving assistance to Professor Reid and Mrs Reid in publishing the second part of the work which I know he is keen to have published. I understand there is some difficulty with it, but the Government is in a good position to provide support to Professor Reid with this project. I have a copy of the first publication and it is very good. If assistance can be given to the publication of the second part of the work it will be a proud tribute from the people of Western Australia to Professor Reid and Mrs Reid for the tremendous contribution they have made to Western Australia.

There are few occasion in this Parliament that we openly support motions of this type. In the 12 years I have been in this House there have been very few motions which have been

supported so warmly and sincerely by members on both sides of the House as has this motion.

MR COWAN (Merredin - Leader of the National Party) [2.44 pm]: On behalf of the National Party I support the motion conceived by the Leader of the Opposition, moved by the Premier and seconded by the Leader of the Opposition. It is a privilege for me to speak on behalf of the National Party and record its appreciation for the services rendered by Professor Gordon Reid and Mrs Reid to the State of Western Australia.

The Premier commented about Professor Reid's record in the University of Western Australia and the continuation of his interest in politics. In the formative years of the National Party we recognised the value of some of the observations made by a person like Professor Reid and we often used his view on the philosophical and political direction the National Party might take. We established a close relationship with Professor Reid in trying to establish a political organisation and used the best brains available in terms of political observance of what was happening in Western Australia.

It was a pleasure for me to be associated with Mrs Reid in her first formal function which was to open the CWA Conference in July 1984. I was on the same platform when Mrs Reid performed her last official function when she opened the 1989 CWA Conference. It has been a pleasure to be associated with both Professor Reid and Mrs Reid, not only because of the dignity they brought to the job, but also because of the natural approach they took in performing their job. Those unique characteristics will leave their mark on Western Australia for a long time.

I repeat the remark made by the Premier; that is, that all members in this House would want to convey to Mrs Reid their sentiments and would want her to know that they are certainly very much on her side at this time.

MR THOMPSON (Darling Range) [2.47 pm]: Many years ago my wife and I formed a friendship with Gordon and Ruth Reid and, in some respects, his appointment to the high office of Governor was a pity as far as we were concerned because the respective offices we held made it impossible for the fraternization that occurred between us prior to his appointment to continue. However, I was delighted when he was invited to be the Governor and he has made an outstanding contribution to that post. He has been ably supported by his wife. Of all the appointments Brian Burke made, as Premier of this State, none will stand as high a tribute to anyone as that of the appointment of Professor Reid.

Soon after we moved into our home which was not completed because we had run out of money, Professor Reid and his wife came to dinner. We had a pile of dirt at the front of our house and we did not know what to do with it. We had intended carting it away. Professor Reid was a keen tennis player and he suggested that we level out the dirt and make a tennis court. He also suggested that it not be a paved tennis court, but a grassed tennis court and to assist us he found someone in Nedlands who was replacing a grassed tennis court and who had a spare concrete roller. He rang me and told me about the availability of the roller. I can tell him that the result of his influencing me to have a grassed tennis court and that I should use the roller to roll is the reason I have a slender figure.

The Reid's have made a wonderful contribution to this State and I join with the Leader of the Opposition and Premier in supporting this motion.

MR COURT (Nedlands - Deputy Leader of the Opposition) [2.49 pm]: It is a great privilege to have the opportunity to give thanks for the tremendous job that Professor Gordon Reid and Mrs Reid have done in carrying out their duties.

The former Governor is a constituent living in Nedlands. He was highly regarded academically and he played a tremendous role at the University of Western Australia. I certainly support the previous speaker in his comments that a finer person could not have been appointed to this position. The extensive research he carried out in relation to all his speeches continues to amaze me.

In recent years I have heard many of Professor Reid's speeches. I can recall one which he gave at an park in Claremont on the corner of Bayview Terrace and Stirling Highway. It was a detailed and interesting speech on the early history of Claremont. On another occasion, at the opening of the Royal Perth Yacht Club, an event involved a trophy which bore the name of a Governor nobody had heard of. However, Professor Reid had done his

research and gave a good speech on the background of that Governor. At an RSL function he gave a detailed address on some of the history of this State during the war years. We all have to make speeches from time to time, but I do not think any member of this House puts as much effort and research into their speeches as Professor Gordon Reid does.

The position Professor Reid has held is not an easy one to fulfil to the high standards that have been set. It has meant that Professor Reid and his wife have travelled throughout this State a great deal. On many occasions I have visited country centres just after or just prior to a visit by the Governor and his wife. It is amazing what it does for a community when they know that the Governor is coming. It seems to be an incentive to clean up the place and make it presentable. The people who lived in those communities really looked forward to those visits. I am afraid that politicians do not receive the same treatment when they go to those communities. Professor and Mrs Reid travelled extensively throughout the State enabling a number of people to meet them and gain a better understanding of the Governor's role. It is an important role in society and in the democratic community in which we live.

I conclude that they are a wonderful, dignified couple. Constituents from my electorate are proud that one of their number was able to hold this position and carry out the responsibilities associated with it in the very fine manner that Professor and Mrs Reid have done.

MR HASSELL (Cottesloe) [2.55 pm]: I add my tribute to His Excellency the Governor and Mrs Reid for what they have done in recent years. Although comparisons are odious, I think it can fairly be said that Western Australia has been well served by many of its Governors and the succession of the Reids soon after the Kyles would not have been easy because there was a particular perception held about the Kyles, who did such a wonderful job. However, the Reids have certainly maintained that warmth with the community of Western Australia and have engendered special affection towards them from the community.

A couple of weeks ago late on a Saturday afternoon I saw Professor and Mrs Reid with their family at a shopping centre and was pleased to be able to say hello to them. I felt that during his illness I should not call on the Governor, but I had that opportunity to say hello in an informal way, sad as it was to see the Governor so ill. It was nice to see him and his family and, as has been said previously, they have done an outstanding job.

I also make the point that the Burke Government made Professor Reid's appointment at a time when there was speculation, concern and some potential controversy about that appointment. When Professor Reid was appointed all questioners were silenced and there was satisfaction. I hope sincerely that the present Premier will achieve the same success when appointing a successor to Professor Reid, but that is not a matter for me to debate today as we are paying tribute to someone who has served this State well and with great dignity.

As a traditionalist, I say that Professor Reid maintained his office in the way in which it should have been maintained and even enhanced that office. Mrs Reid added her own personal warmth and friendship, and her generosity and kindness, to the whole workings of the office of Governor. I support the motion.

MR MENSAROS (Floreat) [2.56 pm]: If, based on my political experience in this State and perhaps on the fact that during the time I sat in Cabinet the then Premier had twice to consider the recommendation for the appointment of a new Governor, somebody asked me what I think are the characteristics or almost job description of a Governor I would say they are loyalty, dignity, some knowledge of the Constitution and of Government, propriety - particularly including political impartiality - popularity, understanding of people and, not least, a socially accepted and liked spouse. Nobody could have come nearer to that specification than Professor Gordon Reid.

There is no doubt that Professor Gordon Reid was a most loyal servant of Her Majesty and the State. There is no doubt that he had a special dignity considering the fact that he was the first Governor - to the best of my knowledge - who was not given the external distinction of a knighthood. He behaved with particular dignity. To define the word "dignity" would be very difficult, not only in this concept but generally. It is not a pompous authority; it is a human behaviour which almost radiates, and that was the situation with Professor Reid.

His knowledge of Government and the Constitution was not only present but also superb and better than one can imagine. His impartiality was peculiar because a man of his calibre,

knowledge and involvement with the subject discipline he was involved with for all of his life must have had political convictions. If he did not have those convictions it would have been almost impossible for him to go through his professional life, yet nobody was better able to show that revealing impartiality that he showed, despite the fact that he never withdrew from any conversation, even those about daily political problems in our lives.

Professor Reid, of course, had popularity and understanding, there is no doubt about that. Mrs Ruth Reid as his spouse displayed a tremendous hospitality. It was my unexpected honour soon after his appointment - I think only 10 days or two weeks - to be invited to a dinner party at Government House. I did not know then, and still do not know, what protocol was involved; perhaps it was my long years in Parliament and the Ministry, but it was an enjoyable evening which showed even at that time that we were to have a Governor who would be of tremendous value and would be very much appreciated. I hope and trust that despite all the outward signs, his health will keep up and he will be able to give us some of his experience and knowledge in the future.

MR BRADSHAW (Wellington) [3.00 pm]: I also support this motion. Since Professor Gordon Reid was appointed in 1984 I have had the privilege and honour of being in his company on several occasions, and I have always felt the warm friendship which has developed between myself and Professor and Mrs Reid. I have always found Professor Gordon Reid to be a gentle person dedicated to his job. He has carried out his duties with the utmost dignity and humility which could be expected of any person. He will go down in history as one of the leading Governors of Western Australia. Over the years we have had some highly respected Governors. Though Professor Reid might not be held in higher regard than any other Governor of Western Australia, he is up there with our top Governors. Whenever he has addressed a gathering, his speeches have always been well researched and innovative, and they have always been extremely well received. The dignity with which he carried out his work, and the dedication Mrs Reid put into her job, are to be commended. It is sad that Professor Reid has to end his term early as a result of illness, and I wish him all the best and hope that he will overcome his illness in the near future. I wish both Professor Reid and his wife a long and happy retirement.

Question put and passed.

JUDGES' SALARIES AND PENSIONS AMENDMENT BILL

Second Reading

Debate resumed from 7 September.

MR MENSAROS (Floreat) [3.02 pm]: This is a 40 year old Bill, and its review is commendable because it takes into consideration past experience, particularly the adverse observations in connection with the operation of the existing Statute. It also takes into consideration the present circumstances relating to the environment as opposed to that which prevailed when the Act was first brought in by Parliament. The provisions resulting from the review have regard to the new rules prevailing in other States and in the Commonwealth of Australia, particularly with regard to the pensions of the judiciary.

The first provision amends section 6 of the Act and changes the present situation whereby a pension was reduced if a judge assumed any other paid job under the Crown. It did not have to be in Western Australia; it might have been in any of the other States of the Commonwealth, or even within the realm of the British Commonwealth. This turned out to be a disincentive for judges to accept appointments as royal commissioners, or positions on tribunals or legal inquiries. Retired judges are particularly suited to those positions. There is a demand for them, and they are eminently suitable appointments for retired judges, particularly as they are often still active; they are trained in the application and interpretation of the law and have the experience which others do not have.

The Minister referred to the Royal Commission into Aboriginal deaths in Custody. A retired Western Australian judge served on that commission, but he found himself at a disadvantage compared to the New South Wales representative, also a retired judge, because his colleague was able to draw a pension whereas the Western Australian judge was deprived of his during the time that this honorarium was paid.

Section 6 also contains a provision for a retired judge to receive only one pension, even if he

served in several judicial positions previously. The amendment proposed in this Bill reduces the Western Australian pension payable by only the amount received from other sources. There is provision to continue to prevent a retired judge from drawing two pensions, one from the Public Service if he was a public servant prior to his appointment, and also as a retired judge. This provision is changed, I suppose to take into consideration the changed conditions in the Public Service retirement rules - that if a person has taken a lump sum on retirement from the Public Service, he can retain that lump sum, and he starts his entitlement or eligibility to a judge's pension from the time of his appointment as a judge.

A technicality in the present law prevents including in the entitlement prior service which was not called judicial service, although, for all practical purposes, it could be considered as judicial service. In his second reading speech the Minister pointed out the example of the Commonwealth Administrative Appeal Tribunal where the Deputy President was appointed as a Supreme Court Judge in Western Australia. Without this exemption, not only would the judge be disadvantaged, but also anyone in his position who served long enough on the Commonwealth tribunal could refuse an appointment offered to him and thereby refuse his valuable services to the State.

The most commendable amendment is that to section 15. It does away with the present position that any retired judge who accepts remuneration for legal work after his retirement forfeits his judicial pension. The solution offered in the Bill is that the Governor may permit a retired judge to undertake specific legal work without any loss of pension. There is a strong demand for retired judicial officers to act as arbitrators, intermediaries or advisers from a legal point of view, perhaps on a Royal Commission, or in similar duties. This amendment prevents the loss of judges' pensions and thereby ensures that a person in that position can be appointed to such positions. It could be argued at this point whether the Governor - which means the Governor in Executive Council, on the recommendations of the Government of the day - is the proper person to grant this exemption and whether it should not be perhaps the Chief Justice. However, I suppose that is a matter of opinion and the Opposition does not complain about the proposed arrangement.

I wish to add one other matter. Having gone through the provisions of the Bill, it may be desirable for the Government to think about an amendment, not necessarily now, but perhaps in the future. It is claimed, particularly by the judiciary and the Government, that there is a shortage of judges. There was an attempt by the Government during the last session to increase the number of Supreme Court judges by an unspecified number, and I opposed that move. I pointed out that, perhaps for some incomprehensible reason, the United States Supreme Court works with the same number of judges as was decided in the United States Constitution more than 200 years ago. The number has remained the same despite an enormous increase in the population of the US and the undoubted increase in complexity of the law for the highest judiciary in that country. The United States has managed to keep the same number of judges regardless of these factors. There is no doubt however, that as a result of the way the system works here there appears to be a backlog of cases and a shortage of judges. This was overcome recently by the temporary appointment of Queens Counsels sitting in a judicial capacity. I suggest that in connection with this Bill, the Government consider a similar amendment that allows retired judges automatically to be called in as part-time judges. I believe some of them would welcome this situation; they would be eminently suitable for the job, considering their experience.

I do not think it is up to the Opposition to make amendments like this because traditionally any measure related to the judiciary should be dealt with by the Attorney General consulting the Chief Justice, or other high judicial officers. I consider that to be the Government's job; however I would draw the Government's attention to my suggestions. I had the opportunity to speak quite informally with four or five judges in connection with the original Bill. They appear to be quite happy with it and other than making the comments to which I have referred, reinforced their opinions about it. They did not seem to have any opposition to it. Therefore the Opposition supports the Bill and recommends that the Government consider my suggestion.

MR WIESE (Wagin) [3.13 pm]: The National Party supports the Bill. Most of the things needed to be said have been said by the member for Floreat, and the National Party supports his remarks.

We are dealing with a specialised and very narrow section of the community in respect of this Bill and adjustments to the judicial pension system. Certainly the ramifications throughout the community will not be large. It is an interesting thought - probably not to be dwelt on very much when discussing this Bill but in general - that the situation facing judges and the community in relation to judges is faced by many other people in the community who are in receipt of pensions. If retired people work in the community and earn money, they may have their pensions reduced or lose them altogether. I have often wondered whether the current system is wise or fair. Through this Bill we are facing this problem in a realistic manner; it is a problem affecting only a narrow segment of the community, and we are altering the legislation and the way in which pensions are paid to members of the judiciary in order to allow them to continue to serve the community. We are allowing judges to bring all the knowledge and expertise they have developed over time to bear for the benefit of the community. That is something to be applauded. I hope that somewhere along the line we may look at the situation of other retired people in the community and the fact that when they earn income their pensions are affected. Their ultimate ability to perform a useful task in the community after they have reached retirement age, or if they are out of the work force as supporting mothers and parents, is affected. Nevertheless, I reiterate that the National Party very much supports this legislation and what it will achieve. The National Party believes there will be many benefits to the community from the passage of this Bill, and commends the Government for bringing it forward.

MR D.L. SMITH (Mitchell - Minister for Justice) [3.17 pm]: I thank members opposite for their support of the Bill.

I assure the member for Floreat that I will bring to the notice of the Attorney General his comments concerning the use and position of judges. I do not wish to say anything more than that. I agree with the member for Wagin that this Bill deals solely with the issue of retired judges and the impact on their pensions of taking such positions as Royal Commissioners in other States and the like. We should bear in mind as well that there may be other retired people who have skills which they could use in other areas, and that in some cases, especially if they were holders of public office, they are penalised by losing pensions. We should be on the lookout for opportunities to consider their situation and amend other legislation similarly. Beyond that I commend the Bill to the House.

Question put and passed.

Bill read a second time.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr D.L. Smith (Minister for Justice), and transmitted to the Council.

COAL INDUSTRY SUPERANNUATION BILL

Second Reading

Debate resumed from 7 September.

MR COURT (Nedlands - Deputy Leader of the Opposition) [3.19 pm]: Mr Speaker, it was a pleasure to visit your electorate today.

The **SPEAKER**: It was a pleasure to have you there.

Mr COURT: Rockingham is a fine place, and when the gentleman mentioned childhood memories of the beach, mine were of sailing at Rockingham. This Bill basically achieves the repeal of the Coal Mine Workers (Pensions) Act 1943.

This Act was administered by the Department of Mines and the fund has been reviewed. This Bill will remove the direct Government control of the fund, and a modern superannuation scheme will be established. The fund has a very interesting history: It was established in the first place because miners retired at 60 but did not receive their entitlements to the normal pension until they were 65. Therefore, the fund was initially set up primarily to provide a pension for those people between the ages of 60 and 65 years. Later on, when other entitlements were available, it became a top-up fund, but it was never meant to be a true superannuation fund as we know such funds today. A number of changes took place and eventually the fund provided for a lump sum payment.

During recent changes to the operation of that pension fund some anomalies arose, particularly when the means test was introduced, because people who had assets over a certain amount would receive less of the pension and the fund was used to top up the difference between what the person was receiving and the pension. Therefore, the people with assets were receiving the least pension and were paid more money from the fund to achieve the same result as the others; this was never intended. Unfortunately that anomaly left some people feeling they were badly done by. I have listened to the cases put forward by these people and it is hard to explain that it was an anomaly and was not the intention of the fund. Because relatively few people were involved, a compromise arrangement should have been reached - and could still be reached - whereby the right thing was done for those people, as they are quite bitter about the situation today, and feel that they have been hard done by. The member for Collie may wish to take this matter further, but I put that suggestion to the Government.

The Bill proposes that recipients will be paid a lump sum at 60 years; other options will be available if they wish to retire earlier. During the Committee stage I will ask the Minister to explain to me just how the other options will work. I have been assured by the different parties involved that the new scheme has been worked out in consultation with employers and employees and all parties concerned believe that it is a step in the right direction to establish a genuine superannuation fund in place of the old pension fund.

I take this opportunity to make a few general comments about the coal industry because at the end of the day it does not matter how good the superannuation fund is if the industry does not face a prosperous future. A lot of debate has taken place recently about the role that coal will play in future energy supply. We are fortunate in this State to have abundant reserves of coal located close to the centres of population. Also, we are fortunate to have an abundant supply of gas, although most of it is a long way from the south west. I read with great interest an article in *The Australian Financial Review* this morning stating that the world would face another energy crisis with huge demands for oil, gas, uranium and other resources. Western Australia has abundant supplies of coal, gas and uranium and we will find ourselves in an excellent position to supply the world demand for energy, although we have not yet examined closely the options of solar, tidal and wind power. Nevertheless, we have abundant supplies of the traditional energy generating resources.

Problems seem to be arising with coal which are causing a great deal of concern to the Collie coal unions because the town's future depends upon whether coal is to be chosen as a major energy resource in the future. Considering the different options available, I believe that coal will play an important role in future power generation, but to do that two things need to occur: The first is that coal must be supplied at a competitive rate. The people who are working in the coal industry are aware that they cannot hide inefficient work practices behind high prices because the prices can simply be compared with prices in other States and other countries. The second factor is the environmental problems which must be overcome so that coal is acceptable to the community. Before the last election the Opposition stated that it would like to see more energy and effort put in by the private sector, with the encouragement of the Government, to solve the environmental problems, especially those associated with coal fired power stations. Throughout the history of mankind we have been able to meet that kind of challenge. I like to think that technology will advance to the stage where we will be able to announce that coal fired power stations will not involve environmental problems. A week ago a conference took place in the Eastern States regarding coal fired power stations and, from memory, it was stated that the technology exists to reduce coal pollutants by 40 per cent. The Government has been briefed about Swedish technology, and the member for Collie and some of my colleagues have had similar briefings about the new forms of technology using a pressurised system which injects limestone which eats up sulphur, and other such innovations.

I have since spoken to a number of people who design coal-fired power stations and they have said that technology is available which dramatically improves existing power stations. A great deal of work is being done in implementing processes which will result in coal-fired power stations that will be acceptable to the community.

I have made these general comments during this debate because at the end of the day it does not matter how good or fair a superannuation system is; the long term future of the town and of the people working in the industry depends on our finding a way to make coal an

acceptable form of energy. I am an optimist and I believe that the challenges of price and of solving the environmental problems will be met. Members opposite have a tendency to chase the green vote to try to take the easy way out. I think the proper course of action that Governments around Australia should take is not to listen to people saying that coal is bad news and we do not want to use it any more; they should encourage the private sector to put its efforts into developing ways of making sure that coal can be used. We have plenty of coal and it is located in the right place for this State. We all know that if we get the energy equation and the water equation right our development will continue.

I am pleased that action has been taken to repeal the Coal Mine Workers (Pensions) Act of 1943 because it is no longer suitable for the requirements of the industry. I would like to think that the Government and the people associated with the industry will take up the challenge to ensure that coal remains one of our major energy sources by making sure it is delivered efficiently and by solving the environmental problems.

DR TURNBULL (Collie) [3.32 pm]: I support this Bill. It has already been mentioned that this Bill is a product of extensive discussions between all sectors, including the unions and management, of the Collie coal industry.

This Bill repeals the Coal Mine Workers (Pensions) Act of 1943 and I wish to correct a number of assumptions that have been drawn over the years by members. Firstly, I refer members to page 2525 of the 1985 *Hansard* and to what the Deputy Premier said on Thursday 17 October 1985 when he was Minister for Minerals and Energy. Secondly, I refer members to comments recorded on page 3525 of *Hansard* of 5 November of the now Premier when he was Minister for Employment and Training. Thirdly, I refer members to the comments made by the Minister for Mines in his second reading speech on this Bill and fourthly, I refer members to the statement just made by the Deputy Leader of the Opposition. They all made the point that coalminers who were compulsorily retired at 60 years of age could cover themselves for loss of earning power between 60 and 65 years. Section 11 of the Act was never repealed and it reads -

Where a mine worker becomes eligible for a pension pursuant to section six, section seven, or section eight of this Act the pension shall, subject to this Act, be payable to him until his death.

That is confusing and it is perhaps a reflection of the fact that the Act needs to be repealed and replaced by another Act. The conditions which prevailed at the time the original Act was introduced have changed dramatically.

The Collie coalminers have a long history of being aware of their problems and have set about to find a way to deal with them. This has been done through individuals, through unions and through parliamentary representation. Many solutions to their problems were achieved. I am pleased to be in a position to advise the House that the coal industry agrees with this Bill. The rules relating to the industry will now be carried out by way of regulation and everyone in the industry will be very interested in the regulations that are to be introduced. I realise that one of the problems with the old Act was that every time it had to be amended an amending Bill had to be introduced into the Parliament. Regulations do not have to go before the Parliament and changes can be made without the general work force being aware of those changes.

Subclause (3)(a) of clause 10 of the Bill will be closely watched by the work force, management and the companies. I will raise a matter relating to schedule 3 during the Committee debate. This schedule refers to transitional provisions and I understand that the transition period for those people who are still being paid a pension is well covered in the Bill. I understand that probably fewer than 11 people are receiving pensions. Another factor which concerns people is dealt with in clause 4 of schedule 3 of the Bill which is headed, "Claims preserved". As the Deputy Leader of the Opposition said a number of people felt their claims under the old Act were not dealt with properly. These claims were investigated by the Legislative Council Standing Committee on Government Agencies. The fourteenth report of that committee covered the commutation of coalmine pensions. A number of people felt aggrieved and recommendation 16 of that Standing Committee stated -

The Minister for Minerals and Energy should require the Department of Mines to examine, as a matter of urgency, the most equitable way of compensating those

pensioners who suffered financial loss as a direct result of the 1985 commutation of coal mine workers' pensions.

I query whether those people can still be considered under clause 4. I want to bring to the attention of the House a few other aspects which again are along the lines of those raised by the member for Nedlands. The coal industry has to remain healthy in order to continue providing such superannuation benefits as this Bill will provide for the coalminers of Collie. The coal companies contributed a great deal to the old pension system - 3.25 times the amount contributed by the workers. The coal companies have been aware for many years that throughout the fluctuations of the coal industry, through the good times and the bad times, the coalminers must be remunerated for their work and productivity in coalmines which is ultimately to the benefit of Western Australia.

I refer briefly to the future of the coalmining industry in Collie. Collie coalminers are very aware that their industry must continue to be productive and it must produce coal at a rate which is competitive with other sources of energy in Western Australia. The unions, workers, companies, management and all other people of Collie are very disappointed that the present Government does not appear to be paying enough attention to this sector. Collie unionists, workers and companies are on the brink of many changes in work practices, the purchase of new equipment, and the implementation of new methods of mining, such as longwall mining. However, at the moment they do not have the opportunity of introducing these changes. It is all very well saying that the Collie coalmines must be competitive and that the cost of production must be below \$1.50 a gigajoule to be competitive with gas. However, the calculation of the current price of coal relates to the current work practices. No allowance appears to be made by this Government for the fact that future work practices and methods will reduce the cost. It is not possible to produce coal at prices between \$1.50 and \$2 a gigajoule if those new practices and methods are not in place. It is very difficult to make comparisons with the cost of gas in this State. The current cost estimates for gas are very speculative and I do not know how the State Energy Commission or the energy policy unit can arrive at a cost price in Western Australia at the moment because the variables are so great and the probabilities taken into account, such as the discovery of gas, are only a dream.

I conclude by saying that I fully endorse this Bill and I commend it to the Parliament.

MR CARR (Geraldton - Minister for Mines) [3.45 pm]: I thank members who have spoken for their support of the legislation, and also for their constructive and positive remarks with regard to the coal industry in Collie.

First, I acknowledge the point made by the member for Collie with regard to the previous legislation which applied not only to people aged between 60 and 65 years. Her point is quite valid that the pension scheme applied to people outside that age group. The point is that the scheme had a particularly important role in catering for people who were not able to work beyond the age of 60 years, but who were not able to gain the age pension until they were 65 years old.

Both members referred to a matter which has been previously discussed in this House and which has been the subject of a parliamentary Select Committee inquiry. I refer to the group of people in Collie who feel they have been particularly disadvantaged by changes made to the previous scheme. I am aware of a number of the details relating to that although, as I have not been involved in the matter for some time, I do not have a complete recollection of the details. The report of that parliamentary Select Committee was considered by my predecessor, the then Minister for Minerals and Energy, and he gave consideration to the recommendation that some form of pension or recompense should be made to those people. He made a judgment at the time that no recompense or pension should be paid. I recall going over that subject when the matter was raised at a later date in this Parliament, and I must admit that I felt some uneasiness. However, at the same time I recognised that there was no scope to make a different decision. I understand it related to the fact that the previous scheme provided that once people passed the age of 65 years and became eligible for a Commonwealth age pension, the pension received under this scheme was restricted to that amount which was the difference between the amount of the pension they received from the Commonwealth and the amount they would have received if on a full pension. In effect that meant the people who were in better circumstances than others and who were, therefore, not eligible for a full pension from the Department of Social Security, were able to receive more

from this scheme than other people. That clearly was an anomaly and I do not think there is any argument on that point. I recognise the point made by the Deputy Leader of the Opposition that once an expectation is created in people's minds and that expectation is not fulfilled, it is obviously a matter of considerable concern. I understand people becoming quite angry on that basis. However, the amendments made to the legislation which brought about the situation that changed their circumstances, were arrived at after consultation and agreement between all parties involved, although I acknowledge that the people involved disputed that.

Dr Turnbull: We acknowledge that one of the changes was not a State Government change, but was a change in the Federal Government's means test.

Mr CARR: All I can say with regard to that issue is that it has been dealt with in the past and I do not consider it appropriate to reopen the old issue now.

Both members referred to the future of the coal industry in Collie and linked that to the resources available in this State, the availability of gas and the challenges the coal industry faces from gas and other resources. I want to be clearly on the record in stating that I believe Collie has a strong and significant future in the energy supply matters of SECWA and Western Australia generally. That does not necessarily pre-empt any decision that might be made about a particular power station. However, I have no doubt that as Western Australia's future unfolds, Collie will continue to play a very strong, and quite probably stronger, role than it presently does in the provision of power for Western Australia.

The people involved in the industry in Collie are much more aware now than they have ever been of the need to be competitive. The situation has changed from one in which Western Australia relied on just one source of energy and work practices were allowed to develop which, by and large, were a response to that monopoly position of power generation to one where people in the industry in Collie at company level, union level and employee level are well aware of the competition and have responded positively to those new challenges. They have indicated a readiness to respond further to those challenges, so I believe the point made is a valid one. However, as SECWA and the Government prepare to make decisions about a power station or generating capacity over a particular time period we have to consider all the options; that means we have to assess thoroughly the Collie option and any other options available. The Deputy Leader of the Opposition referred to the abundant supply of gas in the State. I join with the member for Collie in placing a slight question mark about the extent to which that gas supply really is abundant, or at least the extent to which -

Mr Court: I said abundant in the north of the State.

Mr CARR: Even in the north of the State there is a need to prove up further resources.

Mr Court: No, there is not.

Mr CARR: Woodside is saying to us that it needs to do further exploration work in order to prove up what can be delivered in what sort of time frame. There is no doubt that there is an enormous quantity of gas there and that that gas can play a major role in future, but in terms of specific time frames for particular power stations there is a need for more exploration work to be done and, by the way, Woodside is doing that work. There are other options which, as the member for Collie quite rightly said, may or may not happen. I refer particularly to Perth basin gas. Discoveries will be made in that area and may well fit within a convenient time frame to suit the next base load power station.

Mr Court: You cannot generate electricity on hope.

Mr CARR: That is quite right. I was about to make the point that the member for Collie quite rightly made that we cannot rely on discoveries that have not yet been made. In that context we have to look closely at the time frame for decision making. We have constantly reviewed our projections as to when the next base load power station will be required. That is always slightly speculative because we must anticipate what will be the changes in demand from industry within a certain time frame. However, on all the best advice that can be provided from continual reviews by SECWA, and from the energy policy planning bureau, we believe we are working safely within a time frame which will enable us to not make a decision with regard to the next base load power station until approximately the middle of 1990.

I turn to the comment made by the Deputy Leader of the Opposition regarding environmental concerns because there is a need to put those concerns into context. There is no doubt that the community fully appreciates what has been done to the environment over a long period and the dangers and what further damage can be done to it. Unfortunately, some of that environmental concern is becoming rather too superficial and too emotional, so that some people in the community tend to not want any development to occur or tend to believe that one can simply protect the environment, maintain the same standard of living but not have any development. Perhaps that attitude was best expressed in a cartoon I saw recently which showed two terrified people running over a hill away from something and shouting, "The greenhouses are coming, the greenhouses are coming." I think that makes the point well. Everybody knows we need to be conscious and concerned about the matter but the level of knowledge is pretty low.

Mr Court: Did the Minister hear John Kerin today?

Mr CARR: No.

Mr Court: Nobody did as he did not say anything.

Mr CARR: Be that as it may, the point made by the Deputy Leader of the Opposition was correct. We need to be aware of environmental concerns but need to put them in context and to look to logical development to enable us to overcome these problems.

Two aspects of technology need to be referred to; one is that in countries such as Japan and Germany where there is a great deal more industrialisation a lot of equipment is fitted to their power plants - deSOX plants to remove sulphur oxides and deNOX plants to remove nitrous oxide - so technology is already available which can reduce dramatically the level of emissions, albeit at considerable cost. That is one of the issues which needs to be addressed.

I acknowledge the reference to pressurised fluidised bed combustion technology which I think introduces a positive opportunity for coal. This technology is relatively new and although three plants are under construction in the world my understanding is that none is actually in production. I also understand that these plants are relatively small, in the range of about 80MW per unit. However, there is a great deal of optimism in many circles that this technology may well be the way to go in relation to coal fired power stations.

The Government has received representations from ASEA Brown Boveri and other organisations which have an interest in this technology. We are watching it very closely and are interested particularly in any future prospects it may hold. At the same time, we want to see it proven before we rush into being the first people to experiment in a way which may not turn out to be ideal. However, I give the assurance that we agree wholeheartedly with the need to look for technological improvements to assist coal fired power stations to overcome the environmental challenges they face.

I think that ABB Carbon is an offshoot of ASEA Brown Boveri and is proposing a private version of SECWA's Bunbury installation. We are listening to what they have to say and looking at their proposal. No commitment has been given but we are interested in all they are able to put before us, both in terms of technology and ownership of that particular project.

Question put and passed.

Bill read a second time.

Committee

The Chairman of Committees (Dr Alexander) in the Chair; Mr Carr (Minister for Mines) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Reciprocating States -

Mr COURT: I refer to what takes place in other States. Victoria, New South Wales and Queensland have very large coal industries. Have any arrangements been entered into or have discussions taken place in relation to these reciprocating rights? Is the Minister aware of the provisions of the different superannuation funds in the coal industry in the other States?

Mr CARR: I do not have the information that the member requests. The best thing I can offer at this stage is to say that I have made a note of his question and I shall ensure an answer comes to the member in writing.

Mr COURT: The reason I ask the question is that I thought the other States might have far better or far worse superannuation schemes, and I am interested to know how the reciprocal rights will work.

Mr CARR: I can make the inquiries fairly quickly.

Clause put and passed.

Clauses 6 and 7 put and passed.

Clause 8: Constitution of the Board -

Mr COURT: Can the Minister tell us whether any of these appointments have been made or are about to be made? May we have some knowledge of the make-up of the board?

Mr CARR: The make-up of the board is spelt out in terms of the types of people to be appointed and whom they represent. I am not aware of any appointments being made or lined up at this stage.

Mr COURT: Does the Government intend to appoint a former member of Parliament as chairman of the board or to any other position on the board?

Mr CARR: I have not been involved in any considerations or discussions about the appointment of a chairman for the board.

Clause put and passed.

Clauses 9 and 10 put and passed.

Clause 11: Power to invest -

Mr COURT: My comment covers clauses 11 and 12, and it concerns the operations and investment policies of superannuation funds and the powers of these boards to invest. Many people believe that when they contribute to a fund, that money will magically expand in size. Some very hard lessons have been learned, particularly after the 1987 stock market crash, where many superannuation funds found much of their wealth wiped out. In recent days some superannuation funds would have been hurt as a result of what has taken place in the stock market.

It is important that all involved as participants in superannuation funds realise that the news is not always good. A good fund manager will make sure of a satisfactory return. In a bull market, when property and share values are booming, anyone can do pretty well; but the prudent manager is able to take account of ups and downs in the market. We had a classic case in this State where the Government's own superannuation fund became involved in some crazy investment decisions. The management admitted it had made a mistake and promised not to do it again. A fund cannot always continue expanding in size; sometimes the economy goes through difficult times and superannuation funds can lose money. One of my colleagues told me recently that someone who worked at BHP, or another large company, ended up with \$250 000 when he retired. He put it into a well known share trust portfolio, and ended up with \$100 000 after the stock market crash. The lesson there is to spread one's risks. The investment of moneys is a very important part of any superannuation fund's activities. It is important that we do not see very risky decisions being made, as we have seen in the case of a fund being operated by the Government. When one operates with risky investments, one might win a lot, but one might also lose a lot.

Clause put and passed.

Clauses 12 to 16 put and passed.

Clause 17: Power to make determinations -

Dr TURNBULL: What is the position in regard to people retiring or leaving the coal industry, or moving to another area of the industry? I know it is usual for superannuation funds to provide portability for someone moving to another industry or to another State, but what about a person retiring completely from the coalmining industry? A number of people do that, particularly those in management. In the coalmining industry, as in many other

industries, management turns over fairly quickly and people sometimes go into private enterprise. Nowhere in this Bill is there any suggestion of what will happen to those who need to retire early. Unions and management are concerned that there should be provision for people leaving the industry. How long does the Minister envisage people staying in the industry before they can take their money?

Mr CARR: As I understand it those are substantially matters for the determination of the board once established. I imagine that the board would establish policies which would have general concurrence. Under this clause the board will always have the power to determine questions or issues of doubt or difficulty concerning any matter in relation to the fund. Without giving the precise answer my understanding is that it would be entirely within the control of this Bill.

Dr TURNBULL: They would like it to be at least no longer than five years before people can do that because the time many of them stay - particularly management - may be only two to five years.

Clause put and passed.

Clauses 18 to 35 put and passed.

Schedules 1 and 2 put and passed.

Schedule 3 -

Dr TURNBULL: Item 4 of this schedule reads as follows -

A claim for any benefits under the former Act that had not been finally dealt with immediately before the commencement date may be dealt with after the commencement day as if it were a claim for benefits from the Fund under this Act.

As far as the group is concerned its claim still stands.

Mr Carr: Are you talking about the particular group of people involved in the previous controversy?

Dr TURNBULL: Yes, the Select Committee in respect of the commutation of pensions.

Mr Carr: Are you asking about outstanding claims?

Dr TURNBULL: I am referring to matters dealt with under claims preserved. Could there be claims - and there are quite a lot of varying claims - made under this claims preserved clause?

Mr CARR: I think the group of people referred to would be precluded from consideration under this particular item on the basis that their claims have been finally dealt with. There may well be an argument of interpretation as to whether their claims have been finally dealt with, but I expect that the interpretation to prevail would be that the determination has been made and they have been finally dealt with, albeit that they are not happy with the way they were dealt with. I suppose they could well approach the new board which could then get advice to see whether there is scope to accommodate their wishes and give them a different answer. As a layman reading this I doubt there is very much scope for its being relevant to those people.

Schedule put and passed.

Title put and passed.

. Report

Bill reported, without amendment, and the report adopted.

FRUIT GROWING INDUSTRY (TRUST FUND) AMENDMENT BILL

Second Reading

Debate resumed from 7 September.

MR OMODEI (Warren) [4.15 pm]: I wish to make some pertinent comments about the proposed amendments to the Act.

I am sure members of this House recognise the importance of the fruit industry, but more importantly the significance of these amendments should be understood. Apart from

clarifying the situation whereby the Minister, instead of the Governor, can directly appoint members to the committee this Bill proposes to simplify the method by which committee members receive prescribed fees and allowances to attend meetings. It also defines the level of production at 9 000 litres of fruit a year before a grower is required to pay the levy to the fund. The Bill deletes reference to the now defunct Apple and Pear Board and other apple and pear regulations. There is a need to differentiate between fruit varieties, and to this end it is proposed to include the botanical names of apples and pears - for example, apples are "*malus pumila*" and pears are "*pyrus communis*". This is to avoid confusion with the nashi or Asian pear industry.

Among other minor amendments to the Act the most important increases the maximum levy set by the Minister on the recommendation of the committee from 3.3¢ for every 36 litres to 20¢ for every 36 litres of fruit. Levy assessment of lots of fruit below 36 litres will be set at a maximum contribution rate of 1¢ for every 1.8 litres of fruit. I understand it is proposed to set the levy for 1989-90 at 5¢ for every 36 litres, and I concur with this proposal. The proposition by the fruit growing industry to amend the trust fund is not before time. Members should be aware that the old levy was struck at 3.3¢ for every 36 litres and the committee's recommendation for the actual levy was set at 3¢ for every 36 litres, and has been in place since 1977.

There is an obvious need to increase the fund at this stage, particularly because of the current problems with Queensland fruit fly. It is important that funds are available not only to support the Western Australian Fruit Growers Association, but also to provide the necessary scientific research within the industry for the prevention of disease outbreak and the eradication of such pests. The importance of quarantine stations and fruit inspections should not be understated. The current outbreak of Queensland fruit fly and the existence of Mediterranean fruit fly bear testimony to the fact that control of such pests is essential. Most members realise that a number of voluntary organisations throughout the State combat that pest. I urge the Government to take whatever steps are necessary to ensure that the Western Australian fruit growing industry is protected from pests and diseases from the Eastern States or overseas. Of course if the Queensland fruit fly is not eradicated as soon as possible enormous damage could result to this State's fruit and vegetable industry. While fruit growers will be hit hardest, growers of tomatoes, capsicums, rock melons, watermelons and egg fruit will suffer serious losses. The current cost of sprays and insecticides runs at about four per cent of cost of production but this could increase by another two per cent if measures are not put in place to combat pests and diseases in this industry.

Losses to both fruit growers and Western Australia by way of interstate and overseas trade will be significant. Therefore, it is necessary for the Government to support the Western Australian Fruit Growers Association by giving urgent consideration to quarantine particularly as the disastrous New Zealand fire blight has been found in the Eastern States. Quarantine stations are absolutely essential as part of the control and/or eradication of pests and diseases by the Western Australian fruit growing industry.

I congratulate the Western Australian Fruit Growers Association. I am sure that the Minister would agree that the professional way in which the association put together its proposition to Cabinet on the Queensland fruit fly issue was most commendable - so much so, that Cabinet agreed to the proposals. The industry demanded the approval of funding for this most serious cause. But for the diligence of the association, we could have witnessed the spreading of a serious pest throughout this State.

Members on this side of the House support the Bill. The increase in the levy rate to 20¢ per 36 litres is commendable and will provide funds for administration, inspection and research purposes.

MR THOMPSON (Darling Range) [4.21 pm]: I support the legislation as it represents a step forward for the fruit growing industry. At my request, the shadow Minister for Agriculture and the Leader of the Opposition met the President of the Western Australian Fruit Growers Association when the industry sought the cooperation of the Opposition in the passage of this legislation.

The principal measure in the legislation pertains to the levy. From a philosophical point of view I would prefer that the industry regulated itself without the need for legislation. However, one must have regard for the structure of the industry and for the people involved

in it. Fruit growing can be a profitable enterprise but, like other agricultural pursuits, it can be a hazardous occupation. Fruit growers look for any opportunity to reduce costs, as do many other primary producers. Some people in the industry, at times, would consider that a levy on fruit is one they could do without. Indeed, if we attempted to introduce a voluntary levy the system would fail as many people would opt out.

The payment of a levy on the delivery of fruit automatically entitles growers in the industry to become members of the association. Many branches of the association have been set up throughout fruit growing areas in Western Australia; growers in those areas are entitled to attend meetings and have an input. Clearly, fruit growers have the opportunity to have a say in the way the industry is operated without having to pay a contribution, other than the levy.

Ultimately, the Minister is responsible for setting the levy - on the recommendations of the annual conference of the WA Fruit Growers Association. Members of the association are the people who pay the levy so prudence will be exercised in setting the level of the levy. The upper limit of 20¢ will not be imposed for some time. Considering the rate of inflation, perhaps it will not be too long before that limit is reached.

I thank the Government for enabling a couple of members of this Parliament to travel with members of the fruit growing industry to the Eastern States and to America to look at the developments within the fruit growing industry on the west coast of that country. It became apparent to all members who took the excursion that much could be learnt by the Western Australian producers about fruit marketing. The imposition of the levy will allow more promotion to be carried out. I was staggered by the marketing of the varieties of fruit in America. For instance, Washington apples have a high acceptance rate around the world, and yet those apples are no better than those grown in the State of Oregon next door. Indeed, the apples from the State of Oregon are carted into the State of Washington to be marketed due to the higher profile that the Washington State apples have. That was an indication to me that any marketing technique is very much a part of the agricultural industry - or it should be.

Mr Wiese: We are straight down the line in Western Australia.

Mr THOMPSON: The member should try to convince the growers in Washington that their technique is incorrect! They have a higher penetration rate around the world; their apples are accepted willingly and attract higher prices than comparable apples grown in adjacent States; they are marketed in a different way. We need stronger promotion to attract a greater acceptance of fruit produced in Western Australia.

The member for Warren drew attention to the fire blight situation. Acres of pear orchards in America have been devastated by fire blight. This is a disease which attacks the foliage of fruit trees. The only remedy is to progressively cut the branches from the trees which have been affected by infestation. In areas of heavy infestation of the disease, the entire orchard is lost. The fire blight has struck in New Zealand and as we have a free flow of fruit between that country and the Eastern States of Australia it will not be too long before the Eastern States will be affected. Therefore, the prospect of the disease entering Western Australia is extremely high. I urge the officers of the quarantine section of the Department of Agriculture to be ever vigilant because it would be a disaster if we were to import such a disease into Australia.

Returning from overseas on an aircraft last night I heard people complaining about officers of the Department of Agriculture entering the aircraft and spraying the cabin. Perhaps the Government should print a leaflet to be handed to passengers on planes arriving in Western Australia explaining that Western Australia is unique; we have an agricultural industry which is free virtually of many of the pests that impact so disastrously on agricultural activities in other parts of the world. Western Australia is unique. It is free of those diseases. I think that people should understand why it is necessary for precautions to be taken. It is a little irksome when one has been travelling for 20 or 30 hours as some people do to be asked to remain seated in a jumbo jet for a time while the Department of Agriculture people come aboard and spray the plane. However, because I know the ramifications of their not doing their jobs correctly, I am prepared to suffer the pain of having to sit a little longer. Therefore, I think it would be a positive step for the Government to issue a small leaflet explaining to the people who come here the reasons for the spraying. I am sure that, if they understood, not only would they be prepared to wait a little longer before they got out of

their seats, but also they would be a little more diligent in making sure they do not bring fruit, wood and other items into this State. Thus they would make a contribution to our economy.

I join with the member for Warren in commending the work of the Western Australian Fruit Growers Association. The president of that association, John Giumelli, is a long-time, personal friend of mine. He is dedicated to his industry. He is a very deep-thinking, well-educated, committed person who gives much of his time to the industry of which he is a benefactor and to which he contributes. I am sure that while he is at the helm of the association, everything it does will be done very professionally.

I support the legislation.

Debate adjourned, on motion by Mr Wiese.

COMPANIES, AND SECURITIES AND FUTURES INDUSTRIES, LEGISLATION (ACTS AMENDMENT) BILL

Receipt and First Reading

Bill received from the Council; and, on motion by Mr Taylor (Minister for Police and Emergency Services), read a first time.

BILLS (2) - RETURNED

1. Pay-roll Tax Amendment Bill
2. Pay-roll Tax Assessment Amendment Bill

Bills returned from the Council without amendment.

GRIEVANCE - MINISTER FOR CONSERVATION AND LAND MANAGEMENT

Endangered Orchids - Appalling Ignorance Claims

MR KIERATH (Riverton) [4.35 pm]: I am glad that the Minister for Conservation and Land Management is in the House because my grievance is directed to him. I am extremely concerned at the lengths to which this Minister will go to mislead the House. My further grievance with the Minister is that he is ignoring not only his own department's publications, but also advice from his department. The answers that he has given to questions in this House would not be given by any botanist that I know of. He would not risk his career by putting such silly answers into *Hansard*. He has an appalling lack of knowledge of areas under his control and has failed to understand his department and its issues. He has failed to protect plants which are covered by the Acts he administers.

Mr Taylor: What is your problem?

Mr KIERATH: I will get to that. In relation to the plant *Diurus purdiei* he said recently in answer to a Dorothy Dix question that the plant "is most certainly not under threat in Western Australia". His department's magazine under an article entitled "Endangered!" states that it "is under extreme pressure, and is threatened with extinction". The magazine states also that the orchid is a declared rare species. It said further -

The small number of populations known is a reflection of the specific habitat requirements and vulnerability of the species.

In a further answer to this House the Minister suggested that that was 12 months ago. That answer referred to the 1988-89 summer. If he knew his department's magazine he would know that it comes out only four times a year. What difference does 12 months make to a rare and endangered species of orchid? Has it been removed from the list? It has not. That is the problem. It is still on that list, so 12 months have made absolutely no difference; in fact, in some ways, they have made things worse.

In the answer to the Dorothy Dix he said also that populations are listed all over Western Australia. I happen to have details of the distribution of those populations. Without boring the House with all of the details, I will give it a summary. The number in conservation reserves at Pinjarra total 220 plants. There are 30 plants on recreation reserves within the Armadale-Kelmscott area and 20 plants on private land in the Kwinana area. In private land

on Warton Road, Canning Vale, there are 20 plants, and in the Livingstone estate which is a private development there are 300 plants. There are 1 000 plants within the proposed Winthrop development making a total of 1 370 plants on privately owned land.

Mr Taylor: What about the new lot?

Mr KIERATH: I will get to them in a moment.

The Minister has shown an appalling ignorance of how plants are identified. Perhaps he can tell us now how they are identified. Maybe he can give us the benefit of his knowledge. Has he ever been inside the herbarium? Does he know that a plant has to be compared with other specimens of the same type to be identified?

Dr Watson: We are lucky to have you and all your knowledge.

Mr KIERATH: At least I know more than the member for Kenwick.

The number of plants currently threatened by development total more than 1 300. That covers 82 per cent of the known locations.

After the Minister gave his stupid answer to the Dorothy Dixier, I asked him a series of questions. I know he has been to his department asking for answers to those questions and he has been given answers to them. However, he is too scared to give the answers in this place because we would find out about his appalling lack of knowledge. I expected him to take the time and trouble to consult his departmental officers. One day he will be forced into answering those questions and we will see what a stupid answer was given in this House. He said that the orchid *Diuris purdiei* was not under threat. I mentioned that it was listed on the rare and endangered list. Three other species of orchids are listed also. One of those is the *Drakaea jeanensis*, one of six rare orchids for which his departmental officers have sought Federal funding. I understand he sought details of it recently and is considering supporting that application. I do not think he is aware that the orchid exists in Canning Vale. He claims there is a wide location but more than 80 per cent of the known plants are threatened by this development. He also appears to think that if the Government throws money at research it will solve the problem. I congratulate the Minister on being prepared to spend money on research, but the research involved is almost as difficult as the research it would take to turn lead into gold. We all know for how many years people have been trying to do that. Those are the difficulties associated with this plant, and if the Minister had bothered to consult his officers he might understand the position better.

There are four rare and endangered species on this site, not just one. The situation was brought to the Minister's attention in a letter from the Western Australian Native Orchid Study and Conservation Group, which he attempts to denigrate. That group has been around longer than this Minister has been in Parliament.

Dr Watson interjected.

Mr KIERATH: What absolute rubbish. That is typical of the style of the Government members, they cannot debate matters in this House on an intellectual level, they have to try to crucify the messenger. The following is a list of supporters of this cause: The International Union for the Conservation of Nature, Species Survival Committee, International Orchid Commission, Royal Horticultural Society of the United Kingdom, Australian Orchid Foundation, Australian Native Orchid Society, Western Australian Native Orchid Study and Conservation Group, Wollongong and District Native Orchid Society, Townsville Orchid Society, Western Australian Wildflower Society, Conservation Council of Western Australia, Greenforce, and the Canning Vale Ratepayers Group. The Minister said that a new finding had been made. He has not botanically proven that it is a species of *Diuris purdiei*. It may be a subspecies, because there are some differences in the labellum. However, I doubt whether the Minister knows what the labellum of an orchid is, let alone is able to identify one.

I refer now to some of the problems that arise in the transplantation and propagation of orchids. Tests have been made on the *Diuris purdiei* by interested people. An attempt was made to produce 1 000 seedlings from seed. In the first year only 14 seedlings survived, and in the second year only 10 of the original 1 000 survived. It was a diminishing and not multiplying population. Orchids rely on a number of factors in Western Australia. They have been extremely well adapted to the long, hot dry summers. Except for one species, they

go into a dormant period during the summer months. All the nutrients and materials are stored in the tuber to enable the plant to survive the hot dry summer months when there is no rainfall. Once it rains, or another triggering mechanism occurs, they start to grow. Also they rely on a relationship with fungus, and I feel tempted to explain the difference to the ignorant members opposite. The fungus has a symbiotic relationship with the orchid. We are aware that some relationships are parasitic. That type of relationship more describes members opposite, while symbiotic describes members on this side of the House. For members' information, a symbiotic relationship advantages both parties. In conclusion, I ask the Minister to seek expert advice and to not mislead the House.

MR TAYLOR (Kalgoorlie - Minister for Conservation and Land Management) [4.45 pm]: It is less than intimidating to hear the member for Riverton talk about members on this side not being prepared to engage in intellectual debate with him when he uses words such as stupid and ignorant, and words which are out of keeping with any intellectual debate he may wish to have on a subject such as this.

I am more than happy to treat this issue on a rather higher plane than the member for Riverton may seek to do. Quite frankly, his use of the Orchid Society in this issue has been blatantly political, and the use of it and other people who care about this issue in a way that does not advance the cause one iota in relation to the survival of this plant, means that the member for Riverton should be quite disgusted with himself in relation to this grievance today. It added nothing whatsoever to the furtherance of his cause and the cause of the Orchid Society. I will go through not only what is being done about it now, but what will be done in future in relation to the survival of this orchid species. It was because of the awareness of this plant's susceptibility that it was decided to initiate a research program which is mainly at the developer's expense. As the member for Riverton pointed out, the Kings Park scientists doing this work have applied to the Federal Government for additional research support in relation not only to this species but to a number of other species. An amount of \$70 000 from the developers who have been prepared to support this work has been set aside and the work will be done by very well informed scientists at Kings Park. I am pleased to tell the Parliament that in addition another population of the orchid was found two weeks ago on a secure reserve near the Peel Inlet. This population of more than 600 plants is a very significant find. The research program being undertaken will lead to the preparation of a management program for the species as a whole. Contrary to further assertions made, the population in relation to the Peel Inlet is not a known subspecies, and there is no scientific evidence to support that view. *Diuris purdiei* has no subspecies as far as is known, and there is no evidence to support the view that the site at Peel Inlet contains a subspecies. The member wants to know why certain sites provide better habitats for the orchid than others; the research carried out by the scientists is addressing that problem. To leave the plants at Canning Vale and to set the reserve aside thinking that in years to come these plants will survive is to live in a fool's paradise.

Mr Kierath: It happens in Kings Park.

Mr TAYLOR: Kings Park is a much bigger area. Those plants will be surrounded by development; they will not have the proper burning regime to which they have become accustomed in nature. Weeds will invade the property, people will invade the reserve, and in years to come those plants will disappear from the scene. The member for Riverton refuses to acknowledge that, and why does he do so? It is because even though he has been a member of the Orchid Society he demonstrates very little understanding of the issues involved.

I wish to inform the House that assurances made that the plant cannot be and will not be successfully propagated elsewhere are quite blind. To suggest that the work which is being done by eminent researchers at Kings Park is similar to the research which has been done in centuries gone by in respect of turning lead into gold is an absolute insult to the intellect of those researchers and the quality of their work. It also reflects badly on the member for Riverton that he will talk about an intellectual debate, and then get involved in pure abuse from his side of the House. If he had a real concern about the future of this orchid, he would go up to Kings Park, talk to the scientists involved, and find out exactly what sort of work they are doing. The scientists have developed and modified laboratory techniques for Western Australian orchids which will enable *in vitro* mass germination of many Western Australian orchid species. Trials have shown that several Donkey orchid species have successfully been grown to flowering size using these techniques.

Mr Kierath: But not the Purdie's Donkey species, because that grows on a specific fungus.

Mr TAYLOR: I will now reel that in, because the member has taken the bait. The Purdie's Donkey orchid has also been trial propagated using these techniques, resulting in 10 plants growing in pots in the glasshouses of Kings Park and the botanic gardens. These experiments are to be continued.

Mr Kierath: That is exactly what I said.

Mr TAYLOR: No, it is not; the member has been caught out, and does not have the courage to admit it.

Mr Clarko: Do you know all this, or are you reading it out? Do you have a ministerial brief?

Mr TAYLOR: I do not pretend to be an expert.

These experiments are to be continued to investigate methods for large scale propagation of Purdie's Donkey orchid to ensure its preservation. The member is right to mention fungus; symbiotic fungus, which has been shown to facilitate germination and seedling growth in Purdie's Donkey orchid, has been isolated, purified and maintained in a permanent culture by the Kings Park scientists. So they are one step ahead of the member.

Mr Kierath: Have they successfully grown them?

Mr TAYLOR: They have grown 10 in the very short time available to them. It is quite extraordinary that the member should show so little concern about this matter.

Mr Kierath: I have shown more concern than you have. You told the group that you care only about the next two years.

The SPEAKER: Order! Interjections of any sort are disorderly, but we are trying to get a bit of balance. The members of the Labor Party listened to the member for Riverton not in complete silence, by any means, but certainly in a lot more silence than the member for Riverton is now showing. If the member were not to say anything for two minutes - unless he were really provoked, of course - the situation would be pretty balanced.

Mr TAYLOR: The member for Riverton should sit down and take a good look at himself, and recognise that there are some people who are dedicated to the survival of not only this orchid, but many others. During the very short time that the member for Riverton has been here, he has been recognised in this House as a laughing stock. Every time that he gets up to speak, people consider him to be the joke that he really is. I know there are many members on this side of the House, and on the other side of the House, and also observers, who look at this place on a daily basis, who say to themselves, "If that is the quality of the representation which the Liberal Party can get in seats like Riverton, then God help the Liberal Party!"

GRIEVANCE - TRAFFIC ACCIDENTS

Blood Alcohol Limit - Legislation Amendment

DR WATSON (Kenwick) [4.55 pm]: My grievance is directed to the Minister for Police and Emergency Services. In recent weeks this House has received hundreds of petitions from schoolchildren, who are concerned at the high road traffic accident death rate of young people aged less than 25 years. They recognise the increased vulnerability of drivers under 25 years of age, and have requested that the Road Traffic Act be amended to lower the legal blood alcohol concentration from 0.08 to 0.05 per cent. The children from Newtonmore Senior High School at Bunbury are to be congratulated for organising the senior high schools around the State and using this as a health education technique.

Queensland, New South Wales, Victoria and Tasmania have a blood alcohol limit of 0.05 per cent; South Australia, the Australian Capital Territory, the Northern Territory, and Western Australia have a limit of 0.08 per cent. It is beyond question that a blood alcohol level ranging between 0.05 and 0.079 per cent adversely affects driving skills. The various studies which have been done in New South Wales, Queensland, California, and a combined Scottish-Finnish study, have confirmed that drivers with a blood alcohol level between 0.05 per cent and 0.08 per cent have a significantly greater risk of being involved in an accident than drivers with a blood alcohol level less than 0.05 per cent.

Drink driving is a serious problem in Australia, and a number of initiatives have been

developed to reduce the number of alcohol impaired drivers. It is necessary to strictly enforce the age limit for drinking, and to recognise that young drivers are particularly susceptible to the influence of even low blood alcohol concentrations. There is little dispute that drivers aged under 21 are at far greater risk of being involved in car accidents while having low blood alcohol levels than are older drivers.

The setting of a legal blood alcohol limit has to be seen in the context of enforcement. In New South Wales and Victoria the lowering of the limit to 0.05 per cent did not have a significant impact until random breath testing was introduced. The objective of random breath testing is to deter people from drinking and driving by reducing the amount of alcohol consumed, rather than requiring them to comply with the legal limit. The critical point is that we want to move away from proscribing drunken driving to discouraging drinking and driving. There has been a significant change in people's behaviour since this Government introduced random breath testing late last year. The legal blood alcohol limit performs an educative role. The heavily enforced legal limit may in the short term help individuals to overcome the peer pressure to drink more, and to have one for the road, but in the long term behavioural changes will be brought about only by enforcement. The ideal blood alcohol level is zero, but we as legislators must continually seek a compromise position.

We must recognise that for pilots, when they fly, the only acceptable limit is a zero limit and many studies have recommended a zero limit for learner drivers and first year drivers. In Western Australia we have a 0.02 per cent limit for people in their first year of driving experience. Young drivers are learning to drink while they are learning to drive. Unfortunately, they are likely to drink over the limit and to speed. Statistically they are five times more likely to have an accident and they are much more likely to be hospitalised after an accident than are older drivers, because of these conditions.

It is critically important to realise that younger drivers are more impaired, both in driving practice and in any laboratory studies that have been done that simulate these conditions, than older people with the same alcohol level concentrations. The inexperience of drinking and driving is an adverse combination. There are clear reasons for having an accident when driving with a blood alcohol level of more than 0.05 per cent, but even lower in younger drivers.

Lowering the legal limit to 0.05 per cent is unlikely to have any effect on drinking and driving unless there is enforcement. Dr Smith, who runs our own road accident prevention unit, has demonstrated that the reduction of the limit to 0.05 per cent in some States has led to a significant reduction - 8.2 per cent - in night-time hospitalisation accidents. Because of the very high blood alcohol levels often present in drivers who are killed it is unlikely that this will have any real effect on fatal accidents. A 1984 evaluation of reduced blood alcohol levels in New South Wales demonstrated that the lower level had a beneficial effect on the casualty accident involvement of 17 to 20 year old drivers over and above any effects on the older age control group. When the 0.02 per cent level was brought in for probationary drivers in Western Australia, injuries in the 17 to 20 year old age group were significantly reduced.

There are three ways in which we can determine the legal limit. The first is to set the limit at the lowest level at which a driver's risk of an accident can be shown, on average, to be significant; the second is to set the limit at that level which maximises the efficiency of its enforcement; the third is to set the limit at a level which maximises the long term educative effect of an enforced legal limit. I propose that we need a combination of all three, particularly if the limit is set at 0.05 per cent with an effective random breath testing procedure, as has been demonstrated that we have here.

Another evaluation of the New South Wales law looked at community attitudes to the 0.05 per cent limit. There is an increasing acceptance there of random breath testing and increased approval of the 0.05 per cent limit, particularly among women. As well, there are reported and observed changes in drinking and driving behaviour. People do limit their drinking when driving - we have seen that already, with our limit of 0.08 per cent, with random breath testing. People tend to stay at home to drink, and to ask friends who drive not to drink, so the idea of a skipper has evolved.

The children of this State in senior high schools should be congratulated for this initiative. Their concern should be recognised and acknowledged, and my proposal to the Minister is to

go beyond the request of the petition and to assess the feasibility of the Government's introducing a legal limit of 0.05 per cent for all drivers. This is a public health issue; we are talking about injury prevention.

MR TAYLOR (Kalgoorlie - Minister for Police and Emergency Services) [5.05 pm]: I thank the member for Kenwick for her consideration of this issue and for her notification that she wanted to talk about it. I endorse her remarks; it is interesting to see that young people in Western Australia are prepared to go to the trouble of organising the petition about which the member spoke, and of getting the number of signatures that were contained in the petitions to bring to the attention of members of this Parliament their concern about road safety in Western Australia and suggest a way in which we could improve road safety in this State. Of course, that suggestion is to reduce the blood alcohol limit from 0.08 to 0.05 per cent.

I understand that Western Australia and South Australia are the only States which have a limit of 0.08 rather than 0.05 per cent; I understand also that the Western Australian limit of 0.08 per cent dates back many years - at least to the early 1970s. One thing we have sought to do in recent times in this State is to try to reduce both the accident rate and the death rate on our roads with a number of different initiatives. Despite the comments made by members opposite, the most important of those initiatives was the introduction in this House last year of random breath testing legislation. Within the next couple of weeks I will be introducing legislation to give members the opportunity to ensure that random breath testing continues in this State, not just for 12 months but past the sunset clause period that was set down.

Mr Cowan: What about the independent review?

Mr TAYLOR: A number of reviews have been carried out, as the Leader of the National Party may know. In fact, he asked me a question in the House some weeks ago about this. The final review was with the Traffic Board yesterday.

Mr Clarko: Are you disappointed with the statistics for the year?

Mr TAYLOR: I am disappointed with the road toll. We should all be disappointed when the road toll from one year to the next does not change very much. However, one can always use statistics. I could use them to say that if I put into the pot and mixed up the information that has been put before me in relation to the number of kilometres travelled, the number of people using the road and the number of cars on the road, we would find that the accident rate in Western Australia is less this year than it was last year. However, that is of no particular satisfaction and there is no doubt that accidents will happen - such as the one that happened on the Nullarbor Plain yesterday - but also there is no doubt from the information I have that night-time accidents that involve drunken drivers, and drunken drivers in fatal accidents, have declined in Western Australia. There is also no doubt in my mind - and I challenge any member in this House to say otherwise - that as a result of the emphasis given to random breath testing in Western Australia recently, people have changed their habits in relation to drinking and driving. They are now less inclined to go out and drink and then get behind the wheel of their car and drive home. They are much more inclined not to drink at all, or to drink much less, or to ask someone else who has not been drinking to drive their car.

Mr Clarko: That change has been happening for over a decade.

Mr TAYLOR: It has been taking place slowly over a decade, I agree; but the change has been more marked since random breath testing was introduced in this State. However, we can debate that issue later on. The debate today concerns whether the legal blood alcohol content should be reduced from 0.08 to 0.05 per cent. In Western Australia the limit for probationary drivers is 0.02 per cent.

Mr Clarko: Which we introduced; we were pressured to make it zero.

Mr TAYLOR: The limit of 0.02 per cent effectively means that probationary drivers can have virtually nothing at all to drink. It is very difficult to have a blood alcohol limit of zero because people can have all sorts of reasons for having an alcohol reading when they blow into a breathalyser. We should have a recognisable limit. As the member for Kenwick pointed out, young people are most at threat on the roads, and the 0.02 level means that they should not have anything to drink if they want to pass a random breath test or any other test in relation to blood alcohol content.

Mr Clarko: That is the objective.

Mr TAYLOR: Yes. People who want to have a drink should not drive. The message to be delivered to the community is that it is not right to drink and drive. If we have a party political debate in relation to the random breath testing issue, the community will think that we do not care enough to ensure the right message gets through.

Based on information in my possession, we should leave the limit alone. Other members in this House probably feel very strongly that we should reduce the limit to 0.05. However, we can look at that in three different ways when determining the limits. Firstly, we could set a limit at the lowest level at which a driver's risk of an accident on average can be significantly greater than that of a driver with no alcohol in his or her blood. Secondly, we could have a level which maximises the efficiency of enforcement. Thirdly, a limit could be set at a level which maximises the long term educative effects of an enforced legal limit. The last possibility means the limit would be 0.05. But in reality we need to set a limit which maximises the efficiency of the enforcement of any measure. In that sense, the limit should be 0.08. Based on information received from the Traffic Board in Western Australia the thinking is that the limit should remain at 0.08.

Mr Clarko: That was the advice in 1988.

Mr TAYLOR: That has been the advice for a long time. Research has been carried out in this area regarding the different levels of the limit and the recommendations received were that the level should be at 0.05. However, that limit would be difficult to enforce. The message for drivers in Western Australia is that people should not drink and drive at all. If the police are to enforce that message it should be on the basis of a limit which appears realistic to the ordinary driver rather than a limit which creates a police-state mentality in our approach to these issues.

In the driver education area, the emphasis on young drivers has been to drive safely. Pilot courses have been undertaken in a number of high schools throughout Western Australia. I hope that during 1990 these courses will be extended to all senior high schools in this State so that the young people of 16 and 17 years of age, wishing to receive a licence, will have the background and knowledge to ensure they will be safer drivers than other young people on the roads today. So the message for young people is that to drink and drive is foolish.

Members may remember a musical put on last year at the Astor Theatre called "Smash Hit" which related to young people and drinking and driving. The musical had a clear message that the combination of drinking and driving is often a fatal one. Serious or fatal accidents which affect young people represent a cross to be borne for the rest of their lives. I recognise the importance which the member for Kenwick attaches to this whole issue but given my analysis of the available information the limit should remain at 0.08.

GRIEVANCE - ROAD FUNDING

Family Package - Vehicle Registration, Fee Reduction

MR COWAN (Merredin - Leader of the National Party) [5.15 pm]: Discussion has taken place between the National Party and the Government on the road funding issue, the increase in the State fuel franchise levy and whether the revenue received from that source would be directed towards roads. However, my grievance relates to Government policy regarding the family package and the decision to reduce vehicle registration fees by \$20. The Government has not indicated the actual loss in revenue as a result of the reduced fee but some people within local government estimate the loss to be in the vicinity of \$5 million.

The public understands, through various talkback radio programs, that the Minister promised that the family package would not impact in any way on total road funding for the two bodies responsible for the construction of roads in Western Australia; that is, the Main Roads Department and local authorities. Notwithstanding the fact that wherever we drive in Western Australia we see signs proclaiming that the Federal Government is building better roads, take my word for it that those signs are completely erroneous. The two bodies responsible for building roads in Western Australia are the Main Roads Department and local authorities.

In the supplementary Budget papers the allocation to the Main Roads Department and local authorities for road making purposes was increased by only \$15 million in direct grants. I

acknowledge that the overall payment for matters associated with road construction, maintenance, and associated purposes has increased by about \$15 million. That coincides with the amount allocated to the Main Roads Department and local authorities; in other words, most of the contingencies have remained much the same. The problem is that \$30 million additional revenue was to be allocated for road making purposes. But that amount has been severely eroded by about 50 per cent for two reasons; firstly, the failure of the Commonwealth Government to recognise its responsibilities. It has reduced road funding grants and advances by more than \$2 million. Secondly, the State Government was told that it could not use its loan borrowings, or resources available from loan funding, for road making purposes. That has cost the State Government something like \$5 million. We have an imbalance because we had a \$30 million increase from the State fuel franchise levy and so far we have accounted for only \$7 million to \$7.5 million of that amount.

I acknowledge that there has been a change in the way the Government is recording its recoupment from sundry debtors. That reduces the availability of funds by a further \$5 million. However, there is still a deficit of about \$5 million which, in our view, came from motor vehicle licence fees. In 1988-89, \$79.7 million was received from motor vehicle licence fees. This year the revenue is estimated to be \$1 million less than that. History indicates there has been an increase of approximately \$4.5 million to \$5 million. From that I conclude - I will be happy if the Minister corrects me and tells me what the precise figure is - that \$5 million has been lost for road-making purposes because of the Government's family package.

I know it would be more appropriate to have some guarantee in writing from the Government, through the Premier or the Minister for Transport, suggesting that there will be no loss in revenue or in road funds available to local authorities or to the Main Roads Department because of the Government's family package. Unfortunately, however, I have not got a written promise. The Minister has commented on two occasions that there would be no loss of funding for road-making purposes as a consequence of the Government's family package. Yet, it appears quite clear to me that there has been a \$5 million loss.

It is not good enough for the Government to say that there has been a general increase in road funding for local authorities or, for that matter, for the Main Roads Department, because we know that the majority of that increase has come from the State fuel franchise levy. It is a useless exercise to continue to increase that levy to appropriate additional funds for road-making while, at the same time, the Government is subtracting funds from other traditional sources. Motor vehicle licence fees are one of those traditional sources from which funds have been allocated for road-making purposes.

In the context of the Minister's saying that there would be no loss of funds from this source because of the family package, I would be very interested to know what the Government is going to do about it. I noticed also in the Budget papers that a deficit is being funded by the main roads trust fund to the tune of about \$5 million. Can the Minister give an assurance that the \$5 million that has been lost from motor vehicle licence revenues because of the family package will in some way be made up by this Government and paid into the main roads trust fund so that there is no loss of road funding for the Main Roads Department and local authorities.

MR PEARCE (Armadale - Minister for Transport) [5.25 pm]: During the run up to the last election the Government made a commitment, as part of its family package, to reduce the cost of the family motor vehicle registration by \$20. That promise is in the process of being honoured. It will come into effect from the beginning of January 1990. We hoped it would be in place earlier, but the administrative arrangements necessary to distinguish family vehicles from commercial vehicles have not been as easy as we hoped and it has taken longer.

During the election run-up when the Government made its commitment, representatives of the Country Shire Councils Association, who are keen to keep politics out of local government but do not seem all that anxious to keep local government out of politics, made a range of statements about the election, none of which was particularly helpful to the Labor Party in that election and one of which was that there was a flaw or problem with the family package because it would lead to a reduction in road funding on the basis that licence fees are predicated to roads. On behalf of the Government, I said that that would not be the case;

that is to say, the family package commitment to a reduction in licence fees would not lead to a reduction in road funding. I am not sure of the exact words I used, and obviously right at this moment I cannot go back and check the transcript for those precise words. I do recollect that I said something along the lines that the claim of the Country Shire Councils Association that this would lead to a reduction in road funding was not accurate and that the Government would make sure that the level of road funding was at least maintained and might be increased, and that we would fund it from the Consolidated Revenue Fund or from some other source.

The fact is that we have not reduced the amount of road funding. The commitment that was given to an increase in road funding has been honoured largely from State sources. What the Leader of the National Party said is quite true: Part of the way of honouring that process has been through an increase in the fuel franchise levy which meant an overall reduction in road funding has not occurred. Equally, because the \$20 reduction will not be going into the transport trust fund and will not be predicated to roads, I suppose one could say that there has been a reduction in that area. However, we always talked about the total; that total has not been reduced and nor has the amount for country councils. In fact, in part, because of the actions of the National Party, the majority of the fuel franchise levy is raised in the metropolitan area and the majority of it is spent in country areas.

Mr Cowan: That is not accurate.

Mr PEARCE: It is accurate. A narrow majority - a little over 50 per cent - is raised in the metropolitan area.

Mr Cowan: You should remember that only 23 per cent of the population lives in the country. On a per capita basis they are paying three times what their city counterparts are paying. I think you had better get your figures in their proper context.

Mr Thomas: Metropolitan cars travel more miles than country cars.

Mr PEARCE: They do.

Mr Cowan: That is a load of rubbish.

Mr PEARCE: It is not a load of rubbish.

Mr Cowan: You go and talk to the Department of Transport and get its statistics. They will show you that the country pays 46 per cent of the State's fuel franchise levy.

The SPEAKER: Order!

Mr PEARCE: This is an interesting debate. I was listening to it with a great deal of attention.

Mr Clarko: It is the best part of it.

Mr PEARCE: Maybe that is the case. I am always happy to be a listener, particularly when the erudite member for Marmion enters the fray. He is always good for a laugh. We hope to hear more of him.

Mr Clarko: Don't take it too seriously.

Mr PEARCE: I am paying the member a serious compliment. I always saw him as a kind of apprentice or protege of the member for South Perth. I am sure that as the years roll on and the member continues to hold his seat against the wishes of his party, as is the case with the member for South Perth -

Mr Clarko: I wish you could speak as well as the member for South Perth.

Mr PEARCE: The member for Marmion has the same entertaining manner and I am sure he will continue to delight the House for many years to come.

We have honoured the guarantee not to decrease road funding. We have honoured the commitment we made to the people to decrease their registration fees. Maybe the country shire councils and the National Party would like to eat their cake and have it too. The National Party and the Government have had discussions about the way the fuel franchise levy might be used and country people have benefited, by and large, from the efforts of the National Party in that regard. One could say, from a metropolitan perspective, that they have benefited inequitably.

Mr Cowan: The value of it has been halved by a series of actions, one of which is this family package.

Mr PEARCE: It has not been halved at all. Because of the way the funding had to be biased in favour of the country to meet the National Party's concerns about the fuel franchise levy, if there is \$5 million less, it has effectively come off metropolitan roads and not country roads. That is a fact and, in terms of the money that goes into that fund and the money that goes out, country people do very well.

The commitments we gave in both cases have been honoured. There are always people who want more spent but do not want that money raised through taxation. The Government does not have that easy option available to it in the way that Oppositions and local authorities -

Mr Fred Tubby: It certainly does not.

Mr PEARCE: It is a pity the member's seat is such a marginal one. I would like to see him here in 20 or 30 years time when finally his party has been returned to power. He will be old and white haired and will have to stand where I am standing and will have to explain some taxation measures while a lot of young tyros from the Labor Party are boring it up him for increasing taxation and not spending a million more dollars in their electorates on everything they want. Oppositions have that luxury and they use it. Governments do not have that luxury and they have to make the decisions. With regard to Oppositions - I am not saying this to the Leader of the National Party because he does not use cheap politicking in this way although occasionally the temptation becomes too much for him - people who walk the line of having no taxation and increased expenditure soon lose the respect of the community. Oppositions who walk that line tend to stay in Opposition for a long time.

[Questions without notice taken.]

Sitting suspended from 6.02 to 7.30 pm

GRIEVANCE - GAMING COMMISSION ACT

Social Gambling - Legislation Problems

DR ALEXANDER (Perth) [7.32 pm]: My grievance is directed to the Minister for Police and Emergency Services and relates to the Gaming Commission Act. Primarily, the Act is under the control of the Minister for Racing and Gaming who sits in another place but nonetheless the Police Department is involved as it has an overview of the control of gambling. Tonight I refer specifically to social gambling.

When the Gaming Commission legislation was brought to this place it was welcomed by everyone. I have checked *Hansard* and there was no opposition to the legislation at that time. A few questions were asked but the debate was one of the quickest on record and included cross-party support for the legislation. I was one of the Government backbenchers who strongly supported the legislation, mainly because of the provision for the sensible control of gambling. One aspect of the Gaming Commission's activities is the control of so-called social gambling. The intent of the Act was to legitimise spontaneous small-scale social gambling, an activity in the ethnic clubs and coffee lounges which are concentrated in and around Northbridge as well as in other areas in which I have an interest.

The SPEAKER: Order! The conversations around the Chamber are highly disorderly. Standing Orders do not allow for these conversations. If members can tone things down, I will be very pleased.

Dr ALEXANDER: Implementation of section 64 of the Act seems to create problems. These comments are not meant to be a criticism of the legislation which has been running for one and a half years because with any piece of legislation there can be some problems in the interpretation of clauses. I have raised these problems with the Minister, the police, and the clubs affected. I do not come to this place with no knowledge of the situation, or in any way attempt to criticise the concept of the legislation. All the people affected - the police, the patrons and the management of the clubs - agree that problems have occurred with the interpretation of section 64 which states that social gambling is gaming or betting which "is spontaneous notwithstanding that it may occur regularly, habitually, or by arrangement between the persons involved". That is slightly ambiguous but that is not the major point I make. The racing and gaming officers have difficulty interpreting section 64(2)(c) which

provides that social gambling is legal on the understanding that the clubs or premises where the gambling is conducted do not take any share of the profits. They are not allowed to charge a commission, as the casino does. If the premises are not charging any commission, the gambling is judged to be legal.

At the time of the preparation of the legislation by the Minister and the parliamentary draftsman, the suggestion was made that ethnic clubs, for example, where people gathered to play various card games on a spontaneous social basis, could charge for the use of tables and chairs - although that would not be seen as a commission. That practice has been carried out by the clubs with which I have had contact, and that gives the police some difficulty. They argue, in some circumstances, that the practice contravenes the Act and turns social gambling into common gambling which is illegal; that is, where people are gathered to gamble and the management, or the dealer, takes some rake-off from the proceeds. The intention is that even though money is changing hands, under the social gambling legislation, the house should not take a commission.

One club has been in difficulty over this provision recently. On the basis of a complaint laid by a member of the public, the club has been visited by the police and put under surveillance. I was contacted by the club after it had been blitzed by the police and 20 or 30 summonses had been issued to the people involved in the gambling. They were convinced they were not in breach of the Act. The police are convinced otherwise, and the courts will decide in due course who is correct. In discussions between the club, the patrons and the police it became evident that the police have difficulty in interpreting exactly what section 64 means and how it should be applied to clubs where the intent of the club is not to make a profit but to provide a facility where people can gamble in a small-scale way, and where the club may want to cover its running costs such as electricity, the provision of facilities and so on. This is where the ambiguity comes in. In the case I mentioned the club had made the mistake of placing a box marked "Donations" close to where the gambling took place. The police interpreted that as the club's making a commission. It is up to the courts to decide whether that is the right or wrong interpretation but the ambiguity exists. The club is probably no longer undertaking that procedure, but that example illustrates the difficulty regarding the legislation. Clubs of all sorts commonly use donation boxes and if the boxes happen to be near an area where cards are being played it can be alleged that the club is taking a rake-off from gambling.

Mr Bradshaw interjected.

Dr ALEXANDER: Yes. Maybe some donations do keep clubs going. They say, "The club needs your support", and members take the hint. In my opinion, the Act - I know it is the subject of varying opinions - was not intended to be used in such a way that clubs would find themselves in this sort of difficulty. There are at least half a dozen clubs in my electorate. I am sure there are numerous clubs in members' electorates with similar difficulties. There are also so-called coffee lounges around Northbridge where spontaneous gambling occurs. My main concern is for the ethnic clubs set up by the various ethnic communities rather than for the more general coffee lounges. In view of the difficulties that the clubs and coffee lounges are having with the police - I know they are doing their work and this is not intended as a criticism of them - I ask the Minister to undertake to have section 64 reviewed to see whether there is any possibility of clarifying the definition of social gambling so that its implementation may be less hazy.

MR TAYLOR (Kalgoorlie - Minister for Police and Emergency Services) [7.42 pm]: I thank the member for Perth for his contribution. This is a matter in which I have had some interest for a long time. My interest goes back to 1982 to the Kalgoorlie bush two-up which was an illegal exercise -

Mr Bradshaw: It was a political exercise.

Mr TAYLOR: It was fortunate for us at the time because David Parker, who was a shadow Minister, was in Kalgoorlie with me for a race meeting. We missed out on being arrested by two or three hours as did the Governor of that time.

Mr Kierath: This is going into *Hansard*.

Mr TAYLOR: I know; it has all been said before. At his retirement a couple of years later the Governor said that, rather than being on his way to Broadarrow, he was going to the bush two-up and saw the police drive past him. He turned around and went the other way. As a result, we made a commitment in Opposition that when we gained the Government benches

in 1983 we would legalise the bush two-up in Kalgoorlie. We did that and it has been a very successful exercise.

Arising out of that was also the matter of illegal gaming clubs operating in Northbridge and the whole question of social gaming and how it should be tackled. The Government decided to have a solicitor by the name of Dan Mossenson carry out an investigation and report on the whole question of social gaming. That report remains one of the best commonsense type reports that I have read on any social issue. Basically, it said that we should tackle the issue of social gaming so that people who decided to play cards or gamble in the way described by the member for Perth would not be faced with prosecution, a \$10 000 fine or imprisonment. It makes a lot of sense that the police should be out there trying to catch criminals who are seeking to harm people rather than trying to catch those involved in social gaming or playing cards. That was the reasoning behind the introduction of the Gaming Commission Act. The member for Perth rightly pointed out that the Act comes under the jurisdiction of the Minister for Racing and Gaming and not under my jurisdiction as Minister for Police and Emergency Services.

The legislation is fairly straightforward. It sets down the ground rules for people involved in social gaming. Under that legislation, they know how they can play the game, what they can play and that commissions should not be paid. One problem, of course, is that some of the clubs around the place pay commissions and, when complaints are made, the police have an obligation to respond which is exactly what they have done, as explained by the member for Perth in the case of the Alexander The Great Club. They are doing no more than that which is required of them by law.

The member for Perth made the point that a wider view of clubs should be taken and of what is and is not a commission. I would be more than happy if that were possible. I would prefer, as I said, that the police were involved in tackling more important issues in society than trying to track down people playing cards. Nevertheless, the law requires the police to take action. In introducing the legislation some years ago, we sought to ensure that organisations wishing to raise funds from gaming and gambling may do so lawfully by obtaining a permit from the Office of Racing and Gaming. There would not be too many members in this place who are not aware of gambling nights that have been organised by clubs or organisations in their electorates with sporting or other backgrounds to raise funds. Before that legislation was introduced, that activity was illegal. We overcame the problem by allowing people to obtain permits to conduct gaming nights. Many clubs have taken that opportunity to raise money for all sorts of organisations. However, general conditions have been laid down for the operation of those nights. Permits are issued to charitable, sporting and community organisations. The application for a permit to conduct a gambling night must be made on the prescribed form 14 days before the night, must advise of single or multiple playing dates and the financial returns. I know that two-up night are held in my electorate regularly. They are run by the local racing club, trotting and other organisations. They work very well. They fulfil a need in the community and ensure that this sort of social gambling does not get them into trouble with the police.

The member pointed out that there are some clubs around the place that have problems with these rules. It is hard for me to have much sympathy for them because they know the rules and they know what is required of them. They know the rules were laid down on the basis that the gambling would be social gambling and not casino-type gambling where commissions are paid and people make lots of money. The member for Perth has put the case clearly for those clubs. He has asked whether it is possible to introduce changes to the legislation to overcome the difficulties faced by these clubs. If that is possible, I am certain the Minister for Racing and Gaming will be happy to look at it to see where changes can be made. I wish to impress on members that it is the task of the police and the Office of Racing and Gaming to ensure that the rules are abided by. If clubs are not prepared to do that, they will have to pay the price.

If it is possible, the rules will be changed in the next session of Parliament. I encourage the clubs to abide by the rules as they currently exist until then. In that way they will not find themselves in trouble with the police because, as I said, the police have better and more important things to do than raiding ethnic clubs to stop this form of gambling.

The SPEAKER: Grievances noted.

LAND DRAINAGE REPEAL BILL*Second Reading*

MR HOUSE (Stirling) [7.50 pm]: I move -

That the Bill be now read a second time.

This Bill has only two active clauses; one proposes to repeal the Land Drainage Act, and the other will make the repeal effective from 1 July 1990. The Bill is a consequence of the report of the Busselton drainage review panel, perhaps more widely known as the Lee report. The chairman of the panel was Malcolm Lee, QC.

As members with an interest in the south west will recall, the Lee inquiry was set up by the Minister for Water Resources, Mr Ernie Bridge, to look in the first instance at certain aspects of the Busselton drainage district. Its sixth and final term of reference was to assess the application of its findings in respect of the Busselton drainage district to other drainage districts.

It is not appropriate to discuss at any length the Lee report or recommendations and arguments put forward in it. However, members should be aware that the first recommendation of the Lee report was "that the existing system of drainage rating in country drainage districts be abolished . . .". It goes on to state that the Water Authority should be "responsible for operating major drains and structures in country drainage schemes and that the capital and operating costs thereof be borne by the Water Authority". Recommendation 3 of the Lee report recommends "that all drainage districts including drainage areas in the metropolitan area be abolished".

The history of legislation in these matters goes back a long way. Currently the responsibility for drainage in the metropolitan and country areas is separated. The Land Drainage Act 1925 is the legislative means by which country drainage districts are created, and by which drainage rates are levied in country areas. The effect of the Bill before the House would be to abolish drainage districts and thereby abolish drainage rates in country areas.

Those members who were present in this place in 1984 may recall the decision of the then Minister for Water Resources to abolish the Preston drainage district. The Preston drainage district is or, more correctly, was in the marginal electorates of Bunbury and Mitchell. It was felt at the time that the abolition of drainage rates in these politically marginal electorates was nothing other than pork-barrelling. The Lee report, for obvious reasons, made no comment on the political controversy. However, it described the abolition of the Preston drainage district as anomalous when taken in the context of the overall system of drainage districts.

One of the many grievances of the Busselton drainage district ratepayers is that they are expected to pay for the cost of drainage works in their district, even though it can be demonstrated that the major beneficiaries of such works live in areas adjacent to the drainage district and, therefore, make no contribution to the costs. This inequity, of course, is not confined to the Busselton drainage district. Another inequity in the current system is that the drainage rates are levied on the owners of farmland, even though the major beneficiaries may be people and businesses in the local town. Indeed, in some cases the construction of drainage works on a farm has left the farmer worse off by, for example, severing the farm into two, by stock losses in the drains, and by over-drainage. Yet, under the current legislation the farmer is still required to foot the bill for the construction work through the payment of drainage rates.

As the Lee report states - for the benefit of interested members, the reference is page 173 - if its principal recommendations were adopted there would be no need for drainage districts or drainage areas to be prescribed. In other words, the Land Drainage Act could be repealed. That is precisely what this Bill seeks to achieve.

The introduction of this Bill before the Water Authority has taken the appropriate preparatory steps to comply with the recommendations of the Lee report may be regarded as premature. However, this Parliament should wait no longer for the Water Authority to take those steps before it repeals the Land Drainage Act. This Bill proposes to repeal that Act in nine months' time. That would give the Water Authority plenty of time to do what it should have done two years ago when the Lee report was first released.

The House should be aware that the attitude of the Water Authority in relation to the general issue of drainage rates and in the particular matter of the Busselton drainage district controversy has been disgraceful. Its performance has been the worst example of a Government agency's arrogant disregard for the people it serves, the legislative and administrative restraints imposed upon it, and for the Minister to whom it is accountable. I have no doubt the Water Authority will lobby the Minister intensely for the Government to use its numbers in this place to defeat the Bill. Although it may be the function of the Minister in this place to represent the interests of the Water Authority, the job of this Parliament is to represent the interests of the rest of the population. If that means going against the self interest of the Water Authority, none of us should resile from doing so. If no action is taken by the Parliament, the situation that has been described as inequitable, and possibly illegal, in the Lee report will continue. Mr Lee, QC stated in his report that the Water Authority may have incorrectly applied rating provisions in the Busselton and other drainage districts in 1985-86 and 1986-87. The Water Authority must still be accountable to this Parliament with respect to its alleged misapplication of rating provisions, as identified in the Lee report.

The National Party will not let this matter rest until it has been satisfactorily resolved, even if that embarrasses the Water Authority and results in a reimbursement of rates collected during that period. This Bill will create a confrontation between the Parliament and one of the various instrumentalities answerable to it. It will force the adoption of the recommendations of the Lee report, which is a valuable document that has been left to gather dust for two years already. I commend the Bill to the House.

Debate adjourned, on motion by Mr Bridge (Minister for Water Resources).

MOTION - LABOR PARTY

Government Corruption - Resignation

MR MacKINNON (Jandakot - Leader of the Opposition) [7.57 pm]: I move -

In the opinion of this House the Labor Party has corrupted the processes of government in Western Australia and to uphold proper standards of decency should resign.

Democracy depends on decency, and it cannot function without it. Unlike other forms of government, such as totalitarianism the like of which we see too much in the world today, democracy is a process by which people, for example the people of this State and nation, agree to be governed. They provide that agreement, of course, via elections. The people agree to behave decently towards one another according to principles and laws agreed upon by their freely chosen representatives assembled in Parliament. They agree, reluctantly in some cases, to accept the penalties if they do not behave with decency. It is that unique quality that enables democracy to demand of its members of Parliament, but particularly of its Ministers, that they meet the highest standards of honesty and integrity - Ministers, of course, because they are the people entrusted under our system with the Executive powers of decision making and influence.

Members of Parliament are in a very real sense an embodiment of the honour and decency of the communities they purport to represent. In fact, a dishonest Government is in every sense of the word a contradiction of democracy. It is absurd when one thinks about it, in fact impossible, for a dishonest Government to demand that its citizens behave honestly. How can a campaign be under way at the moment to reduce, or achieve any sort of effective control over, juvenile crime in Australia when young people almost daily see a Government that is dishonest and is not prepared to abide by the normal standards. I argue very strongly that that is one of the contributing factors to the increase in juvenile crime in Western Australia currently.

There is now a well established, worldwide tradition in democratic Governments that grossly incompetent Governments or Ministers should resign, for the simple reason that people should not have to put up with their incompetence. There is an even stronger tradition that dishonest Governments or Ministers should resign because no free and decent people should have to obey them. A Government must resign when the trust between it and the people is broken. There is no doubt that the bond of trust which existed between the people of this

State and their Government has been broken. Members opposite may not have been at the airport a few nights ago, when the Premier came back from overseas, to see the people at the airport booing the Premier.

Mr Peter Dowding: They actually gave me a clap and a cheer.

Mr MacKINNON: The Premier thought it was a cheer; he cannot tell the difference between a cheer and a jeer. There was no doubt as to what the people at the airport were doing; the Premier knew that because he hurried away. He knew that the trust between the people of this State and the Government had been broken because of the standards which he and the people around him have set. Members opposite should talk to their friends at the airport and ask them whether what I have said is true.

Mr Peter Dowding: That is not the case. I was quite surprised that people were so enthusiastic. It was quite a pleasant experience.

Mr MacKINNON: That is why he hurried away! If I had been there, receiving a clap, I would have savoured the moment; I would not have hurried away. The Premier was glad to get out of the place. He should talk to his staff to find out what really happened.

In talking about the corruption of the processes of Government, we should take a little time to compare the standards which have previously been set by Labor Governments with the processes and decision making activities of this Government. A couple of times recently I have used the example of the now retired Senator, Hon Reg Withers, who in 1977 telephoned the Chief Electoral Officer to complain about the naming of an electorate. That resulted in the establishment of a Royal Commission, and Senator Withers was forced to resign because he dared to interfere with the naming of an electorate.

Mr Taylor: There was an important point as to why that electorate should not have its name changed, in respect of whether the National Party could nominate for that seat.

Mr MacKINNON: We can compare that with some of the standards and processes of this Government. Does the Minister for Police and Emergency Services think that Rex Connor and Jim Cairns should not have resigned in 1975 over the Khemlani affair, when Jim Cairns misled the Parliament, and when Rex Connor acted outside his authority? Those people did not lose \$100 million, \$200 million or \$300 million, but they were forced to resign. We can compare the commitment of the Federal Labor Party during the Whitlam years to abide by the standard of decency with the standard of the Dowding Labor Government. In recent times we have the example of Mick Young and John Brown, who were forced to resign for what must seem a minor matter indeed in comparison with what has happened in the Western Australian Labor Government. We have also the example of a Labor Premier, Mr Wran, who stood down from office until his name was cleared, when faced with the sort of criticism that we have seen placed at the feet of many of the members opposite. The people I have mentioned honoured the standard of decency; this standard has not been honoured by the Dowding Government.

I will now give a couple of examples of how this Labor Government has corrupted the processes of Government. It probably began a long time ago, but I go back only as far as the original guarantee issued to Rothwells in 1987 by the former Premier, Brian Burke; that is probably the most audacious example of the processes of Government being corrupted that this State has ever seen. The then Premier of the State extended to the National Bank, in support of Rothwells, a guarantee for a loan of \$150 million. We may ask what is so bad about that. It is the Parliament which must give authority for the granting of guarantees, or the expenditure of funds. Parliament was not asked to approve that guarantee; it was not tabled in the Parliament for its consideration; and it was not reported to the Parliament.

Mr Peter Dowding: Was the North West Shelf obligation the subject of a parliamentary report, or is it still secret?

Mr MacKINNON: It was not a guarantee.

Mr Peter Dowding: What was it?

Mr MacKINNON: It was a contractual agreement to purchase gas.

Mr Peter Dowding: Did the contract come to Parliament?

Mr MacKINNON: We will hear a speech in a moment about Sir Charles Court and the

tyranny of the North West Shelf! I remind the Premier that the North West Shelf gas project actually exists; it is pumping gas down to the metropolitan area. This State is benefiting enormously from the royalties which have been gained from that project; however, the petrochemical project remains a figment of the Premier's very warped and vivid imagination, an imagination that confuses a jeer with a cheer. The Rothwells guarantee was probably not legal, for the reasons I outlined recently in respect of the WA Government Holdings Ltd guarantee. That was the first example of how the decision making processes in relation to guarantees, well established over the years, were corrupted. When in this State's history has such a guarantee been extended outside the purview or authority of Parliament or even without remission to Parliament? We see now, as I will explain in a moment, this year's Budget allowing funds to be spent under that particular guarantee, which was entered into illegally.

The second example came in January 1988 - we have seen quite a lot of publicity about that recently - when the Government Employees Superannuation Board loaned \$50 million to Rothwells. This was not disclosed at the time, despite the fact that we had some information and pressed the Government about it. The Government continues to claim that no taxpayers' money has been placed at risk. In today's paper the question is raised on Superannuation Board rights for \$50 million. Who actually meets the funds committed to the State Superannuation Board? It is the taxpayers of Western Australia. We saw a Government working outside the normal processes, corrupting those processes, to commit \$50 million to Rothwells. As that article today claims, the \$50 million could well be lost because of the nature of the investment and the way it was made outside the realms of Parliament. Had that investment been made through the normal processes of Parliament there would be no question about its recovery because it would have been authorised; there would have been proper accountability and it would not have been seen to be a preferential payment as it is now by Mr Ferrier, the liquidator.

The third example was in July of 1988 when the Government entered into this memorandum of understanding that Mr Grill signed on behalf of the Government, agreeing to purchase the PICL shares from Messrs Connell and Dempster for \$400 million. We know that subsequently the Government steadfastly and continuously claimed that it had not agreed to the purchase price - the \$175 million commitment - until after receiving the First Boston report in September. Is it not surprising now that we see in the memorandum that in July \$175 million was the price agreed to even before First Boston entered into any agreement? Was that matter referred to Parliament for approval? Again the answer is no. Was the First Boston report, wherein it qualifies the comments it made, released in full? It was not. Was the memorandum of understanding tabled or authorised or reported to Parliament in detail? Again the answer is no, not at any time. At no time were those matters taken through the parliamentary process. Probably the worst case of the Labor Party, through its members in this House, corrupting the processes of Government, was in October 1988 when the Government concluded its agreements in respect of the PICL project and as part of those agreements guaranteed that particular project in its totality. At that time it also paid out \$175 million.

When in this State's history have we seen the people of Western Australia commit themselves to underwriting potentially hundreds of millions of dollars without reporting in any way to the Parliament about that underwriting?

Mr Peter Dowding: The North West Shelf agreement.

Mr MacKINNON: In fact the Government made a commitment indicating that there was no guarantee, no underwriting. Never during the North West Shelf project was \$175 million committed outside the parliamentary process.

Mr Peter Dowding: That is not true.

Mr MacKINNON: Where was that done?

Mr Peter Dowding: The Liberal Party contracted a liability of \$7 000 million.

Mr MacKINNON: I asked the Premier when money was paid out in that project without going through the parliamentary process.

Mr Peter Dowding: For the cost of the pipeline.

Mr MacKINNON: The Government made a commitment to underwrite the project. When was the payment made that did not go through the parliamentary process?

Mr Peter Dowding: The cost of the pipeline did not go through the parliamentary process.

Mr MacKINNON: The cost went directly through the SEC accounts and Budgets and the loan funds.

Mr Peter Dowding: I think you will find that is not the case, that it was contracted in 1982 without any authority from Parliament.

Mr MacKINNON: None of it was paid by the SGIC without reference to anybody and none of it was paid with a secret guarantee that was not referred to the Parliament.

Mr Peter Dowding: Yes it was. The underwriting agreement was secret and was never referred to Parliament.

Mr MacKINNON: None of it was referred to this Parliament on the basis of Ministers and Premiers standing up and denying categorically there was any guarantee.

Mr Peter Dowding: There was no disclosure of the nature of the underwriting of the contract and there is still no disclosure of that contract in detail because the Liberal Party prevented it.

Mr MacKINNON: The Premier continues to parrot on about the biggest and best project this State has ever seen and is likely to see in the foreseeable future. This Government has no vision of what can be achieved in such a project. All it has done is attend the opening ceremonies, trumpet what a great job it has done then come to Parliament and criticise that project up hill and down dale. Every aspect of the North West Shelf gas project was reported to Parliament.

Mr Peter Dowding: Here's a porky pie.

Mr MacKINNON: The SGIC was never used as a funnel or an errand boy to bail out the Liberal Government's mates.

Mr Peter Dowding: Was the take or pay commitment made public?

Mr MacKINNON: Was the take or pay commitment a commitment by the SGIC for \$175 million? Was it?

Dr Alexander: It was a commitment by the SEC.

Mr MacKINNON: The SEC happened to be a purchaser of gas. The SGIC is not building a petrochemical project. We then saw in January 1989 -

Dr Alexander: Are you really proud of what you are doing?

Mr MacKINNON: I think the member for Perth is proud of the fact that he is a member of a Government which has lost hundreds of millions of dollars that could have been spent on the people it is supposed to represent. As a left wing member of his party I am surprised he is not outraged that that money is not being spent on social welfare programs.

Dr Alexander: Stop writing my agenda for me. I am capable of writing my own.

Mr MacKINNON: The member for Perth thinks he is capable of writing his own agenda. I had the member's faction wrong - it is the extreme left; I am sorry.

In January 1989 the matter became worse. The Government entered into a new petrochemical agreement and guarantee, which was not disclosed at all. It was not disclosed to the public nor to the Parliament of Western Australia; it was disclosed to no-one. There was no disclosure and there was no approval. In fact there was no authority for the Government to extend that guarantee at the time, as we subsequently found out. The Government then went to the polls on a false premise and it can correctly be described as illegitimate as a consequence. Any claim to the contrary is clearly flying in the face of reality. The Minister can cook sausages, but he cannot go out and cook the books to conceal the fact that an agreement was signed on 27 January and kept secret from the people of Western Australia. That agreement commits the people of this State to hundreds of millions of dollars, and the Premier kept that from their knowledge. The Government is claiming that it is legitimate but it is a gutless Government which was not prepared to go to the polls on the facts. The Premier was not even prepared to stand on his record because he knew that his record was not there.

We then come to the latest scandal in terms of the corruption of the processes of Government when we see the decision making in which the Minister for Economic Development and Trade involved himself. In fact the Grill affair typifies the corruption of the decision making processes par excellence in this Government.

The SPEAKER: Order! There are two things I think are wrong with the statement the Leader of the Opposition is making. Firstly, it is inappropriate to refer to members of this House by name. It is a practice which is developing and which I think ought to stop now. Secondly I doubt whether this motion in the way it is framed would allow you to talk about specific individuals within the Government and anything they may have done. While it is not my intention to stop you saying briefly what I think you are about to say, I think you should be careful about the way you say it, because the motion does not actually allow it.

Mr MacKINNON: Thank you, Mr Speaker. I agree with the first part of your comments, and I apologise for that. In respect to your second point, I would indicate - not wanting to debate your ruling - that I am trying to explain the question of the Minister for Economic Development and Trade's participation in the processes of Government which have been corrupted. His involvement as a Minister in relation to the Rothwells affair and the consequent conflict of interest is clearly an example of what I am talking about.

The SPEAKER: Order! Perhaps I had better make myself more clear. My point is that had that fact been in the motion, it would be appropriate for you to refer to it. If the Leader of the Opposition wanted to say, for example, that "an individual" within the Government is corrupt he would be allowed to do so, as long as it is in the motion.

Mr MacKINNON: I understand that, Mr Speaker, because you have ruled on that previously. However I am indicating again, as I did in respect of other matters, an example of how the process has been corrupted. When we are talking about the conflict of interest of Ministers, whoever they may be, or the corruption of the process, the fundamental question is this: Was the Minister in a position, or were people associated with him likely to be in a position, to benefit as a consequence of those decisions?

Mr Peter Dowding: Are we going to talk about staff now?

Mr MacKINNON: I have never talked about staff before. The Premier is the only person who has ever spoken about staff.

Mr Peter Dowding: No, you have been peddling it to some of the journalists.

Mr MacKINNON: Which journalists?

Several members interjected.

Mr Court: You have done a deal with "7.30 Report", haven't you?

Mr Peter Dowding: You admitted that about "7.30 Report" on air today; I do not know who else, but I know one journalist has had that peddled to him by you.

Mr MacKINNON: I have never mentioned that; the first I have ever heard of a member of the Premier's staff - or any public servant for that matter - having shares in Leader Resources was today when the Premier mentioned it. I do not particularly care whether anybody in Government has shares in those companies, other than Ministers who are directly involved in the decision making process, for the very reason I outlined earlier: Was the Minister, or people associated with him, in a position to benefit as a consequence of his decisions?

Mr Peter Dowding: The answer is no.

Mr MacKINNON: The answer was provided by the Minister for Economic Development and Trade on television last night. The question was -

... did your family suffer a financial loss as a consequence?

The Minister's answer was as follows -

well, whatever was paid for the shares - yea.

Mr Peter Dowding: Yes, that was his wife's shares.

Mr MacKINNON: The answer was "whatever was paid for the shares - yea", and that was also the case in respect of the shares and interests of his own.

Mr Peter Dowding: That is not true; it does not follow from his answers. You are making that up.

Mr MacKINNON: Yes it does. The answer, and the wild and unsubstantiated allegations of the Premier, are desperate attempts to divert attention from that central issue - was the Minister in a position to make a decision that would benefit him or people associated with him? The answer is yes, by his own admission. For the Premier to stand here yesterday and say, for example, in relation to the decision making process I am talking about that because I had a letter from Zuks indicating the shareholding -

Mr Peter Dowding: What an embarrassment.

Mr MacKINNON: That is not an embarrassment, as I am about to explain. As the Premier said, that information was on the public record. One could go down to the share register and look at it. However the essential questions and facts which were not known - but which were probably known to the Premier - was the investment of those companies in Chequecard and then Rothwells' support of those companies. That is what was not known by me, the public or by anyone else. Whether that matter was in the letter is irrelevant. Even if I did know all of that, I am not the person who was supposed to be taking action, the Premier is. The Premier is the man who is supposed to take action against people where there is a clear conflict of interest. The Premier was probably the only person in Western Australia, along with his deputy and the Minister, who knew all the facts at the time, because none of the other facts - the involvement of the Minister in the rescue, the involvement of Rothwells in extending those loans, and the investment of the companies - was known; none of that was public knowledge and none of it was on the record. The comment last night about that letter was nothing more nor less than a red herring, which was irrelevant and still is. The Premier then said that because it was only 0.02 per cent, or whatever the figure was, it was irrelevant. The size of the investment is not important; the principle involved is important. In fact the 0.02 per cent was significant to most average Western Australians -

Point of Order

Dr ALEXANDER: The Leader of the Opposition has twice alluded to yesterday's debate when this matter was canvassed in some detail specifically. The statements he has just made about the shareholdings which are contained in the Premier's answers in yesterday's debate are clear and very specific references. I submit that is out of order and refer to Standing Order No 125.

The SPEAKER: I am aware of how the member is trying to use Standing Order No 125 and under normal circumstances it might be appropriate. It states that debate should not allude to matters not under discussion or which had previously been discussed, or words to that effect. While I can appreciate what the member is trying to do, I am sure it is not appropriate.

Debate Resumed

Mr MacKINNON: In the Premier's comments yesterday he referred to the Minister's shareholding which is essentially central to this argument. We bothered to go to the share registry of that company today and search it. I remind the Premier that it is now October 1989 and he indicated that the Minister sold his shares in May 1988, but the Minister is still registered as a shareholder in that company today.

Mr Peter Dowding: Whose responsibility is it for registering the transfer? Is it the purchaser or the seller?

Mr MacKINNON: Why has the fact not been recorded?

Mr Peter Dowding: I put it to the member that because the shares were sold on a contract of sale and the contract has yet to be concluded, the shares remain in the Minister's name.

Mr MacKINNON: Is that so? It is now the Premier who is trying to run around the public record. It is now 17 months after the so-called event and I ask the Premier whether those shares were sold and, if so, on what basis were they sold? If they were sold as a contract of sale, quite clearly the question of interest and propriety is involved. The question of whether the Minister was involved in the management of those companies is clearly irrelevant.

I turn now to the way in which this Government has funded a process that has taken place completely outside the normal structures this Parliament has set up for funding. The

Government has contracted these huge losses on behalf of the people of Western Australia outside the parliamentary process. A commitment was made, for example, of \$175 million for the National Bank guarantee. How is this to be funded? This year's Appropriation (Consolidated Revenue Fund) Bill is to provide \$4.2 billion for the Budget in 1989. This also is a Bill to provide funds to top up last year's allocations and to supplement the grants made by the previous Parliament. It makes very interesting reading to see how that supplementary process has been used. As has always been the case, the Government brings down a Budget and seeks authority in the Parliament for expenditure to various departments, and the process is adjusted through this Bill in Parliament.

Let us look at the records of the Governments since 1979 when Sir Charles Court was Premier: The Budget for that year approved roughly \$23 million for the Treasury Advance top-up; in 1980 the amount was \$42 million; in 1981 the amount dropped to \$31 million; in 1982 the amount was \$47 million; in 1983 - the first year of the Burke Government - the Budget figure was \$2.3 billion, but the Treasury Advance top-up figure was \$35 million; in 1984 the figure was \$50 million; in 1985 the figure was \$67 million; in 1986 the amount was \$102 million; and in 1987 the figure came back to \$40 million in a total Budget of \$3 billion. What has happened since Premier Dowding has come on the scene? Bearing that in mind, I will read the title of the Bill I am discussing. It reads as follows -

An Act to appropriate and apply out of the Consolidated Revenue Fund certain sums to make good the supplies granted for the service of the year ending 30 June 1990 and to supplement grants made by the previous Parliament during the Third Session in adjustment of the Vote "Advance to Treasurer, 1988-89" for charges during the year ended 30 June 1989.

Bearing that in mind, the biggest figure of all the years I have spoken about so far was \$102 million, yet this Premier has brought down an allocation for the Treasury Advance of \$160 million for matters that were certainly not approved by this Parliament in the previous Budget by any stretch of the imagination. This involves matters like the Teachers Credit Society allocation of \$19 million, the Swan Building Society allocation of \$12 million and the R & I Bank allocation of \$35 million. They certainly could not be said to be supplementary grants but were special grants to pick up the tab for this Government's decision-making. The figure for 1989 has blown out from \$40 million two years ago to \$234 million.

I remind the House that this relates to supplementary grants made by the previous Parliament. Did the previous Parliament make any grants or approvals for the Rothwells guarantee? I have already explained that the Premier of the day and his Government never referred that question to the Parliament. It had no authority from this House, yet it comes to this Parliament with a measure that must be described as corrupt in the way it seeks the authority of the Parliament and a Budget approval of roughly \$23 million for a matter which was never approved by this Parliament. Worst of all, we see \$39 million going to WA Government Holdings Ltd. I have spoken before about this sum and the \$175 million which were never referred to this Parliament, and now we are asked specifically to approve in this Budget Bill something that this Government denied ever existed; that is, the project guarantee which never had the authority of this Parliament. Now we have an appropriation Bill with those amounts included and I argue that they supplement nothing; it is a specific grant and payment that undoubtedly is a corruption of the processes of this Parliament. Never in the history of this State have we seen commitments made outside the parliamentary process. The Parliament is now being asked to authorise something in which it has never had a say.

Mr Nicholls: The WA slush fund.

Mr MacKINNON: It is called a taxpayer-funded slush fund. The Government is now putting its hands into the pockets of the people of Western Australia to balance the Budget. The people of Western Australia are fed up with that and that is the reason that tonight hundreds of people are expressing their outrage.

Several members interjected.

Mr MacKINNON: It takes a lot more than the Liberal Party to organise a meeting of 1 500 people. If the Premier thinks he can start a front tonight and call it what he likes and get

2 000 people at a public meeting on a wet and miserable night, he is a better man than I. Perhaps some of those people attending the meeting are the same people who were jeering at the airport the other night.

A Government member: Are these the same people attacking the Liberal Party?

Mr MacKINNON: I have no idea. I do not know who placed the advertisements and I do not support the comments in them - they have nothing to do with the Liberal Party.

Mr Peter Dowding: Didn't Peter Wells run them to WA Newspapers Ltd?

Mr MacKINNON: He had nothing to do with it.

Mr Peter Dowding: Who does he work for?

Mr MacKINNON: He works for the Liberal Party. The Premier is implying that Peter Wells lodged the advertisements with *The West Australian*. Can members imagine Peter Wells doing that? The Premier should not be so stupid. It is the same as the Premier saying that I have been going to the media trying to explain to them that someone in the Government has shares in a certain company. Which company is it that I am supposed to be alleging he has shares in? The Premier has a memory lapse and cannot remember which company it is.

Several members interjected.

Mr MacKINNON: The Minister for Housing should be cooking sausages for those people at the meeting - I bet they are hungry. In fact, she should be in her own seat if she wishes to interject. She has had plenty of practice cooking sausages and in a few months' time she will get more practice.

The SPEAKER: Order! Perhaps the Leader of the Opposition would return to the subject matter of the debate.

Mr MacKINNON: The important point I was making is that this Government is trying to use the Consolidated Revenue Fund in a manner for which it was not designed. When the Government comes to this Parliament seeking approval for funds it should do so on the basis of the approval having undergone some legislative process. The Government must seek approval of the Parliament for the purposes for which these funds are required, such as education. However, there is no legislation under which the Government committed itself to WA Government Holdings Ltd and for which the taxpayers are now footing the bill. There is no legislation to cover the Rothwells' guarantee, and that is a classic example of what I am talking about.

Quite clearly there is no other measure in the history of this country like it and I have referred to measures undertaken by the Hawke Government and by other Governments, be they Liberal or Labor. The necessary action was taken in the cases I have outlined, but we have not seen one hint of remorse from this Government.

The Premier treats the latest issue which has been raised as a laughing matter when it is clearly on the public record that a Minister of this Government had a conflict of interest in the dealings he was carrying out on behalf of the Government of Western Australia. There is no doubt about it and the latest information is proof that the allocations in this Budget are a further attempt by this Government to circumvent the normal processes of this Parliament. There is absolutely no doubt that the Labor Government has corrupted the process of Government in Western Australia and there is no doubt that the several hundred people attending the meeting in South Perth tonight will be endorsing the comments I have made. We have an illegitimate Government in Western Australia; it is a Government which under our democratic system has lost the trust of the people of Western Australia. The Government has only one option available to it and that is to resign.

MR LEWIS (Applecross) [8.46 pm]: I formally second the motion. It is appropriate that I amplify what this motion is about: It is about the fact that the Labor Government has corrupted the process of Government in Western Australia. It does not uphold the proper standards of decency expected from it and, indeed, it should resign.

At the outset one should ask what has caused this corruption. It goes back to this Government's infamous dealings in Rothwells. To illustrate this I will track the extraordinary occurrences and political corruption which occurred. This Government's involvement in those nefarious dealings with public funds and Rothwells is a disgrace. One

should ask what was Rothwells and why it became so important to this Labor Government that it would deliberately mislead this House, tell a number of untruths, cheat and even secretly deposit huge amounts of public moneys by way of third person transactions to keep Rothwells on the heart and lung machine this Government gave it.

Originally Rothwells was a Brisbane based public company which I understand dealt in drapery and the like. Mr Connell took it over, and with the assistance of the previous Premier, Brian Burke, it became an authorised trustee. This gave the company the ability to take in public funds and to undertake legitimate financial dealings. The truth is that Rothwells was an ongoing fraud and it was destined to collapse because of the way it was managed and the way it conducted its business. Officially, it was a merchant bank and was taking deposits, paying interest and making loans. The reality was that it provided a bottomless pit of money to be borrowed by Mr Laurie Connell and his associates without adequate security. It was a financier, that is, Rothwells, which lent money with great imprudence. Connell and company dipped into this magic pudding financier to the extent of hundreds of millions of dollars, most of which the citizens of Western Australia will now have to pay - they will have to pay for those dippings by Connell, his associates and his companies. Unfortunately, it will probably never be known where that money eventually ended up or, indeed, who has it today, although there is great suspicion about where that money is and who has it.

I suppose that one aspect of Rothwells where it did act as a bank and as other financial institutions do was that it always paid its interest on time. It was vital that it paid that interest on time to ensure the continuation of its whole mode of operation as Rothwells merchant bank. There had to be continuing deposits of real money and the only way to ensure that was to make sure that existing depositors were paid their interest cheques promptly. Thus Rothwells continued to exist and became more and more dependent on its ever increasing deposit base. So long as deposit money grew fast enough it was able to renew the vast amounts of money drawn out by Mr Connell and his associated companies.

Mr Peter Dowding: I do not want to stop the member, but I remind him that there are charges around; but that is a matter for him.

Mr LEWIS: I am fully aware of that, and understand what the Premier is saying. As I was saying, interest was paid and continued to be paid. Rothwells was like the golden aeroplane game which this Government outlawed recently whereby so long as there were new customers - new passengers - introduced into that game there were always huge payouts to the pilots and those associated with them.

Mrs Buchanan: That was a rip-off.

Mr LEWIS: Does the member for Ashburton not think that Rothwells was a rip-off?

Mrs Buchanan: The golden aeroplane game was the greatest rip-off I have ever seen in my life.

Mr LEWIS: Between 1982 and 1987 the golden aeroplane was able to keep flying. Unfortunately the writing was on the wall as to what would happen prior to the crash in October 1987. In ordinary, reputable, indeed prudential, financial institutions, money going out in interest and deposits is always covered by an excess of money coming in by way of interest from money lent and from the prudent investments that the financier or other financiers have made; so there is always a positive cash flow from deposits and investments to a prudent merchant banking organisation. It is interesting to see what the interim report of the National Companies and Securities Commission shows in relation to this matter. Rothwells had huge amounts of non-performing debts. The majority of those debts were associated with Mr Connell and his related enterprises. The report of the National Companies and Securities Commission reveals that on balance day, 31 July 1985, \$45 million in Connell related loans was removed from Rothwells' books by the simple process of Rothwells loaning the money to other people, and sometimes to \$2 shelf companies, to buy the assets associated with the Connell loans or his associated companies. In 1986 the report of the National Companies and Securities Commission showed that \$93 million was removed from the books of Rothwells which normally would have stood to the accounts of its principal, Mr Connell, and associated companies. In July 1987, five months before the Government rescue by way of guarantee, an amount of \$325 million was

identified as money owed to Rothwells by Mr Connell and his associated companies. Bearing in mind that the assets of Rothwells at that time, on its own estimates, were only \$724 million, one must wonder how prudent were the people administering Rothwells.

It has been established that before the crash Rothwells was technically insolvent. After the crash along came the Government and guaranteed the National Australia Bank to lend \$150 million to Rothwells. It did that over one frantic weekend - not with full consideration over time and after full examination of the books of that merchant bank but on a knee-jerk reaction. In a report dated 13 November 1987, a fortnight or so after the Government's guarantee was given to Rothwells, a Rothwells director stated in writing that, "In reality, approximately two thirds of these Rothwells loans, aggregating over half a billion dollars, were in fact medium term equity investments in related and unrelated corporations which were unable or unwilling to repay the loans or, indeed, to meet the accumulating and compounding interest. These non-repaying investments presently have a negative cash flow effect of \$7 million a month or \$84 million per annum."

Members should remember that this report was written after the Government's guarantee was given and after the supposed rescue of Rothwells, so the rescue was not a rescue at all as Rothwells was absolutely insolvent prior to that rescue and even after the rescue payment of \$150 million, according to this report from one of its own directors. That director went on to say that the company would probably carry on business until the end of that calendar year, 1987. That report was written on 13 November. That is another five weeks on. That director said that Rothwells could only carry on business until the end of that calendar year with no new facilities in sight or anticipated, unless working capital was generated from the repayment of major loans and/or realisation of investments in one form or another.

Mr Peter Dowding: Are you quoting from the NCSC report?

Mr LEWIS: No; I am quoting from the report of one of the directors of Rothwells.

Mr Peter Dowding: Is that in the NCSC report?

Mr LEWIS: I do not want to be sidetracked. The facts are that in this comment by one of Rothwells' own directors, that merchant bank was insolvent just over a fortnight after this Government gave a \$150 million guarantee without the approval of this Parliament.

Let us look at what has since been revealed. The National Companies and Securities Commission has drawn to notice one instance whereby a company, Watrain Pty Ltd, which had assets to Beltech Corporation valued by way of shares at about \$500 000, owed Rothwells \$40 million. Most of this had been onlent to Oakhill Pty Ltd, Mr Connell's personal company. Mr Connell was given \$350 million when the PICL deal was consummated.

After the first rescue of October 1987, Mr Connell put in \$70 million - \$20 million in shares and \$50 million as a subordinate loan. Between November 1987 and March 1988, after the rescue and after the Government had advanced \$150 million, Mr Connell borrowed back from Rothwells \$110 million. In one instance he subsequently drew down \$45 million by some bizarre methods. To sum up, Connell put in \$70 million, and two months later, when he was supposed to be putting all his assets on the line - his Rolls Royce and his horses - he pulled out \$110 million; \$40 million more than he had pledged.

There were two \$10 million loans and a \$25 million loan to three shelf companies which each had paid up capital of \$2. On the same day that these \$2 companies received those loans, they onlent the same amounts of money under exactly the same circumstances or terms and conditions to Mr Connell's Oakhill Pty Ltd. It is quite extraordinary! Now we know where Government agencies such as the State Government Insurance Commission and the Superannuation Board have learnt their smart tricks of lending through third parties. SGIC lent to Spedleys which onlent to Rothwells. That is the devious and obtruse way in which this Government has carried out its nefarious and corrupt dealings with Rothwells.

The managing director of Rothwells, at the time when these loans were being onlent to Connell when he received \$110 million after the \$150 million guarantee, was none other than the Government appointee, Mr Tony Lloyd. It was impossible for the Government to claim it did not know what was going on. The Government has always said it did not know, but it had its own man as managing director of that board, and he was managing director when that \$110 million went out after this State Government guaranteed \$150 million to Rothwells.

Let us look at the deception and dishonesty of this Government when it tried to justify its guarantee to Rothwells. Those who justified it were the present Deputy Premier, then the Minister for Economic Development, who was the chief Government negotiator in that shady and dishonest deal. Mr Brian Burke, who was the Premier, ultimately made the decision for that guarantee, and it was the present Premier, Mr Peter Dowding, who got up in this Parliament and justified what the Government did.

I quote from *Hansard* exactly what this triumvirate said to justify that nefarious deal. This is what Mr Parker said, talking about Rothwells, on page 5176 of *Hansard* -

I believe we have here an institution which has been of immense value to the State of Western Australia. It will continue to be of immense value.

He also said -

The Government has done something which has been profitable for the State and certainly profitable for the Government.

Again, on page 5134 Mr Parker said about the Government guarantee -

We believe it virtually impossible, and I certainly am absolutely confident that such a facility will not be required.

On page 5127 he said -

We decided there was absolutely no prospect of the Government's being called on, even if the worst financial crash that one could imagine were to take place.

Again, on page 5128, referring to the Rothwells' loans, Mr Parker said -

Our view . . . was that the book was widely spread with no huge exposure to any particular individuals.

That was \$340 million to Connell and Connell related company loans. "Even in the worst possible involvement," Mr Parker said, "we did not believe there would be any likelihood of half the debts to Rothwells being found to be bad debts." Guess what? The Premier of that day, Mr Burke, interjected and said there were no significant loans to companies related to Rothwells and there were no significant loans to companies related to Mr Connell. What an absolute untruth! On page 5176 Mr Parker said this -

It is instructive that Connell has not used Rothwells for his own more speculative or high-risk businesses; he has not borrowed from Rothwells to any degree for those businesses but has kept them quite separate."

At page 5134 Mr Court interjected, "Did Rothwells fund any of Connell's operations?" Guess what Mr Parker said? "No". Rothwells did not fund any of Mr Connell's operations. On page 5165 of *Hansard*, Mr Parker said that Connell had put every cent of his resources into the rescue. "He has pledged his entire fortune; everything he owns, including his racehorses and Rolls Royce". Three or four weeks later he drew out \$110 million; he put in \$70 million and pulled out \$110 million. Let me quote the Premier on page 5169 of *Hansard* of October 1987, when he said that it was exactly the right decision to make.

Point of Order

MR PETER DOWDING: By way of interjection earlier I said that I had no reason not to want the member to take up the detail in the House. It worries me however that the member is now making specific allegations which may be right or wrong about somebody who has, as members know, been the subject of charges, and those charges, as I was reminded by the television tonight, are listed for hearing next month. I know the member has no sort of restraint, and I do not want to be seen to be restraining him by imposing any restraint, but I draw it to your attention, Mr Acting Speaker, because it is a matter in which we would not want to see any adverse impact on a trial.

THE DEPUTY SPEAKER: I have been reflecting on this matter over the past 10 or 15 minutes. There is no rule under Standing Orders which prevents reference to matters before the courts. However, there is a convention that matters which could be regarded as sub judice - and as members know we have here a case which has been set down for hearing in the near future - are not referred to in any great detail. I certainly do not want to be in a position - and I do not think the point of order was made in this context - to restrict freedom

of speech in this House in any way. However I think there comes a point when continued reference - and I think this refers not so much to quotes from *Hansard* as to the previous remarks about the cases pending or which may be taken up in the cases pending - must cease. I advise the member for Applecross that this is a convention of the House. If he is in any doubt about this I suggest he consult the Clerks' very wise guide - Erskine May's *Parliamentary Practice* - which is from where I am drawing my advice. I refer to page 38 of *Parliamentary Practice*. I suggest that the member move on to other matters.

Debate Resumed

Mr LEWIS: Thank you, Mr Deputy Speaker, I understand what you are saying. I will endeavour to direct my remarks to the motion, which refers to the absolute untruthfulness and deceit of this Government in coming into this Parliament and telling blatant untruths. The Government has misled this Parliament and the public of Western Australia over what occurred in respect of the guarantee and the Government's subsequent bailouts, advances of money and all the other terrible and dreadful things it did to try to keep Rothwells alive.

I would like to quote from the public record, *Hansard* of 27 October 1987, at page 5169 where Mr Dowding is on record as saying, "I endorse his actions absolutely." The Premier, in his then capacity of Minister for Works and Services, was referring to the actions of the Minister for Economic Development and Trade - who is now the Deputy Premier - when he said that Mr Connell did not have any money in Rothwells, and was not using Rothwells money. On page 5172 of *Hansard* for the same day Mr Dowding attacked the Opposition for refusing to support the Government's 150 million guarantee and said that the Opposition was so careless of the implications that its members did not care what happened. Is that not ironic? We know who really was oblivious at that time and seemed not to care about the consequences. The Government wilfully came here, justified its actions, and told massive untruths. There is an old saying that one untruth begets another, and the Government is in its present position because it started to tell those untruths, was caught up in them and could not get out of the morass in which it found itself.

The fact is that the guarantee should never have been advanced by this Government to Rothwells. The Government should have taken the wise advice of the Leader of the Opposition, who said he would not endorse the guarantee to Rothwells or any action by the Government that allowed such a guarantee to be offered. The terrible thing is that this was done by the then Premier, Brian Burke, who had great debts to Laurie Connell for all the deals and assistance which had been rendered to him; this was the day of reckoning. Those debts were called up, and Burke went in and did that knee jerk deal without any consideration and without looking at Rothwells' books. He did not know the full implications of what would happen - what has been seen to happen with this disaster over the past 12 months or so. The fact is that this Government misled the Parliament. It told untruths to Parliament by virtue of the fact that it had its own managing director in that company, put there for the Government's own purpose, who was privy to every single deal the company did during that time. For this Government to say it was not aware of what was going on is to my mind absolutely untrue.

This Government should have the gumption and the courage to stand in this place, after realising the terrible mistake it made, and be brave enough to say, "Yes, we were wrong; we did make an error. Yes, Mr Leader of the Opposition, we should have taken note of your wise counsel because you were right and we were wrong." However, I have not heard one Minister come here and say, even remotely, that they made a mistake, that the Government was wrong and inadvertently had misled this place, and that what the Leader of the Opposition said at the time was right. Government members do not have the guts to do so. Instead, members of the Government went on with their constant and continuing subterfuge and deceit until they were drowned in the morass of the petrochemical deal, which syphoned off \$350 million to that principal of Rothwells who was not supposed to have any related loans to his own merchant bank. The facts speak for themselves. This Government and its senior Ministers - indeed the Premier - have wilfully and purposely misled the Parliament continuously over the past 12 months, virtually on a week by week basis. The time has come when any Government, looking to itself and its performance, and any Minister of any true Westminster Government would stand aside and resign because of its culpability, and wilful mismanagement of the affairs of the State of Western Australia.

MR COURT (Nedlands - Deputy Leader of the Opposition) [9.18 pm]: The Opposition looks forward to the Premier's making some comments on this motion. However tonight, at this moment, the South Perth Community Centre is crowded with people - in fact the crowd is overflowing outside - who are asking such questions as, "Where has our money gone, Mr Dowding?" That crowd is composed of more than 1 500 people.

Several members interjected.

Mr COURT: I do not want to exaggerate but I was told it was the size of a football grand final crowd. This is the era of television and street corner meetings are no longer the norm. These people are asking important questions, and it is not just those people, for there are people in Kununurra, in Port Hedland and in Esperance -

Mr Fred Tubby: And in Whitfords.

Mr COURT: - and in Whitfords all asking the same question, which is "How come we have to keep paying our taxes while the Government of the day can go out and blow hundreds of millions of dollars?"

Dr Gallop: They are asking when are you going to knife Barry.

Mr COURT: That is a pretty smart comment.

One of the advertisements placed in the paper stated the following -

Mr McCusker, QC, and the Corporate Affairs Department are inquiring into why Rothwells went broke. Why is no-one investigating why Mr Dowding and his Government lost \$400 million?

That is the important question. When the Teachers Credit Society went bust the Government held a witch hunt to find whom it could blame and it charged a few people, but the people who were not investigated were the people opposite; these are the people who did not properly administer the building society and credit union legislation which enabled the building society and credit union to run amuck.

Another interesting advertisement stated that "we are in disgrace". I can remember when Queensland used to be the laughing stock, Mr Premier, but now we have the situation in which Western Australia is regarded in a very bad light. The Premier says that he will try to restore the credibility of this State. He has just come back from overseas - I commend anyone who goes away to help build up this State - but how can he say that he is trying to build up the State when he has carried on in the way he has this week? A Minister of the Crown has had a conflict of interest and the Premier does nothing about it; on the contrary, he says that it is perfectly all right and there is nothing wrong with it. He starts arguing about a few side issues in the usual fashion and ignores the major issues. As long as the major issues are ignored this State's credibility will not be restored. It is business as usual in this State for WA Inc as nothing has changed with members opposite. We were promised that there would be change, but nothing has changed except that when the Government has defended its actions this week it has been a little more bold and experienced about covering up. We believe, as do many other people, that a Minister has had a major conflict of interest and that the Premier should have acted.

The Leader of the Opposition and the member for Applecross referred to the deception which has gone on week after week in this House. One would have thought that the Government would have been determined to show the public that it was dinkum about restoring the credibility and stand that Minister aside, yet the Premier brings in his propaganda machine. This propaganda machine works well and spreads the half truths and smothers the facts to divert attention from all the terrible things that have been happening. I tell members opposite that they might be good at diverting attention in the short term, but its propaganda machine - the 70 journalists who make sure the media get the Government's side of the story - will fail as the bulk of the people in this State are starting to see through it. There will be a ball which will start rolling and it will grow in size as people start to see - many of them already have - through the propaganda machine and at the end of the day they will know that something is very wrong. People know that there have been record revenue collections in this State, but it is not going back out to the taxpayer. People are hearing of all the wasteful expenditure taking place.

In the Westminster system of Parliament under which we are meant to be operating, Ministers have responsibility, as do all members of Parliament. As members of Parliament

we make an affirmation that we will carry out our duties "without fear or favour", and we should do the best we can to set very high standards for the community. Unfortunately the standards being set at the top do not provide any encouragement for people underneath because the Government's standards are abysmal.

Mr Kierath: People say they will not lower themselves to the Government's standards.

Mr COURT: The public are saying that they will not accept the standard set by the Government. This matter is about decency. The people of this State put trust in this Premier and his Ministers to govern the State, to look after our taxes and the welfare of the people; but the Government is losing that trust. It may be politically clever for the Government to tough out these issues in the short term, but in the long term all it is doing by turning its back on these issues is continuing to damage the State's reputation. Of all the things to have taken place, of greatest concern was the petrochemical project, the largest deal of WA Inc. The public are beginning to understand the facts about what has taken place. We have had 12 months of deceit from this Government and it has now been established that more than \$300 million will be lost.

Mr Lewis: It has been lost and there is more to come.

Mr COURT: Indeed! Yet the Government is carrying on as if nothing has happened; as though it were just yesterday's crisis and the public have forgotten about it.

Mr Nicholls: Just put up the taxes!

Mr COURT: That is what we are debating in the House at the moment with FID, tobacco and other taxes.

The Government has taken the attitude that the crisis is over. I put it to the House that the public are not going to forget what has taken place. When they went to the election earlier this year they did not know the details surrounding the petrochemical project or the tangled web of agreements being struck and guarantees given while the election campaign was under way. As the Leader of the Opposition said, the public went into the election campaign not knowing the truth, which is a matter of great concern. They will get to know the facts and the truth now about the petrochemical project and understand that the project was to help the Government and a lot of other people out of the Rothwells problem. When people sat down and examined what had taken place they could not believe it. They could not believe that any Government would allow this sort of thing to take place. Why did the Government get into that project? We all know it was a scheme which would solve its big problem of being tangled up with the Rothwells rescue. It was a smart alec way of putting together a scheme and by pumping \$350 million into the project by which the Government could try to get out of the Rothwells rescue. The sad part for all of us taxpayers is that after the first and second rescue failed, the company still fell over after the third rescue attempt.

When the member for Applecross read from *Hansard* I shuddered to think that Ministers opposite fed us such a line of total deceit. Fancy entering into the Rothwells' rescue without doing one's homework about the true position of the company. Fancy coming to this House and saying that none of the Rothwells' loans related to Connell's companies or to Mr Connell. In actual fact there were hundreds of millions of dollars involved in loans by that company. We had a situation where friends of the Government were appointed as advisers and were promoted through the ranks to run those organisations. They knew what was going on, but they kept the public of this State in the dark.

To understand the \$350 million that the Government was able to put into Rothwells it is important that I repeat what happened to the money. It was nothing but a merry-go-round and the interim report of the National Companies and Securities Commission stated that of the \$350 million, \$50 million went to Dempster Nominees, \$150 million went to the National Australia Bank, \$54.8 million went to Bell Resources and that represented the \$50 million which Mr Holmes a Court contributed to the Rothwells' rescue, \$133.8 million went to Bond Group companies and only \$15.3 million went to Rothwells. The Government did not bother to explain that merry-go-round and the financial transactions that took place. Of course the whole thing got worse and even with the petrochemical deal the Rothwells' rescue went bad.

I have already mentioned the deceitfulness of this Government. It actually bought a project, but there was nothing to buy! We were told that the purchase of the Petrochemical Industries Co Ltd shares enabled the Government to retire the Rothwells' guarantee. It did not retire

that guarantee to the National Bank - it was paid out! Almost 12 months after the Government announced its intention to buy into the petrochemical project it maintained the sham that it was not committed to any cost beyond the \$175 million purchase price. I repeat that time and time again the Government said in this Parliament that it would not cost any more than \$175 million. Months later we are talking about a deal that cost the taxpayers of this State in excess of \$300 million.

Do any members opposite support the actions taken by this Government in relation to the petrochemical deal?

Several members interjected.

Mr COURT: Therefore, members opposite support the throwing away of in excess of \$300 million.

Mr Donovan: I put the Premier's credibility beyond yours.

Several members interjected.

Mr COURT: I asked whether there were any members opposite who supported the Government's losing \$300 million and they have all said that they support it.

Mr Donovan: You are saying it is lost; the Premier is not saying it is lost.

Mr COURT: We have not lost \$300 million?

Mr Donovan: It is amazing how your benches have filled up since the closure of the meeting at South Perth.

Mr COURT: Members opposite will hear a lot more about that meeting because it will be the beginning of the public's ensuring that there is a Government sitting on the Government benches that does not support the throwing away of \$300 million on a petrochemical project. Do members realise the real value of \$300 million? I will tell them what it represents. It represents tens of thousands of small businessmen, working seven days a week, who are battling to pay wages on a Friday and who are paying taxes to the Federal and State Governments.

Mr Donovan: You would know a lot about battling!

Mr COURT: I advise the member for Morley that I have spent my working life establishing and operating small businesses. I know what it is like to pay the wage bill on a Friday and I know what it is like to meet the different Government charges one has to pay. I repeat that \$300 million represents tens of thousands of small businessmen working very hard for 12 months every year to pay their revenue to the Government and it has poured it down the gurgler. The public of this State will not continue to allow that sort of thing to occur.

Initially the public of Western Australia did not understand the dealings that were taking place by this Government. In the days of Exim they would pick up the paper and read that a few thousand dollars had been lost here and there. Gradually with WA Inc the amounts increased and they were concerned at the losses incurred by the Teachers Credit Society and the Swan Building Society. It was not until they heard about the final figure involved with the petrochemical project that they started to read what had happened and have gone back over the events of the past few years to obtain a better understanding of what has taken place. They know that the Government went to the last elections without telling the whole story and now that they know the story they want this Government thrown out. The public will accept economic mismanagement, but they will not accept a Government that has deliberately deceived them and which operates in secrecy. The public can accept an honest mistake but they will not accept actions which I have outlined tonight. I refer, for example, to the interim finance deal which is the reason the amount went from \$175 million to in excess of \$300 million.

The member for Applecross referred to statements made by Government Ministers. For example, the Deputy Premier said that the Rothwells' rescue was not a very risky deal and that the Government had decided that there was absolutely no prospect of the Government's being called on to meet the guarantee. That is the sort of thing we have been made to believe by members opposite and it is not acceptable. It was not even acceptable to the Minister for Mines, the member for Geraldton, who said in his local Press that he was not a party to the Government's decisions.

Mr Pearce: That is a distortion.

Mr COURT: I will quote from the newspaper. On two occasions he distanced himself from the Government's actions.

Mr Pearce: He did not. He was explaining the operations of Cabinet Government.

Mr COURT: The operations of Cabinet Government were explained to the Federal Minister for Primary Resources, Mr Kerin, today and he accepted them. When Cabinet makes a decision all Ministers stand by it. It was good political sense for the Minister for Mines to say that he was not involved in those decisions.

I have just been handed a sticker which reads, "Please don't steal, the Government can't stand the competition." When Senator Button was asked to comment on the Government in Western Australia he is reported to have said -

I am somewhat disappointed by some of the comment and misinformation which has been distributed, in WA particularly.

In terms of consideration of industry policy issues and what moneys should be made available to particular firms, this Government does not need the advice of politicians in the WA Government.

Those who were the architects of WA Inc are not well placed to advise the Commonwealth Government about what they should do about this issue.

This Government's Federal colleagues are going to great lengths to distance themselves from the Government. Editorials have been written on the subject, and on 21 April this year one referred to a Minister of this Government telephoning the R & I Bank in an attempt to get it to put funds into Rothwells' rescue. That editorial stated that Grill should stand down. A further editorial stated that Parker should stand down.

How much more do the people in this State have to put up with? This week has been a classic example. The Premier, the person in charge, has failed to take action to try to improve this State's credibility. On the contrary, he said that it is perfectly okay for a Minister to have a conflict of interest. Do Government members understand what the Minister did? I will tell them. He telephoned local authorities and said the Government would like them to put their surplus funds into Rothwells. Do Government members think it is proper for a Minister of the Crown to telephone local authorities in Western Australia in that manner?

Mr Kierath: Former Premier Brian Burke did it too.

Mr COURT: Perhaps all the Ministers were doing it. Perhaps they had a phone-around. Does the Leader of the House support the Minister's asking local authorities to put money into Rothwells? Taxpayers' funds were already invested in Rothwells and those funds were lent to a company in which the Minister has a shareholding.

Mr Peter Dowding: He has not.

Mr COURT: He has admitted he had a shareholding in May 1988.

Mr Peter Dowding: No he did not, it was not in a company loaned money by Rothwells.

Mr COURT: He had an interest in the company. He was the largest shareholder in a company, Leader Resources, which in turn owns shares in Chequecard which got money from Rothwells. I do not care whether his shareholding was half a percentage.

Mr Peter Dowding: Loose with the truth.

Mr COURT: The point I am making is that he rang local authorities as Minister and asked them to put surplus funds into Rothwells. It is not often that local authorities receive telephone calls from Ministers. That Minister had an interest, direct or indirect, in a company which was taking funds out of Rothwells.

Mr Pearce: What was done on that occasion was no different from the time when Dunstan sat outside the Hindmarsh Society and tried to stop a run on a financial institution and caused it to crash.

Mr COURT: Did he run around and quickly lend it some money? There is nothing complicated about this matter. The Government's propaganda machine spent all yesterday

trying to spin off in other directions. However, things do not work in that way. It is simply a matter of conflict of interest. The Premier went overseas trying to restore the State's credibility.

Mr Peter Dowding: The Minister went overseas and you immediately got on the job to attack him while he was away. That is your style.

Mr COURT: As a result of this Government's actions, it should work on the assumption that it will be under attack every week. What can the Premier say? He suggested that we attacked the Minister because he was overseas. What did the Government do when the current Leader of the Opposition in the upper House went to China? The Government waited until he was in China and then played its dirty tricks. The Opposition is not behaving in that way; it is making this Government accountable to the taxpayers of this State.

Tonight a big public rally was held in South Perth. Whether or not the Government likes it, many people were prepared to say they have had enough of this Government and they want it to resign. Many people around this State will be better informed in future. The Opposition does not have the same amount of funds as the Government has for advertising, but it will be running a campaign on people power, by word of mouth. It will not be the type of campaign this Government runs, in which it spends millions of dollars. The public are now asking why the Labor Party had so much money to spend at the recent election and why it has been so flush with money.

Mr Peter Dowding: If you agree to the disclosure of donations legislation, you will know in future.

Mr COURT: What hypocrisy. The Government talks about pecuniary interests, but it is most hypocritical to raise that issue.

Mr Peter Dowding: Why did you oppose the legislation?

Mr COURT: It is not necessary to have legislation in order to be a decent and honest person. A person can be honest without legislation being in place. The Premier has proved he is not prepared to take the necessary action to repair the State's reputation. He, the Minister and the whole Government should resign.

MR HOUSE (Stirling) [9.49 pm]: I wish to briefly put the National Party's position with regard to this motion, and to point out that the motion is fairly carefully worded as follows -

In the opinion of this House the Labor Party has corrupted the processes of government in Western Australia and to uphold proper standards of decency should resign.

I wish to remind the House of the wording of the motion and to concentrate on the reference to corrupted processes. There is a great deal of difference between corrupted processes of Government, what people expect of a Government, what they expect of their elected representatives, and the things we have seen from this Government in a number of areas. The proper standards of decency which need to be maintained by elected representatives of the people are not written down or spelt out; they are expected because of the honourable position which those people hold. They are certainly expected of members of Parliament and Ministers of the Crown under the principle of ministerial responsibility. While other speakers in this debate have focused on particular issues, it is important that we reflect on our position as members of Parliament, and that Ministers reflect on their position as Ministers of the Crown and whether, as members of Cabinet, they have made the right decisions for this State. If Ministers believe they have made the right decisions, they should explain those decisions fully and openly to the people of this State. The Premier and the Ministers should be able to go outside this place, to the television stations, the news media, and public meetings, to explain in clear and unequivocal terms the decisions they have made so that there is no doubt, and so that people in this State cannot go around saying there is corruption in Government. The people who hold these honourable positions should not even be suspected of any wrongdoing; they should not put themselves in a position where any doubt can be created. There should not be any conflict of interest. There should not even be the ability for people in the community to suggest that there is any conflict of interest. Whether this Government has acted honourably is for the people of this State to judge.

Mr Peter Dowding: Yes; at an election.

Mr HOUSE: Not only at an election but every time the facts of various incidents are put before the people. If there is any doubt, the Ministers and the Premier should explain what has occurred. There are in the Westminster system of Government many precedents of ministerial responsibility, where Ministers have stood aside from office while their actions have been properly investigated. The most interesting example in the history of Australia is when the former Premier of New South Wales, Mr Wran, stood aside.

Mr Pearce: He bitterly regretted that he did that.

Mr HOUSE: That is not the point; the fact is he was prepared to stand aside and have his decisions investigated by independent people. There are many other instances where Ministers have stood aside, or resigned, because a doubt was created about their actions.

A democracy is a very fragile political state, and we have on many occasions seen just how fragile a democracy can be. The Parliament is a great institution because of the honour and respect which has been built up around it by generations of people who have served in it and for it. We as members of Parliament must not do anything that will bring any doubt or disrepute upon this place; if we do, we must put ourselves in the position of being judged by independent people. The people whom we represent are entitled to honest answers, and if we make mistakes, they are entitled to demand our resignation.

MR PETER DOWDING (Maylands - Premier) [9.54 pm]: We have sat here this evening, and heard a raking over of matters which have been repeatedly raised in this place. The most important aspect of the events that have been raked over tonight is that the Opposition has ignored its own inherent dishonesty in presenting the issues. The decision to give support to Rothwells was made in the circumstances of an emergency, which demanded an instant solution, where the economic future of the State had to be balanced against the environment of the October 1987 stock market crash. It may be comfortable for the Opposition to sit there, knowing that nothing it does or says will come under the scrutiny of the public, but not only did the Leader of the Opposition at first agree to support the rescue, but also he then backed off, and ultimately refused to participate in the detailed discussions. He rejected the invitation to make an input into the decision. The environment in which that decision was made was that the world was facing an economic crash of the dimensions of the Depression of the 1930s. It is easy for the Opposition, in the comfortable society in which it mingles, and with its members driving Bentleys and Mercedes and Jaguars -

Several members interjected.

Mr PETER DOWDING: It is not my Bentley which is parked in the car park. Members opposite are the people who have the luxury of not caring about the sorts of issues that had to be grappled with by the Premier of the day. Information was presented to him by Wardley's Bank, which is a very highly respected, international financial advisory organisation. He had also to balance that with the information which was available from very senior auditors, who receive worldwide recognition. He had to grapple with the knowledge that was given to him about the effect that a crash of the Rothwells organisation would have on the ordinary people of Western Australia, on share trading, and on the church and religious organisations. The Opposition persists in refusing to recognise now, after the event, that the information presented at the time gave the Premier of the day a very gloomy view of what might have happened if the State had not stepped in and supported Rothwells. That is the sort of decision with which Governments around the world have had to grapple, both then and since. The classic example is the hundreds of billions of dollars that the American taxpayers are having to pick up as a consequence of the mismanagement of the savings and loans organisations throughout the length and breadth of the United States. Billions of dollars! One of the most senior members of Perth's financial community has said to me that he estimates that the total cost to the American taxpayer of the collapse of the savings and loans movement will be more than the entire cost of the Vietnam War. There is absolutely no difference between the sorts of problems that we had to grapple with in October 1987 and the problems that other Governments in other countries have had to grapple with.

It became very clear in 1988 that Rothwells was in constant need of cash injections in order to maintain its liquidity. Whether the Opposition likes it or not, the fact is that the Government was faced with the insoluble problem that any publicity about the situation of Rothwells would inevitably result in a run, and the Opposition knows that full well. In that context, in the context of the Government's exposure, and in the context of the auditor's

report which was issued in respect of the accounts to the end of March that the organisation was in fact sound but had the problems of inadequate levels of cash deposits at a particular time, at that time it was the proper thing for the Government to do to provide that temporary support.

What has since transpired is quite clearly that there are matters to be investigated regarding not only the advice that the Government was given, and not only the actions of people connected with the company, but also the actions of a variety of matters touching upon the company. And what has this Government done about it? What has this Government done to protect the integrity of the financial system? We have appointed an inquiry which has more resources than any other inquiry of this kind that I know of. We have appointed one of Perth's leading silks, of unblemished integrity despite the snide innuendo from the Opposition, to conduct an inquiry with more resources than any other inquiry of which I have any knowledge. The Government has asked the National Companies and Securities Commission to prepare terms of reference, which it accepted and which it has put in place. Despite the NCSC and Mr McCusker's repeating time and time again that those terms of reference have not been inhibited or set by this Government, and that those terms of reference are adequate for the inquiry into matters of criminal as well as corporate law, the Opposition persists, as recently as today, in continuing to deceive the public by suggesting the contrary.

I do not know a more dishonest Opposition. I have never met an Opposition like this. It was prepared to go on radio today and argue that the terms of reference either are inadequate or were set by the Western Australian Government in the face of clear and distinct statements to the contrary by the NCSC and Mr McCusker. I cannot imagine how members opposite can look in their mirrors and not see pictures of people who are so enthusiastically in pursuit of bringing down the Government that they are prepared to deceive the people so readily.

It is interesting that tonight a meeting was held in South Perth - a meeting in which the Young Liberal movement was instructed to go out and bring as many people as possible to the South Perth Civic Centre. This is a meeting which the Liberal Party has not been prepared to call. If it is such a movement of the people, why was not the Liberal Party prepared to put its name on the documents? I ask the Leader of the Opposition to tell the House whether it is the case that Mr Peter Wells, an employee of the Liberal Party, took one of the advertisements to the newspaper. Is it true or not? Is it a fact that Bevan Lawrence is one of the organisers of this meeting? Is it a fact that this is the way in which the Liberal Party now seeks to destabilise the Government because it cannot be honest about its own position?

I want to say this about the meeting tonight: It is typical of the Liberal Party that it cannot get the enthusiasm of the people to its cause and so it takes the deceitful role of trying to get so-called community groups into the argument. The Liberal Party did it before the election in the same way, and it is still trying to do it. Who funded one of the people who opposed me in my campaign? Who funded Norm Heslington in his campaign against me? It was the same family that funded Mr Blaxell. And what did Norm do? He held a similar public meeting in my electorate, funded by the family that has given the Liberal Party such longstanding support and finance - a family that had direct interests in the outcome of actions by the Liberal Party in respect of the brick industry in this State.

The Liberal Party does not come to the community either with clean hands or with the sort of public visage that the people of Western Australia would accept, and the Liberal Party knows it, so it goes the back route.

Mr Fred Tubby: Do you sleep well at night?

Mr PETER DOWDING: Let us look at eight examples of gross deception by the Liberal Party in recent times. I have mentioned the first issue of the NCSC and the question of the terms of reference. The member who interjected has still not told us - and perhaps the Leader of the Opposition would like to tell us - whether he now concedes that the terms of reference were set not by the Western Australian Government but by the NCSC.

Mr MacKinnon: I do not accept that at all, as I will explain to you.

Mr PETER DOWDING: "I do not accept that", says the Leader of the Opposition. Well, well, well. Let me deal with the question of Minister Grull. He had a shareholding in a

company in which he was the vendor to that company of mining interests in return for which he received cash and shares which he could not sell for a period of two years.

Mr Lewis: Rot.

Mr PETER DOWDING: It is not rot. Yesterday in this House the Leader of the Opposition moved a motion arguing that Minister Grill had not disclosed that interest. The allegation that the Minister had not disclosed that interest was very relevant to that motion - and what an embarrassment for the Leader of the Opposition! Not only had the Minister disclosed that but also the Leader of the Opposition, in a letter, acknowledged that. That is the level of honesty which we get from the Liberal Party. The Leader of the Opposition has suggested that a lump sum has been paid by Rothwells to Chequecard on certain dates. Is that correct?

Mr MacKinnon: I said that loan agreements were negotiated on certain dates.

Mr PETER DOWDING: The Leader of the Opposition should not wriggle out of it! He gave the clear impression to the community that on certain dates money was handed over from Rothwells.

Mr MacKinnon: The facts speak for themselves.

Mr PETER DOWDING: People are outraged about what the Opposition has said. I am informed that what has been said is not true. The company in which Mr Laurie Connell's family had a very substantial interest had a credit facility with Rothwells which was drawn down from time to time over many months.

Mr MacKinnon: Starting when?

Mr PETER DOWDING: Let me finish. The Leader of the Opposition is the person who alleged that lump sums have been paid. The fact is that Minister Grill does not have an interest in that company.

Mr MacKinnon: Starting when?

Mr PETER DOWDING: The suggestion that Mr Grill, or any person who knows him or works for him, or his wife, had an interest of that sort is absolute bunkum. The suggestion is demeaning because the Opposition has tried to give the impression that the shares held by the Minister were in that company; the shares held by the Minister were vendor shares which he could not sell. I am informed that in May 1988, Mr Grill signed an agreement which provided for the sale of those shares in return for a cheque, a transfer of half the shares to the purchaser, and he signed a contract with the purchaser for the sale of the other half.

Mr MacKinnon: Has it been paid?

Mr PETER DOWDING: Hang on! By May 1988, Mr Grill's share entitlement had been disposed of and he was then owed money - not by the company but by an individual in the company.

Mr MacKinnon: That is what I said. That is why the shares are still on the register in Mr Grill's name.

Mr PETER DOWDING: That is why Mr Grill no longer had a beneficial interest in the shares.

Mr MacKinnon: Thank you for confirming that.

Mr PETER DOWDING: Because he had no beneficial interest, the Opposition cannot say he had any interest at all in the value of those shares. The beneficial interest had passed and there was no value one way or another. The Opposition cannot argue to the contrary.

I remind the House that the Opposition provided information to the community alleging that the South Australian Financing Corporation had invested in PICL - that was proved a falsehood. Remember also that Mr MacKinnon and the then shadow Minister for Health used an election ploy stating that they had done a deal with the hospitals over pensioners' entitlements. During the election campaign, the hospitals stated that they had not done a deal with the Opposition. That is the sort of pork pie for which the Opposition is noted. Members should recall the claims made by Hon Phillip Pendal in the other place about the Louis Allen collection. That claim had to be withdrawn. Remember the dishonest photograph of the Sentosa project from the Deputy Leader of the Opposition?

Mr Court: How can a photograph be dishonest?

Mr PETER DOWDING: Because the Deputy Leader of the Opposition gave the impression that it was a photograph which represented a current view of the investment of Western Australian Development Corporation. About that matter, Peter Kennedy said -

An inspection of the site on Singapore's Sentosa Island which attracted two million visitors showed the project was on schedule. About 85 men were employed on the site which was due for completion. Most of the concrete for two fish tanks and reservoirs for the storing and filtering of water has been poured.

Mr Court: Why do we want to fund a tourist project in Singapore? What is wrong with Western Australia?

Mr PETER DOWDING: Because we are making money by selling technology.

The Deputy Leader of the Opposition dishonestly alleged to the community of Western Australia that that project was a vacant block of land and nothing more. He made that clear at a Press conference and said that it was like the PICL site.

Mr Court: I said that on the day I took the photograph.

Mr PETER DOWDING: Not one journalist at the Press conference would accept that.

Mr Court: How much have we lost at Hillarys?

Mr PETER DOWDING: We could turn to sensitive issues such as whether the Opposition conducted meetings with Bond during that critical period. I will say more about that in due course.

In respect of the issues canvassed tonight we need to balance the behaviour of the Opposition now, and when in Government, with its rhetoric.

Mr Court: You have the spies out! Send in the storm-troopers!

Mr PETER DOWDING: The member is coming close to that.

I remind this House of many things - section 54B, Noonkanbah, and the way we deal with strikes. The list goes on and on. Remember how the Opposition tried to pervert the electoral process, and the way the member for Kalamunda prevented that? That is important because the Opposition is now trying to do that again. The Opposition lost the February election because the people of Western Australia had heard all the allegations and rhetoric; they wanted to know what the parties would do for the community in the future. We told them what we would do, and the Opposition did not. The Opposition concentrated on personal attacks and personal denigration - and it paid the price.

The Opposition has never been able to accept that the people of Western Australia rejected it because it has not shown it is a capable political party which can govern. If there is any issue where the Opposition has no credibility, either in its behaviour in Government or now, it is in relation to the very fundamental issue of democracy. This Government has been elected to govern until the end of the four year term. This Ministry, this Labor Party, will govern for that period because it was elected by the people of Western Australia.

The Opposition does not understand that the decision made at election time by the people was made on the basis of a choice. The decision was one which the people are entitled to make. The Aboriginal people of the Kimberley felt the full wrath of the Opposition's disapproval with its plan to deprive people of their votes. That is what the judge found.

Mr Kierath: What about the gerrymander?

Mr PETER DOWDING: It was not a plan to win an election, it was a plan to deprive people of their votes. The Opposition did that in 1976, so it cannot expect that the people of Western Australia were not entitled to make the choice that they did on this occasion. The Opposition has tried to subvert the fundamental basis of our electoral system.

The member opposite referred to a gerrymander. No political party has fought harder than his to prevent a fair electoral system. No political party except the Liberal Party has ever had a member resign from it saying that the party had implemented the worst gerrymander of the Western world. The Liberal Party destroyed the democratic system from 1976 until 1983. It fought to maintain a privileged position and it has fought to maintain that position ever since.

It resisted the very changes to the Acts which implemented a close one-vote-one-value system for at least part of the State and it resisted the changes which brought some electoral fairness to the Kimberley, Pilbara, Murchison and Gascoyne regions of this State. It opposed that here and in the other place. It has sought to bring the democratic process to its knees by its attacks on that process. In fact, I will take that further and say that it has no respect for the privileges of Parliament. It has used the privileges of this House to denigrate people in private life who have taken positions within Government, advising Government, and not even connected with Government. It has attacked their integrity just as tonight the member for Applecross went through chapter and verse of a detailed statement about matters which are not only the subject of an inquiry in which the NCSC has directed the terms of reference, but which are also, in part, the subject of charges. Is that the way in which the House exercises its privileges? I suggest it is not. The member for Applecross knows full well that he used the privileges of this House for a purpose which was quite wrong.

In relation to the issue of the separation of powers, the Opposition has found itself incapable of understanding what that means because, for us, it means that we will not interfere in the judiciary or with those who have independent positions such as the Commissioner of Corporate Affairs, the State Crown Solicitor or the Solicitor General. It means that we do not interfere, having appointed an inquiry such as that headed by Mr McCusker, either with the inquirer or with the inquired. Those issues are lost on the Opposition.

The Deputy Leader of the Opposition made the Opposition's line clear tonight. It is similar to the line it took in 1976, in 1977, in 1980, in 1983 and again in 1986 in relation to the elections in which Aborigines voted. The Opposition said then that the public did not understand and that is what it says now. It cannot accept that a community would vote for a Labor Government. It wants the power that comes with the born to rule mentality of its party. The people of Western Australia are smarter than that.

It is very difficult to deal with the issues because the Opposition has canvassed so many of them in its attack. However, I query whether the Opposition's attack has any substance. I ask the Leader of the Opposition whether his party's expenditure on Bunbury Foods received parliamentary approval.

Mr MacKinnon: It was authorised under the guarantees legislation which this Parliament approved.

Mr PETER DOWDING: It did not receive parliamentary approval at all. It was a decision of the Executive.

Mr Clarko: How much was it for?

Mr PETER DOWDING: The Opposition stated a principle and I am stating a principle; it is as easy as that. Did the take-or-pay contract of the SEC which committed the State to a potential liability if the North West Shelf gas project had not worked or if the Labor Government had not been able to attract industry receive parliamentary approval?

Mr Kierath: Yours failed and ours succeeded. That is the difference between us.

Mr PETER DOWDING: That contract was entered into between 1978 and 1982. Did that contract ever see the light of day in this House?

Mr MacKinnon: It is the greatest project this State has ever seen.

Mr PETER DOWDING: Whether it is or not, did it ever receive an airing in this Parliament? As the Leader of the Opposition knows, absolutely not. Let us not create a myth that the Parliament runs the Executive. The myth is not that the Parliament runs the Executive; the Executive is accountable to the Parliament. That is the difference that the Opposition generally chooses to gloss over.

I am not prepared to accept the statement by the Deputy Leader of the Opposition that we have simply turned our back on issues concerning the Rothwells merchant bank. We have not. We have appointed the inquiry to which I have referred. We have made it absolutely clear that that inquiry will proceed and, far from wanting to interfere in that inquiry or to affect the potential outcome of that inquiry by having debates on the subject, the Government is content that the inquiry should be resourced to deal with the matter in the sort of detail that it wants. That is in marked contrast to the position adopted by the Opposition because I can say unequivocally that the Opposition has had meetings with the Bond Corporation over a

period at which it has actively sought to try to support the Bond Group in its litigation with the State. The Leader of the Opposition, as he usually does, distanced himself from such meetings and has others conduct them for him.

Mrs Edwardes: Unlike the Premier!

Mr PETER DOWDING: Yes, unlike the Premier; the member is dead right. If I have a fault it is that I see an issue and, if I think it needs to be dealt with, I will not try to create an artificial distance between me and it.

The Government maintains, as it has to the public over a period, that, certainly in relation to Rothwells and to the advice we were given, and in relation to the way in which those matters occurred, we certainly wanted them fully investigated. We made it clear to the community that we do not manufacture excuses. We accept the hard issues with which we are confronted. We set up the Commission on Accountability and the Corruption Commission. We set up the elements which will meet the needs of this community. We have not turned our backs on the decisions because of the pressures under which we have been placed by the Opposition and other people in the community.

Last night, unreported by the media - I raise it tonight so that the Leader of the Opposition has no excuse for getting out of it - the Leader of the Opposition said that he would support our legislation for the declaration of pecuniary interests. Is that right?

Mr MacKinnon: I said that we support the disclosure on the basis of the amendments that are already on the Notice Paper.

Mr PETER DOWDING: What a far journey the Opposition has come since it opposed the legislation. One of the Liberal Party members said in March 1985 that the whole thing was an imposition on people's rights considering all the information that people must provide. It could be fairly said there would be little freedom left in the country. He also said that the legislation was horrific, and he opposed it because he did not want his private affairs known by one and all. What a wonderful quote from a member of the Liberal Party in opposition to the legislation. How the Leader of the Opposition squirms when it is quoted to him.

The Opposition is not prepared to be honest with the community of Western Australia about its record. The Opposition is not prepared to accept the umpire's decision, as it has repeatedly shown. The Opposition is not prepared to accept the will of the people, but seeks to bring the end to democracy by having a Government brought down by secret organisations, fronts for the Liberal Party, bused in by the Young Liberals and fed the sort of nonsense and hocus pocus we have come to expect from people such as the associate professor involved. In its lust for power the Opposition has associated itself with people for whom no-one can have regard as serious political commentators.

I go back to the issue which appears to have brought this debate on; that is, the question of the honesty and integrity of the Minister for Economic Development and Trade. The Leader of the House has just drawn to my attention a very interesting editorial which appears -

Mr Kierath: In *The West Australian*?

Mr PETER DOWDING: Does the member for Riverton have a problem with that? There are many occasions on which I read editorials with which I agree and disagree, but this editorial is headed "Shoddy shots" and states that the State Opposition is again damaging its credibility in its zeal to attack the Dowding Government over the Rothwells affair.

Mr Clarko: Selective quoting, read the rest.

Mr PETER DOWDING: It is a matter of the public record and members opposite can read it to their hearts' content. Do members recall the Deputy Leader of the Opposition reading a quote in this House the other day in which he read only the first part of the sentence?

I do not believe that the evidence presented is in any way capable of justifying the implication that Minister Grill had a conflict of interest. I say that because on a careful analysis we have reached the following point: He had shares he could not sell in a company. Despite the Opposition's preventing the passing of legislation requiring such information to be made public, that information had been on the public record in 1987. The tenuous nature of that interest can be shown from the fact that Mr Grill had neither the capacity to manage nor control that company. Anything it did had nothing to do with him. Not only that, as a

vendor of a mine which had not been paid fully in cash but had been provided in shares, the value of what came to him was in the hands of people who controlled the company. That company had a small investment in a public company which was operating in the normal way.

Mr Clarko: One share would be enough.

Mr PETER DOWDING: In the member for Marmion's view, should Ministers not own shares?

Mr Clarko: Before I answer your question -

Mr PETER DOWDING: Does the member for Marmion own any shares?

Mr Clarko: If a person has a pecuniary interest he must state that, whether or not he had access to it, so the point the Premier is making is false and based as usual on a completely false premise.

Mr PETER DOWDING: What did the Minister do? He disclosed that interest and it was on the public record and was published in a newspaper. The Leader of the Opposition acknowledged it in a letter. We are not arguing about whether he disclosed the information but about whether there was a conflict. The disclosure was made by the Minister, and the question we are now addressing is whether or not the Opposition thinks a Minister of the Crown should hold any shares.

Mr Clarko: That is your argument.

Mr PETER DOWDING: What is the Opposition saying? The Opposition does not have an answer because it does not suit its members. If the Opposition got into Government its members would not divest themselves of shares and other people in the Parliament would not divest themselves either. When the Opposition was in Government its members did not do so. The duplicity of the Leader of the Opposition in trying to persuade us that he divested himself but does not know whether his colleagues did is a nonsense. There was no conflict of interest because there was no matter which could reasonably give rise to a conflict. How could it? It is similar to South Australia having an investment in PICL. That was not the case here. Given the Government's decision to support Rothwells - it was not Mr Grill's decision - I have no evidence at all that Julian Grill did not do the things he did because the Government had requested those things to be done, and because it was in the interests of the Government and the community of Western Australia to support that bank. The Opposition can criticise the decision but it cannot allege impropriety. That is where I think the National Party has gone to water. The National Party, if its members were to be frank and honest, would acknowledge that just as a farmer sitting in Cabinet does not disqualify himself from some of the agrarian largesse that Governments of conservative parties regularly handed out and just as the farmers who were sitting on the Cabinet table were happy to make decisions about wheat, oats and dairy farms, and just as they had members of Parliament who were dairy farmers making decisions about the dairy industry, there is no conflict of interest.

The SPEAKER: Order! It does not do our image any good at all for members to be yelling and screaming like that.

Mr House: Some of us are not.

The SPEAKER: Quite so. I point out that the Deputy Leader of the National Party sets an excellent example that all members might look to and follow.

Mr PETER DOWDING: In their desire to suggest impropriety the Opposition has made no case. It is unfortunate that they go round peddling statements which indicate that Minister Grill had shares in a company which was getting support from Rothwells. It is important to distinguish between the two cases, but it does not matter, because this is the fact; that Rothwells was acting as a banking operation and lending money. If members wonder why that company was borrowing money from Rothwells one does not have to look to a link between a tiny shareholding in another company which were vendors' shares unable to be disposed of and owned by Mr Grill. One does not have to look to a tiny holding of his wife's of less than one per cent. One does not have to look to any of the other things the Opposition has been trying to trot up and down the corridors of the Press Gallery. One only has to look to the fact that the company had a major shareholder; none other than Oakhill. Mr Connell's company. There is no prima facie case for saying that there is anything odd about that

company going to Rothwells. There is nothing odd about Minister Grill being supportive of Rothwells when the Government had formally and publicly made that decision.

Mr Clarko: This is the best part of the speech to date.

Mr PETER DOWDING: I do not mind not raising my voice, but I will not be shouted down by the Opposition. We have heard a wide-ranging attack on the Government which ran through all the same stuff. It is the same material, at the end of the day, as was brought out prior to the election - exactly the same.

I turn for a moment to a discussion about the petrochemical industry. I accept that that project will not proceed. I accept that the Government had high hopes of being able to translate what was an undoubted liability into the possibility of returning a substantial return to the community. However, do not think that we did not put our shoulder to the wheel! Do not think that we will not continue to put our shoulder to the wheel. We acknowledge that part of the problem was associated with matters for which we were responsible; that is, we could not continue to fund that project when it appeared conclusively that the banks were not prepared to fund it. We accept responsibility for terminating the interim funding. That was the right decision to make. It was a hard one, but we made it. We will continue to put our shoulder to the wheel and I have no doubt that we will see a project rise. There is no doubt that we will see a petrochemical project in the future. Those matters were completely beyond our control. We have no joy in seeing the financial difficulties of Bond Corporation. I have no personal joy, nor does my party, in seeing a company which has done so much in Western Australia and outside of it having the financial difficulties that it is having at present. That is not to say that I endorse its conduct. That is not to say that I want to endorse its transactions. I simply say that its financial position has obviously played a major part in the outcome for which -

Mr Lewis: You didn't help it.

Mr PETER DOWDING: And the member for Applecross did not help it, either, that is for sure. He attacked this project non-stop from the time it was announced and attacked it non-stop while we were trying to fund it. He has gone around attacking this project at every turn, even during the very period we were trying to get the project up.

As to the issue of secrecy of the financial arrangements, I remind the Leader of the Opposition that his Government did not disclose the basis of any of the negotiations over the North West Shelf for over three years, and for very good reasons; as Sir Charles Court has said, because one cannot get these major projects up and running if the whole project is being discussed like a ping pong match prior to the period in which the banks are going to give their financing approval. So, of course, it suffered from the political attack of the Opposition. It suffered from the problems of Bond Corporation. There will quite clearly be matters raised in the litigation between ourselves and Bond Corporation and I was interested to hear about the way in which the Opposition is now seeking to support that litigation on behalf of the other party. How the worm turns; one minute the Opposition was attacking vigorously to try to bring down the project; the next minute it is trying to adversely affect the State's interests by having an inquiry which will canvass matters that are effectively to be the Government's case. Members opposite want to pull out the evidence and give it to the other side. What a disgraceful use of parliamentary privilege!

I do not believe that members of the Opposition can hold up their heads with any sort of integrity. At the end of the day we have an Opposition that will not accept the umpire's ruling. We have an Opposition that will not accept the electoral outcome. We have an Opposition which when in Government sought to pervert an entire array of electoral provisions designed to ensure its re-election. When members opposite complain about spending in electoral campaigns I remind them who it was that removed the provisions from the Electoral Act which limited expenditure of candidates. Who was it? Who removed that limit?

Mr Mensaros interjected.

Mr PETER DOWDING: The member for Floreat was in the Cabinet at that time and he knows why they did that; it was because they were spending too much in the Kimberley election.

Members opposite removed from the Electoral Act the provision which limited the expenditure of candidates. It is for that reason that we know that if members opposite were

ever to achieve Government in four years' time, they would subvert the principles of democracy. If members opposite want to persuade the community that they have something to offer, they will have to show some personal credibility; but they have none. The community may well have been angry and concerned about some of the decisions of this Government; it nevertheless elected us because we had a clear idea of where we were going in the State over the next four years; members opposite had none. This motion is simply part of a campaign by members opposite, and just as they provided the information for the "7.30 Report", and engineered it for when they knew that Mr Grill would be out of the country, they have tonight behaved in such a way that the electors of Western Australia will know that they cannot be trusted. We will sort out the difficulties of this State for the benefit of the people of this State.

Government members: Hear, hear!

MR MacKINNON (Jandakot - Leader of the Opposition) [10.51 pm]: The Premier has just given us a tremendous example of why close to 2 000 people turned out to attend tonight's meeting in South Perth. Those people demanded that the Premier and his Government go. The Premier said that the decision to bail out Rothwells was made in a state of urgency, in order to support the people of Western Australia. Why then have we not since 1987 seen any legislation in this Parliament to authorise and endorse the Government's actions? Not once did the Government come here and ask for approval and authority for its actions. Why was there no reporting to this Parliament from the Government's agent, Tony Lloyd, who had been in that company since October 1987?

The Premier went on to say that everything is okay; Mr McCusker will be conducting an inquiry. But just because Mr McCusker will examine the affairs of Rothwells does not legitimise the corruption of the decision making processes of this Government. The Queensland Government found that appointing Mr Fitzgerald to conduct a Royal Commission did not endorse the actions taken in that State. That is clearly no defence at all.

I turn now to consider the comments made by the Premier in respect of the Minister for Economic Development and Trade. The question does not revolve around vendor shares and when they can be sold; it revolves around the fact that when the Minister was asked to carry out his tasks on behalf of the Government he should have disclosed to the Premier his conflict of interest, and disqualified himself. I thank the Premier for endorsing everything we have said because he has in two statements indicated that what we have been saying for so long is true. He said, first, that the loan was not paid out in one lump sum; it was drawn down. I remind the Premier that the loan document was signed in June. The Minister was supposed to have sold his shares in May, so if the loan was drawn down it must have been drawn down over the months before that time when the Minister was phoning up the local government authorities around the State, urging them to keep their money in Rothwells. The Premier indicated, second, that the Minister sold his shares - as I predicted tonight - on a contract of sale. So it is clear that until the purchaser has paid for the shares, they will remain on the register in the Minister's name. The Minister has a direct interest in that company because the debt is still due to him; it has not been paid.

Mr Peter Dowding: He has no beneficial interest in the shares.

Mr MacKINNON: He has a direct interest. I am so close to the truth that the Premier had to stop reading the paper and come back to his seat to try to defend the Minister. The Minister has a direct interest in the person who still has to pay him for the debt, because if that person loses the money, who will pay the Minister? He will take over the shares if the purchaser reneges on the deal. So if the Rothwells loan had not been extended, the ultimate result would have been a loss to the Minister; there is, therefore, a clear conflict of interest. What the Premier said about the Minister not being able to sell the shares is irrelevant. The Minister should have disqualified himself from the very beginning from any involvement in this matter.

The Premier has made wild allegations, with a total lack of evidence, about Bond Corporation and secret organisations. I remind the House that the group which organised tonight's rally in South Perth was so secret that the people who organised it stood up and spoke to the thousands of people who attended! Bevan Lawrence was the man who organised that meeting, and that is no secret; he has for weeks been placing advertisements in the newspapers. He is proud to stand up and admit that, yet the Premier has said it is some

clandestine, secret organisation. What a load of hogwash! There is only one party in Western Australia which believes it is born to rule, and that is the Labor Party. That is why it changed the electoral boundaries. The Labor Party got fewer votes than the Liberal Party, but still came into Government. This Government is misusing and abusing taxpayers' funds to protect and entrench its position, and to poll the public of Western Australia on a regular basis. It is the second largest employer of journalists in this State, next to *The West Australian*, and if that is not a sign of a Government which thinks it is born to rule, I would like to know what is.

The Premier said that the failure of the petrochemical project was somebody else's fault. I remind the Parliament that it was the Government which wanted to get into that project in the first place, to save it from the embarrassment of a Rothwells collapse. The Government's contribution of a \$400 million blue sky payment proved to be the hurdle over which the project could not then jump. I had to laugh when the Premier said he had no joy in seeing Bond Corporation in difficulties, when the same man came in here a few weeks ago - in a way which showed he had no principles and no respect for this Parliament, or anybody else - and poured the biggest heap of abuse on Bond Corporation which has ever been publicly heaped on it, either in this Parliament or outside it. He made Tiny Rowland look like Little Bo Peep. I do not have any great friendship for Alan Bond; he is no great friend of mine. The Premier said, "I have no joy." If he has no joy, he has an awfully funny way of showing it. I do not fear, as the Premier seems to, the people of Western Australia. I support the people of this State who have expressed tonight, through that public meeting, their revulsion of the type of Government we have in Western Australia. I endorse their remarks. This Government should resign, and this motion should be endorsed by every person in Western Australia so that we can put this Government and all its members out of their misery.

Question put and a division taken with the following result -

Ayes (21)

Mr Ainsworth	Mr House	Mr Minson	Mr Watt
Mr Bradshaw	Mr Kierath	Mr Nicholls	Mr Wiese
Mr Clarko	Mr Lewis	Mr Omodei	Mr Blaikie (<i>Teller</i>)
Mr Court	Mr MacKinnon	Mr Strickland	
Mrs Edwardes	Mr McNee	Mr Fred Tubby	
Mr Grayden	Mr Mensaros	Dr Turnbull	

Noes (26)

Dr Alexander	Mr Peter Dowding	Mr Leahy	Mr Thomas
Mrs Beggs	Dr Gallop	Mr Marlborough	Mrs Watkins
Mr Bridge	Mr Graham	Mr Pearce	Dr Watson
Mr Carr	Mrs Henderson	Mr Read	Mr Wilson
Mr Catania	Mr Gordon Hill	Mr Ripper	Mrs Buchanan (<i>Teller</i>)
Mr Cunningham	Mr Kobelke	Mr D.L. Smith	
Mr Donovan	Dr Lawrence	Mr Taylor	

Pairs

Ayes	Noes
Mr Shave	Mr Parker
Mr Hassell	Mr Grill
Mr Trenorden	Mr P.J. Smith
Mr Cowan	Mr Troy

Question thus negatived.

House adjourned at 11.04 pm

QUESTIONS ON NOTICE

PARLIAMENT HOUSE - PARKING AND TRAFFIC CONTROL

Authority - Police Attendance, 20 September 1989

1099. Mr KIERATH to the Speaker:

- (1) Who has the authority to control parking and vehicular traffic within the grounds of Parliament House?
- (2) Who called in the police to attend to vehicles parked in the grounds of Parliament House on 20 September 1989?
- (3) What were the reasons for such a decision?

The SPEAKER replied:

- (1) The Parliamentary Reserve Board, with delegated authority to the secretary.
- (2) If the member is referring to the vintage cars incident, the secretary requested police assistance.
- (3)
 - (a) No request was made to the Parliamentary Reserve Board to hold such a meeting as per parliamentary reserve by-laws, 1972 - sub by-law 12.
 - (b) Total traffic blockage at the front of the main entrance and driveways.
 - (c) To ensure that a clearway was maintained for the convenience of other visitors to the House.

FREEDOM OF INFORMATION - LEGISLATION

Message Provision Recommendation

1114. Mr HASSELL to the Minister for Justice:

- (1) Will the Government recommend the provision of a Message so that the freedom of information legislation can be properly debated by the House?
- (2) If not, why not?
- (3) Is the Minister correctly reported as suggesting that the Bill presented by the Opposition does not go far enough?
- (4) If not, what is the position, correctly stated?
- (5) Why does the Government not propose amendments to the Opposition Bill?
- (6) Will the Government Bill be introduced in the first part of 1990?
- (7) If not, when?

Mr D.L. SMITH replied:

(1)-(7)

The Government will not be recommending the provision of a Message, as the member's Bill appears to be based largely on the relevant Victorian Act which is itself under comprehensive review.

It is the Government's intention to introduce appropriate legislation on this matter in the next session of Parliament, after there has been sufficient opportunity to take into account reviews such as that proposed in Victoria, and other information relating to the efficiency or otherwise of similar Acts in other States or the Commonwealth.

HEALTH CHECKS - FOUR YEAR OLDS

Preprimary Schools - Discontinuance

1129. Mr HASSELL to the Minister for Health:

- (1) When were the routine health checks for four year olds at preprimary schools and preschools discontinued?
- (2) Why were they discontinued?

- (3) Will the Minister consider reintroducing the health checks?
- (4) If not, why not?
- (5) If so, when?

Mr WILSON replied:

- (1) Routine health checks for four year olds in preprimary and preschools were discontinued at the commencement of the 1989 school year.
- (2) Health checks of four year olds were originally conducted by community nurses working in child health centres. With the increased opportunity for four year olds to attend preprimary and preschools - due to the increase in positions made available by the Ministry of Education - this task has fallen progressively to school health nurses. Because of the increasing workload, it has not been possible for them to continue to provide this service in this school year.
- (3) Child health nurses still offer this service in child health centres, and notices to this effect are displayed in preschools, etc. I have initiated a review of the workload of community health nurses, the outcome of which will enable the relative priorities of services to be reviewed. This may permit the reinstatement of the service.
- (4) Not applicable.
- (5) See (3).

CONSUMER AFFAIRS, MINISTRY OF - REGIONAL OFFICES
Country Towns - Employment

1204. Mr TUBBY to the Minister for Consumer Affairs:

- (1) Which country towns have regional offices of the Ministry of Consumer Affairs?
- (2) How many personnel are employed and in which categories are they employed in each of these offices?
- (3) Do regional offices handle complaints laid in respect of all legislation for which the Minister is responsible?
- (4) Do personnel employed in regional offices handle the detailed investigation necessary to pursue litigation in respect of breaches of legislation?
- (5) If yes to (4), what qualifications are these officers expected to hold and what training do they undertake?
- (6) If no to (4), who does undertake these detailed investigations?

Mrs HENDERSON replied:

- (1) The ministry has regional offices in Bunbury and Karratha. In addition, shared consumer affairs/industrial officers are maintained in regional offices in Albany, Geraldton and Kalgoorlie.
- (2) In Karratha, the office is staffed by a fair trading officer who has one officer providing clerical support. With effect from 1 August this clerical support was upgraded to consumer services level to enhance the quality and access of service. In Bunbury, the office comprises two senior investigations personnel with one officer providing clerical support. The regional offices in Albany, Geraldton and Kalgoorlie are staffed by an investigations officer. I understand full time clerical support is provided for Albany. Geraldton is to be upgraded to provide clerical support for the investigations officer situated there.

(3)-(6)

All officers of the ministry are given basic induction and these officers are given ongoing support to increase their skills in advice, conciliation and enforcement. In addition, officers are given the opportunity to specialise in

teams. As a result, some officers develop significant enforcement skills and are then able to handle complex investigations more efficiently and effectively than other officers. In some circumstances, regional officers have the expertise and experience to pursue investigations with a view to prosecution. However, it is the policy of the Ministry of Consumer Affairs to preserve the value to the community of the conciliatory and advisory role of its investigations staff. To preserve this role the allocation of enforcement work is kept to a minimum. Also, because much of the compliance work is complex in nature, it needs to be addressed by the specialist investigators based in Perth. But there are occasions where regional staff do assist in the gathering of information.

HEALTH - BUNBURY REGIONAL HOSPITAL

Extensions and Renovations - Commencement

1210. Mr BRADSHAW to the Minister for Health:

- (1) When does the Minister expect extensions and renovations to the Bunbury Regional Hospital to commence?
- (2) When does the Minister expect those extensions and renovations to be completed?

Mr WILSON replied:

- (1) Funding to enable the project to commence will be sought as a matter of high priority in the 1990-91 Capital Works Program.
- (2) The duration of the project will be determined during the period of documentation.

MOSQUITO CONTROL - BUDGET ALLOCATION

Peel-Harvey and Leschenault Catchment Areas - Dardanup Shire Coverage

1211. Mr BRADSHAW to the Minister for Health:

- (1) How much money has been allocated in this year's Budget for mosquito control in the Peel-Harvey catchment areas and the Leschenault catchment area?
- (2) Will the money that has been allocated cover the Dardanup Shire with regard to control of mosquitoes in that shire?

Mr WILSON replied:

- (1) Peel-Harvey and Leschenault catchment areas combined -
 \$156 000 - helicopter larvicide.
 \$100 000 - Earthworks - drainage/fill.
- (2) Yes. The mosquitoes causing a nuisance and which are potential vectors of disease in the Dardanup Shire - specifically the outer Bunbury suburb, Eaton - breed mainly on saltmarshes located in adjacent areas of the Shire of Harvey and the City of Bunbury. These saltmarsh areas will be treated either by the helicopter larvicide program or by using appropriate earthworks.

AIDS - AZT DRUG

Guidelines - Medicare, State Government Hospital Administration, Health Department

1213. Mr HASSELL to the Minister for Health:

- (1) What rules of guidelines apply under -

- (a) Medicare;
- (b) State Government hospital administration; and
- (c) State Health Department

in relation to the supply of the drug AZT to persons infected with the acquired immune deficiency syndrome virus?

- (2) At what stage of the progression of the disease is AZT first administered?
- (3) Is the drug available to AIDS patients at an earlier stage when it would be medically beneficial for them to receive it?

Mr WILSON replied:

- (1) The drug AZT is licensed by the Commonwealth Department of Community Services and Health for prescription and administration to patients with advanced AIDS and also those who have AIDS related complex with advanced immune system damage.

These restrictions are not based on rules or guidelines formulated by medicare, State Government hospitals or the State Health Department. The Royal Perth Hospital and Health Department of Western Australia are bound by these regulations except in the case of clinical trials for which separate special approval has been granted. Such a trial is in progress at the Royal Perth Hospital in which asymptomatic HIV infected individuals are given AZT or placebo on a controlled trial basis.

- (2) At present, the drug AZT can only be prescribed for treatment if the patient has advanced disease due to HIV infection with clear signs of serious immune system suppression.
- (3) A decision regarding the benefit of treatment with AZT during the early stages of HIV infection will be taken on the basis of international clinical trials which will be completed during the next year. Until then, and the appropriate licensing changes are made by the Commonwealth, AZT will not be available to patients with early HIV infection, except where they are participating in a clinical trial.

HAEMOPHILIACS - WESTERN AUSTRALIA

Statistics - AIDS Contractions

1214. Mr HASSELL to the Minister for Health:

- (1) How many haemophiliacs are there in Western Australia?
- (2) How many haemophiliacs in Western Australia have contracted the acquired immune deficiency syndrome virus through the supply of contaminated blood or contaminated blood products?
- (3) How many haemophiliacs in Australia have contracted AIDS from the same source?
- (4) Are there associations of -
 - (a) haemophiliacs; and
 - (b) haemophiliacs with AIDS?
- (5) If yes to (4) (a) and (b), what are the names of those associations and are the contact persons known to the Health Department?
- (6) What special programs are being applied to assist haemophiliacs with AIDS?
- (7) What is the attitude of the Government towards claims from haemophiliacs with AIDS for compensation in respect of their infection when that infection was caused by blood and blood products supplied by public authorities or institutions?

Mr WILSON replied:

- (1) Approximately 150.
- (2) Approximately 20.
- (3) Approximately 350.
- (4) The Haemophilia Society of Australia has a Western Australian branch. I do not know of an association of haemophiliacs with AIDS.
- (5) The contact person for the Haemophilia Society of Western Australia is Ms Jan Tippett.

- (6) The Health Department provides funds for a social worker to carry out counselling and education work among haemophiliacs in WA. The Health Department has assisted the Red Cross Blood Transfusion Service in providing counselling for those haemophiliacs who were found to be HIV positive.
- (7) The Health Department of WA does not believe that the infection of haemophiliacs resulted from negligence on the part of the transfusion service of other medical bodies.

AIDS - AZT DRUG
Treatment Cost - Price Reduction

1215. Mr HASSELL to the Minister for Health:

- (1) What has been the cost per annum of treating an acquired immune deficiency syndrome patient with the drug AZT?
- (2) Is it correct that the price of the drug has recently been reduced?
- (3) If so, what is the amount of the price reduction and what is the known reason for the reduction?

Mr WILSON replied:

- (1) The cost of a year's continuous AZT treatment of a patient with AIDS was until recently about \$9 000.
- (2) There have been Press reports that the price of the drug will soon be reduced by about 20 per cent.
- (3) A 20 per cent reduction could result in a cost saving of around \$1 800 for a full year of treatment. The cost reduction is believed to be due to high volume production by the manufacturer, Burroughs Wellcome.

MANDURAH - CULTURAL CENTRE
Dawesville Cut - Construction, Government Funding Commitments

1222. Mr NICHOLLS to the Minister for South-West:

- (1) (a) Has the Government ever given a commitment to funding which would apply specifically to the construction of a cultural or entertainment centre in Mandurah; and
(b) if yes, how much and in what time frame?
- (2) (a) Has the Government ever given a commitment to allocating funding of \$46 million and \$51 million, for the purpose of starting the construction of the Dawesville Cut, this calendar year; and
(b) if yes, when were the commitments made?
- (3) Will the following allocations contained in the Budget be given to the Mandurah Town Council, to be used as it determines -
(a) \$50 000 for city celebrations; and
(b) \$100 000 reported to be for the Mainstream Mandurah concept?
- (4) If no to (3) (a) or (b), who will receive these funds and why?
- (5) If yes to (3) (a) or (b), when will this funding be made available to the Mandurah Town Council?

Mr D.L. SMITH replied:

- (1) (a) Yes. The cultural complex includes the Senior Citizens Centre; and
(b) the Government has agreed to a \$4 million commitment out of a total project cost of \$12 million on the basis that Mandurah Town Council is to be responsible for the balance of \$8 million.

\$300 000 was provided through South West Development Authority for planning and development in 1988-89.

\$1.8 million has been made available through SWDA for the senior citizens component in the 1989-90 Budget. No time frame has been established for the building of the total project. Discussions in this respect are continuing between Mandurah Town Council and the SWDA.

- (2) (a) No. The Government has given a commitment to implement the Peel-Harvey estuarine system management strategy but has deferred making a decision on the timing for construction of the Dawesville channel. The situation will be reviewed in February next year; and
- (b) Not applicable.
- (3) (a) The \$50 000 will be utilised on Mandurah city celebration projects as determined on a consultative and cooperative basis between the Mandurah Town Council, Mandurah community and the SWDA; and
- (b) the \$100 000 is part of a funding arrangement between the Mandurah Town Council and the SWDA to coordinate and progress the Mainstream Mandurah and associated major projects in Mandurah. Mandurah Town Council has engaged a project consultant for this exercise.

(4)-(5)

See (3).

NATURAL DISASTERS ORGANISATION - KWINANA MAJOR URBAN DISASTER STUDY REPORT

Environmental Protection Authority Documents - Referral

1226. Mr WATT to the Minister for Environment:

- (1) Has the Natural Disasters Organisation's major urban disaster study report 1986 for Kwinana subsequently been referred to in any documents, particularly reports on industrial developments for Kwinana, published by the Environmental Protection Authority?
- (2) Has the Conservation Council of Western Australia (Inc) called upon the Government to urgently revise risk assessments for the Kwinana region because of the study report?
- (3) What has been the Government's response?

Mr PEARCE replied:

- (1) No.
- (2) I am unaware of any such request.
- (3) The Natural Disasters Organisation's study report on Kwinana was a hypothetical case study for the purposes of a workshop exercise. Accordingly there is no need for the Government to respond

NATURAL DISASTERS ORGANISATION - KWINANA MAJOR URBAN DISASTER STUDY REPORT

Resources Development Department Documents - Referral

1227. Mr WATT to the Minister for Resources Development:

- (1) Has the Natural Disasters Organisation's major urban disaster study report 1986 for Kwinana subsequently been referred to in any documents, particularly reports on industrial developments for Kwinana, published by the Department of Resources Development?
- (2) If so, which are the documents; and, if not, why not?
- (3) Is the Government prepared to establish a task force to advise on the long term development of, and particularly potential locations for large, hazardous and noxious industries in Western Australia?

- (4) What is the Government's current position on the development of heavy industries in the Pilbara region, as foreshadowed in the 1974 Pilbara study report?

Mr PARKER replied:

- (1) No.
- (2) The Government is proceeding with the Kwinana integrated emergency management system as the appropriate measure for emergency planning in the Kwinana area.
- (3) The member's suggestion has merit, which will be given due consideration. The Government has recently initiated a study to define alternative, potentially suitable heavy industry sites which may be served by metropolitan infrastructure and work force.
- (4) The Government has continued to explore and encourage the development of economically viable heavy industry in the Pilbara region.

NATURAL DISASTERS ORGANISATION - KWINANA MAJOR URBAN DISASTER STUDY REPORT

State Planning Commission Documents - Referral

1228. Mr WATT to the Minister for Planning:

Has the Natural Disasters Organisation's major urban disaster study report 1986 for Kwinana subsequently been referred to in any documents prepared by or for the State Planning Commission, particularly the Kwinana regional strategy?

Mrs BEGGS replied:

No.

HOUSING - HOMESWEST

Capital Works Program - Land and Property Sales Revenue

1230. Mr LEWIS to the Minister for Housing:

- (1) What is the breakdown of Homeswest's 1989-90 Capital Works Program showing revenue from land and property sales of \$101 million, between land sales and property sales?
- (2) What were the corresponding actual figures for 1987-88 and 1988-89?
- (3) How many single residential lots did Homeswest produce for sale and for its own purposes in the financial years 1986-87, 1987-88, 1988-89?

Mrs BEGGS replied:

(1)	1989-90	Land sales	\$84.4 million	
		Property sales	\$17.0 million	
(2)	1988-89	Land sales	\$74.56 million	
		Property sales	\$20.07 million	
	1987-88	Land sales	\$26.55 million	
		Property sales	\$ 9.32 millio.	
(3)	Year	Lot Production	Rentals	Sales
	1986-87	679	138	541
	1987-88	1 094	137	957
	1988-89	3 390	380	3 010

Note: Figures include density sites as separate statistics were not kept for single residential lots produced in the three financial years.

CHEMICALS - AGRICULTURE CHEMICAL CONTAINERS
Disposal - Regulations

1241. Mr McNEE to the Minister for Health:

- (1) Which regulations relate to the disposal of used agricultural chemical containers?
- (2) Who is responsible to ensure correct disposal procedures are carried out?

Mr WILSON replied:

- (1) Health (Pesticides) Regulations 1956.
- (2) The ultimate authority devolves upon the Executive Director, Public Health. Authorities which administer the provisions of the Health Act - that is, the Health Department and local authorities - would have the actual responsibility in the field.

SUPERANNUATION FUND - LEGAL AID COMMISSION

Employee and Employer Contributions - Employer's Non-payment, Employee's Action Funding

1249. Mr HOUSE to the Minister for Justice:

Subject to normal means and asset testing requirements, is the Legal Aid Commission able to fund an action by an employee, who has a common law contractual arrangement involving payments by both the employee and the employer into a superannuation fund, against -

- (a) the employer for failing to maintain his contributions in accordance with the contract; and
- (b) the administrator of the superannuation fund for failing to advise the employee that the employers' contributions have stopped?

Mr D.L. SMITH replied:

It is not always possible to determine what actions the Legal Aid Commission will fund until an application is made. If the member for Stirling has a particular individual in mind, he should refer that person to the commission for further information. Generally the answer will depend on -

- (i) the personal and financial circumstances of the applicant;
- (ii) legal merit;
- (iii) benefit to the person as against cost of the legal aid; and
- (iv) the moneys available in the scheme.

However, tests and rules apply which depend on the particular circumstances of the case.

WATER AUTHORITY - WATER RESERVES

Nature Reserves Policy - Environmental Protection Authority Red Book Recommendation

1258. Mr COWAN to the Minister for Water Resources:

- (1) Further to the Environmental Protection Authority Red Book recommendation 4.8, item 9, it is policy or practice for the Water Authority of Western Australia to offer reserves under its control in the agricultural areas that are no longer required to the National Parks and Nature Conservation Authority as possible nature reserves?
- (2) Has consideration been given to involving the Department of Conservation and Land Management in the joint management of wheatbelt water reserves still retaining significant stands of remnant vegetation?
- (3) If yes to (2), can the Minister advise whether this will become Government policy?
- (4) If not, why not?

Mr BRIDGE replied:

(1)-(2)

Yes.

(3) Yes. Where reserves now serve or are likely to be developed for water supply purposes, advice is sought from Department of Conservation and Land Management, regarding protection of the vegetation, or joint management is instituted.

(4) Not applicable.

STATE FINANCE - ESTIMATES OF EXPENDITURE

Seniors' Week - Decrease

1260. Mr TUBBY to the Minister representing the Minister for the Aged:

(1) Why has the estimate for expenditure on Seniors' Week in 1990 been reduced to \$82 000 from the \$95 883 outlay in 1989?

(2) What were the causes for the 65 per cent blowout in the 1988-89 budget of the Bureau for the Aged?

Mrs BEGGS replied:

(1) Total expenditure for Seniors' Week 1990 will not be reduced from the 1988-89 expenditure when anticipated corporate sponsorship is added to moneys allocated through the 1989-90 Budget. The Seniors' Week program from 1990 will include new events and the Seniors' Week planning committee is currently implementing strategies to have even greater community involvement in the program.

(2) Additional expenditure in 1989-90 by the Bureau for the Aged reflects the allocation of additional funds for the development and implementation of the Care and Respect program for seniors which was announced by the Premier in December 1988.

STATE FINANCE - BUDGET ALLOCATION

Western Australian Family Foundation - Decrease

1261. Mr TUBBY to the Minister representing the Minister for The Family:

(1) What is the reason for the 42 per cent decrease in the allocation to the Western Australian Family Foundation for 1989-90?

(2) Which areas of the Family Foundations' operations will be affected by this substantial decrease?

(3) By what amounts will each of these affected areas be decreased?

(4) How do these cuts fit into the Government's pre-election Family Pledge and the Treasurer's references to this being a family Budget?

Mrs BEGGS replied:

As with other foundations not all the funds provided to it were for distribution immediately. The Western Australian Family Foundation set aside funds for initiatives in subsequent years. The more than \$1 million over a 5 year period to the Scout Association and the Girl Guide Association is an example of this approach.

(1) There was no decrease in funding to the Western Australian Family Foundation. The allocation of \$6 550 million to the Family Foundation restored total funds in the foundation to \$12 million.

(2)-(3)

Not applicable.

(4) The Government will meet its election commitments to families.

STATE FINANCE - ESTIMATES OF EXPENDITURE

Holiday Activities - Expenditure Purposes

1262. Mr TUBBY to the Minister representing the Minister for The Family:

As, according to this year's Estimates, \$360 638 was spent on holiday activities in 1988-90, would the Minister advise -

- (a) for what purposes were these funds expended;
- (b) were grants made to any community groups;
- (c) if yes, which groups were beneficiaries and what were their individual grants; and
- (d) how successful were these holiday activities and on what criteria is this assessment based?

Mrs BEGGS replied:

- (a) Grants to community groups and Government departments, promotion of holiday activities and administration, under the title of Sumfun;
- (b) yes;
- (c) forty nine grants were made in amounts ranging from \$160 to \$10 800; and
- (d) the holiday activities were very well received by the community. The assessment was based on the following criteria: Number of participants, type of program, effectiveness of program and number of days run.

STATE FINANCE - ESTIMATES OF EXPENDITURE

Office of the Family - Corporate Services Blowout

1263. Mr TUBBY to the Minister representing the Minister for The Family:

- (1) What was the reason for the 2 707 per cent blowout in corporate services expenditure in the 1988-89 Budget for the Office of the Family?
- (2) Because of the enormity of this blowout, is the estimate for 1989-90 a realistic allocation when it is a 43 per cent decrease on the actual expenditure for 1988-89?
- (3) On what basis does the Minister justify this allocation?

Mrs BEGGS replied:

- (1) The Office of the Family was established by Cabinet decision in September 1988. This was after the 1988-89 Budget was finalised. Cabinet agreed to an initial allocation of \$200 000 to cover establishment costs. The \$10 000 in the printed estimates represents a transfer from Division 77.
- (2) Yes.
- (3) The office is now established.

FOXES - CONTROL PROGRAM

Agriculture Protection Board

1265. Mr GRAYDEN to the Minister for Agriculture:

- (1) What is the nature of the fox control program for the protection of livestock, particularly ewes and lambs, conducted by the Agriculture Protection Board?
- (2) In what area -
 - (a) has the program been conducted; and
 - (b) is the program being conducted?

Mr BRIDGE replied:

- (1) Poison baits are supplied and laid at land holder request. Some local coordination involving baiting on neighbouring properties and adjoining Crown land improves effectiveness.
- (2) Individual and group control programs are undertaken throughout the agricultural areas as necessary.

WATER RESOURCES - WOODLANDS HEIGHT ESTATE, NORTHAM

Supply Date

1271. Mr MacKINNON to the Minister for Water Resources:

When is it anticipated that water will be provided to the Woodlands Height estate in Northam?

Mr BRIDGE replied:

It is not anticipated that water will be provided in the foreseeable future. The Woodlands Heights estate in the Shire of Toodyay was subdivided without a water condition.

HEALTH - HOSPITALS, SUBURBAN

Budget Allocation - Additional Salaries

1272. Mr HASSELL to the Minister for Health:

- (1) Further to question 911 of 1989, to whom were the additional salaries paid?
- (2) Have any appointments of medical directors to head the accident and emergency departments been made, as was promised before the election?
- (3) If not, why not?
- (4) If so, at what hospitals?
- (5) Has there been any increase in specialist medical services after hours as promised prior to the election?
- (6) If not, why not?
- (7) If so, at what hospitals?
- (8) What amount of money is left from the \$2 million promised to help upgrade hospitals listed in the answer to question 911 of 1989?

Mr WILSON replied:

- (1) No salaries have been paid to date. However, the hospitals involved in the initiative have been authorised to purchase equipment to the value of \$120 000. In addition, hospitals will have adjustments made to their budgets to enable the expenditure in total of \$280 000 in alterations to the accident and emergency department buildings. The alterations should allow for more efficient provision of services to patients attending
- (2) No appointments have been made as yet.
- (3) The Commissioner of Health has received the report of the accident and emergency services review committee established to examine the adequacy of accident and emergency services in the Perth metropolitan area. The first of the report's recommendations deals with options for the recruitment of senior medical staff - medical directors - to non-teaching hospital emergency centres. These options and the other recommendations will be presented at a workshop of the key parties, to be held on 23 November 1989; a decision will be made as to which recruitment strategy will be adopted and may result in the hospitals concerned adopting an individual approach.
- (4) Not applicable.
- (5) The matter of availability of after-hours specialist medical services to non-teaching hospital emergency centres was also examined by the accident and emergency services review committee, and options were identified for the

procurement of an improved level of these support services in areas where they are deficient. Following the consultative workshop, the matter will be taken up with the Australian Medical Association.

- (6) See answer to (5).
- (7) Not applicable.
- (8) A sum of \$1 million is included in the 1989-90 Budget approved for expenditure on the appointment of medical directors, the extension of after hours specialist coverage and to enhance clerical and nursing support for accident and emergency departments at the metropolitan non-teaching hospitals. A forward estimate of \$1 million for a full year expenditure has been made for these purposes in 1990-91.

COARIN ROCK RESERVE, KWOLYIN - SHIRE OF BRUCE ROCK
Vesting Order

1276. Mr COWAN to the Minister representing the Minister for Lands:

- (1) Is the Coarin Rock Reserve, Kwolyin to be vested in the Shire of Bruce Rock?
- (2) If so, what progress has been made in the vesting order?

Mr D.L. SMITH replied:

The Minister for Lands has provided the following reply -

- (1) Yes.
- (2) Vesting and proposed amendment to the reserve purpose will be arranged following preparation by the Shire of Bruce Rock of a reserve management plan.

PLANNING - CLARKSON BUTLER PLANNING STRATEGY
Draft - Completion

1277. Mr MacKINNON to the Minister for Planning:

- (1) Has the draft Clarkson Butler planning strategy been completed?
- (2) If not, when is it anticipated it will be completed?
- (3) If it has been completed, will it be made available for public scrutiny?
- (4) If not, why not?

Mrs BEGGS replied:

(1)-(3)

The draft Clarkson Butler planning strategy has been completed and was released in early 1989.

(4) Not applicable.

HEALTH - DERBY REGIONAL HOSPITAL
Grant - Upgrading

1284. Mr MacKINNON to the Minister for Health:

- (1) Was a grant of \$9.2 million made to the Derby Regional Hospital some two years ago to upgrade this facility?
- (2) If so, when is it anticipated that these funds will be utilised for this purpose?
- (3) If not, why not and where are the funds invested at the current time?

Mr WILSON replied:

- (1) No specific payment was made to the Derby Regional Hospital for this project.
- (2) Not applicable.
- (3) In accordance with the usual practice, funds to support this project are held within the hospital building and equipment trust account at Treasury - \$9.2m for this project - and expenditure is made against that account as required.

Any unspent balances held in this account are invested by Treasury in the usual manner.

POVERTY - CHILDREN

Elimination - Government Achievement, Prime Minister's Claim

1289. Mr COWAN to the Minister for Community Services:

Further to question 650 of 1989 in which the Minister stated that approximately 55 000 Western Australian children were living in poverty in April 1989 -

- (a) is the statement made by the Prime Minister to the Australian Council of Social Services congress in Melbourne on 28 September 1989, that his Government had achieved the elimination of child poverty in Australia, accurate as far as Western Australia is concerned; and
- (b) has the Minister made the Prime Minister aware of how many Western Australian children were still living in poverty on the day the Prime Minister made the claim that child poverty had been eliminated?

Mr D.L. SMITH replied:

(a)-(b)

The answer to question 650 presumed that the children of pension and benefit recipients are most likely to be living in poverty.

As stated in the response, statistics are not available which enable estimates of the number of children in poverty to be produced on a year to year basis. The number of children of unemployment and supporting parent beneficiaries decreased from about 63 000 in 1987 to around 55 000 in April 1989. These statistics suggest that the extent of child poverty has been decreasing, but should not be interpreted as estimates of the number of children in poverty.

The Prime Minister's statement to the Australian Council of Social Services referred to the achievement of benchmark levels of family support payments which were determined in consultation with the welfare sector. Increases in family allowance and the family allowance supplement which have applied since July 1989 served to meet these benchmarks.

The number of children in poverty is of concern to the Western Australian Government. The Government seeks to keep the Commonwealth continuously informed on relevant issues.

I am sending to the member a copy of the Prime Minister's speech at the annual congress of ACOSS on 28 September 1989.

MOSQUITOES - ROSS RIVER VIRUS

Horses Investigation - Department of Agriculture

1290. Mr BRADSHAW to the Minister for Agriculture:

- (1) Is an investigation taking place by the Department of Agriculture into the effects of Ross River virus on horses?
- (2) How long will this research be conducted?
- (3) What prompted the research to be conducted?

Mr BRIDGE replied:

- (1) No. The Department of Agriculture is involved in a limited investigation with Murdoch University into a condition apparently affecting standardbred - pacer - horses known as "poor performance syndrome". As a part of this investigation, possible involvement of a number of viruses, including Ross River virus, is being examined.
- (2) The investigation commenced in May 1989 and will finish in December 1989.
- (3) The research was undertaken in response to a problem affecting pacers which had been identified by a number of trainers and veterinarians.

HEALTH - MURRAY DISTRICT HOSPITAL*Domestic Staff - Duties, Failure*

1291. Mr BRADSHAW to the Minister for Health:

Adverting to question 715 of 1989 -

- (a) at any time this year, have the domestic staff at Murray District Hospital not carried out their duties even though they were present at the workplace; and
- (b) if so, did they receive pay for not carrying out their duties?

Mr WILSON replied:

- (a) In early September some industrial disputation led to some domestic staff instituting certain work bans and limitations; and
- (b) These workers' pays were maintained throughout the dispute and the industrial action ceased after the hospital threatened to apply the "no work as directed, no pay" principle.

WOKALUP RESEARCH STATION - SALE*Tenders*

1293. Mr BRADSHAW to the Minister for Agriculture:

- (1) Have tenders been called for the sale or expression of interest in the Wokalup Research Station?
- (2) If so, how were these tenders advertised?
- (3) Were any replies received?

Mr BRIDGE replied:

- (1) No.
- (2)-(3) Not applicable.

HOUSING - HOMESWEST*Budget Allocation - Waroona, Yarloop, Brunswick*

1294. Mr BRADSHAW to the Minister for Housing:

How much money has been allocated in this year's Budget for each category for Homeswest - housing, repairs, etc - in Waroona, Yarloop, Brunswick, Dardanup, Burekup, Gelorup, Boyanup and Capel?

Mrs BEGGS replied:

	<u>Maintenance</u>	<u>Upgrade/improvements</u>
Waroona	\$29 659	Nil
Yarloop	\$46 172	Nil
Brunswick	\$34 911	\$50 000
Dardanup	Nil	Nil
Burekup	Nil	Nil
Gelorup	Nil	Nil
Boyanup	\$ 8 280	Nil
Capel	\$24 724	Nil

Note: (1) Housing construction and land development/redevelopment - Nil.

- (2) It is not possible to state accurately the dollar allocation to home ownership and bond/rental assistance by town as these are all demand driven.

JUVENILE OFFENDERS - COMMUNITY SERVICES DEPARTMENT*Programs*

1295. Mr HASSELL to the Minister for Community Services:

- (1) What range of programs for juvenile offenders are used by the Department of Community Services?

- (2) Which of these programs is considered to be effective and which ineffective?

Mr D.L. SMITH replied:

- (1) The answer to this question would involve an explanation of the entire juvenile justice, youth activities and youth and family support programs of the department. I would refer the member to the soon-to-be-released annual report of the department.
- (2) All of the department's programs are effective to some degree and all have regular evaluations. Many of them are recent initiatives which are in the process of their first evaluation.

JUVENILE OFFENDERS - BAIL
Offences - Additional Bail Granting

1296. Mr HASSELL to the Minister for Community Services:

- (1) Have a number of juvenile alleged offenders been granted bail while already on bail for previous alleged offences?
- (2) What are the procedures followed by the Minister's department in relation to such cases?

Mr D.L. SMITH replied:

- (1) Under the Bail Act, which applies to both adults and juveniles, it is possible that the court may have granted bail in these circumstances but the issue is one for the courts and/or police who admit the young person to bail.
- (2) The department has no involvement in any bail cases unless asked by the court to assist the child in some particular way.

JUVENILE OFFENDERS - COMMUNITY SERVICES DEPARTMENT
Parents - Charges Advice

1297. Mr HASSELL to the Minister for Community Services:

- (1) When a juvenile is charged with an offence, are the parents or guardians of that juvenile -
- (a) advised of the charges by the police or the Minister's department;
 - (b) summoned to attend the bail application;
 - (c) summoned to attend the court proceedings; and
 - (d) consulted as a matter of course and standard procedure by the department?
- (2) Do the parents of a juvenile alleged offender have any say in whether the alleged offender will be granted bail, or any opportunity to make submissions in relation thereto?

Mr D.L. SMITH replied:

- (1) (a) The arresting police officer normally makes all efforts to advise parents of the juveniles who have been charged with an offence(s);
- (b)-(c) not at present; and
- (d) should the court require information from the department regarding a child's background, as a matter of standard procedure the department will interview parents whenever possible.
- (2) Parents are encouraged by police, the court and the department to attend all proceedings involving their children in court. When in court the special magistrate/Children's Court members further encourage/s parents to speak on behalf of their child and make any submissions in relation to the current situation.

JUVENILE OFFENDERS - COMMUNITY SERVICES DEPARTMENT
Parental Authority and Discipline - Policies and Procedures

1298. Mr HASSELL to the Minister for Community Services:

- (1) What policies and procedures are pursued by the Department of Community Services to reinforce parental authority and parental discipline in the case of children who get themselves into trouble with the law?
- (2) What is the policy and philosophy of the department in dealing with young people who are offenders in relation to their relationships with their parents?

Mr D.L. SMITH replied:

- (1) This question is too general to answer in a specific way. The member is invited to discuss the matter with the appropriate officer.
- (2) In its interaction with such young people and their families the department endeavours to -
 - keep the child with the family;
 - promote the resolution of conflict between young people and their families;
 - prevent further deterioration of individual and family functioning;
 - reduce the risk of severe physical/emotional harm to the young person;
 - prevent further entry into the juvenile justice system;
 - ensure young people and their families have a choice of services which they find accessible and useful; and
 - promote preventative services within the community.

JUVENILE OFFENDERS - COURTS
Fine Payments - Default Penalties

1299. Mr HASSELL to the Minister for Community Services:

- (1) Can children who are fined in the Children's Court or other courts have no action whatsoever taken against them in default of payment of fines imposed?
- (2) If not, what is the position?
- (3) What is the practice?
- (4) What default penalties are imposed?
- (5) Have a number of State wards accumulated fines exceeding \$3 000 in total?

Mr D.L. SMITH replied:

- (1) Yes.
- (2) If the magistrate sets "no default", the court is not able to enforce payment.
- (3) All other instances of non-payment of fines are acted upon by the court.
- (4) In cases where there is either an "open" or set default for non-payment, initially the court may pursue a CSO option in lieu of payment. Where the CSO option is not applicable - the young person is ineligible, refuses, or cannot be located - a warrant is issued by the court, either for goods in lieu or detention for the set period of default.
- (5) With the increased mandatory fines under the Road Traffic Act - that is, \$800 for a second offence of unlawful use of motor vehicle - a number of young people have incurred fines in excess of \$3 000. It is possible that these may include State wards or children who become State wards as a result of the offence.

"STREET KIDS" - STATE WARDS
Schools - Children, Non-attendance

1300. Mr HASSELL to the Minister for Community Services:

- (1) How many State wards can be described as "street kids"?
- (2) What is the Department of Community Services' estimate of the number of children in the following categories who have not attended school on a regular basis for more than three years -
 - (a) 10 year old children;
 - (b) 11 year old children; and
 - (c) 12 year old children?

Mr D.L. SMITH replied:

- (1) The number obviously varies on a daily basis and depends on one's definition of "street kids". As far as possible, the department tries to ensure there is none, but there are always one or two children who run away from foster or hostel placements or from the family home. Because of the nature of the street kid population, it is impossible to verify which, if any, of these are living or spending substantial time on the streets.
- (2) Not applicable, as it is the responsibility of the Ministry of Education, not the Department for Community Services, to deal with this matter.

COMMUNITY SERVICES DEPARTMENT - "WORKSYDE" PROGRAM

1301. Mr HASSELL to the Minister for Community Services:

- (1) What is the "Worksyde" program operated by the Department of Community Services?
- (2) What is the annual cost?
- (3) Who funds the program?
- (4) Who staffs the program?
- (5) Has the program been evaluated?
- (6) What has resulted from any evaluation?
- (7) Is the program continuing?

Mr D.L. SMITH replied:

- (1) The Worksyde program is operated under contract from the Department for Community Services, by the YMCA. It provides employment and training opportunities for young repeat offenders. At the same time it offers support to the young person and the employer to facilitate job retention.
- (2) \$250 000.
- (3) Department for Community Services.
- (4) The YMCA staffs the program; however, workers are also seconded from among Department for Community Services' institutional staff.
- (5) Yes.
- (6) The program is meeting its objectives in the number of jobs being found for young people, and is reinforcing the assumption that young people will offend less while in employment.
- (7) Yes.

SWAN BREWERY SITE - CURRENT PLANS
Original Plans - Comparison

1318. Mr COWAN to the Minister for Planning:

- (1) What are the current, detailed plans for the old Swan Brewery site?

- (2) How and why do they differ from the original plans that were current at the time the Government bought the old brewery site?
- (3) Who, apart from the Government, supports the current proposal?

Mrs BEGGS replied:

- (1) Detailed plans for the old brewery have yet to be announced. The concept of an exhibition centre for art and displays with the theme of Western Australian excellence, a performing arts theatre to seat 700, plus restaurants, cafes, small retail outlets and office space has already been the subject of an answer to question 582.
- (2) Earlier proposals include a boutique brewery, tavern and multi-storey car park, which have since been deleted.
- (3) The Government has received expressions of support from numerous individuals, professional bodies, community groups and others.

PEAS - SPECIAL APPROVAL 1989-90 HARVEST

Private Buyers - Co-operative Bulk Handling Ltd, Export Loading Contract

1322. Mr McNEE to the Minister for Agriculture:

- (1) Are peas a specially approved grain for the 1989-90 harvest?
- (2) If so, can a private buyer who legally buys bulk peas from farmers for delivery to his own silos contract with Co-operative Bulk Handling Ltd to load these bulk peas for export?
- (3) If the answer to (2) is no, are any alternative facilities available to the private buyer for loading of bulk peas for export apart from CBH?

Mr BRIDGE replied:

- (1) Yes.
- (2) No.
- (3) Limited bulk-loading facilities are apparently accessible to private buyers at North Fremantle.

LAMB - WESTERN AUSTRALIAN MEAT MARKETING CORPORATION

Old Season's Lamb - Schedule, Price Benefit

1323. Mr McNEE to the Minister for Agriculture:

- (1) Does the answer to part (2) of question 1081 of 1989, which in part states -

The schedule for old season's lambs has been adjusted to assist any country abattoir operator who elects to continue to purchase old season's lambs,

refer to a price benefit bestowed by the Western Australian Meat Marketing Corporation ultimately to the producer?
- (2) If so, was this benefit produced by the reduction in the gap between the producer and distributor schedules from approximately 90¢ a kilogram to 75¢ a kilogram on most grades of old season's lamb after 8 September, when old season's lamb would no longer be received at export abattoirs?
- (3) If the reference does not refer to such a benefit, to what does it refer?
- (4) Would a 16 kilogram fat cover 3 sucker lamb sold in the Midland Saleyard because it was unable to get a booking with the WAMMC and was subsequently slaughtered in a country abattoir incur a gross margin between producer and distributor schedules of 90¢ a kilogram or approximately \$14.40 a lamb?
- (5) Would the abattoir and other authorities be compensated approximately \$6.70 for killing, inspection and levies leaving a net margin retained by the WAMMC of approximately \$7.70 per lamb or 48¢ a kilogram for that 16 kilogram lamb?

- (6) What would be the impact on the producer's price if a 16 kilogram lamb as quoted in part (4) of this question selling at the Midland Saleyard had its net margin between the producer and distributor schedules greatly increased from \$7.70 to approximately \$30 a lamb being retained by the WAMMC?

Mr BRIDGE replied:

Deferred. In view of the impending High Court challenge I have referred this question to the Attorney General for advice.

UNDERWATER WORLD - HILLARYS

Government Interest - Sale

1336. Mr COURT to the Premier:

- (1) Has the Government sold its interest in the Hillarys Underwater World project?
- (2) If so, when did the sale take place and how much was the project sold for?
- (3) What is the current status of the \$4.7 million that was lent to the project unsecured?
- (4) What will be the net profit/loss the Government makes on this deal?

Mr PETER DOWDING replied:

- (1) No sale has been concluded in respect of the Western Australian Development Corporation's interest in Hillary's Underwater World.
- (2),(4) Not applicable.
- (3) The loan of approximately \$4.7 million remains outstanding.

SHEEP - AWASSI FAT TAIL SHEEP PROJECT

Western Australian Development Corporation - Joint Venture Involvement

1338. Mr COURT to the Premier:

- (1) Has the Western Australian Development Corporation been involved in the joint venture with the Department of Agriculture and Kuwaiti business interests to develop an Australian fat-tailed sheep breeding industry for the Middle East market?
- (2) If so, when was this joint venture entered into?
- (3) What are the existing arrangements?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) January 1987.
- (3) On 30 September 1989, the WADC formally withdrew from the joint venture under a clause in the agreement which provided for such an eventuality. The corporation's 15 per cent share has been assigned to the Minister for Agriculture.

TACOMA, MR E. - MAYOR, CITY OF CANNING

Local Government Department - Work Engagement

1341. Mr KIERATH to the Minister representing the Minister for Local Government:

- (1) Is or has Mr E. Tacoma, Mayor of the City of Canning until 1988, ever been engaged to perform any work for the Department of Local Government?
- (2) If so, was that engagement by -
 - (a) employment;
 - (b) contract; or
 - (c) other means?
- (3) Is Mr Tacoma the subject of a complaint that he was associated with the distribution of unauthorised literature in the September council by-elections?

- (4) Has the Minister or the returning officer received complaints previously about similar unauthorised literature?
- (5) If so, how many complaints have been received, and on which dates, since 1980?
- (6) Is Mr Tacoma currently engaged by the Department of Local Government?
- (7) If so -
 - (a) has this engagement been transferred and, if so, to which organisation;
 - (b) what is his position and what are his duties; and
 - (c) is any such organisation to which the engagement has been transferred -
 - (i) involved in planning matters involving local government; and
 - (ii) involved in the development or formulation of planning policy?
- (8) Has Mr Tacoma been associated with a planning controversy involving a local shopping centre?
- (9) Has the Minister been consulted about any transfer of employment referred to in (7) and did the Minister approve of the transfer?
- (10) (a) What were the terms of any such engagement of Mr Tacoma;
- (b) what was the date of commencement of engagement;
- (c) was the position advertised;
- (d) what were the selection criteria for this appointment; and
- (e) was the position previously permanent and, if so, why was it not filled from within the Public Service?

Mr D.L. SMITH replied:

The Minister for Local Government has provided the following reply -

(1)-(10)

Mr Tacoma was employed by the Department of Local Government from 29 May to 9 October 1989 when he was transferred to another department. The transfer was effected so that the department could be seen to be totally objective in its inquiry into pecuniary interest allegations in the City of Canning. Mr Tacoma is not involved in the Department of Local Government's inquiry into the City of Canning, nor is he the subject of any allegations that pertain to that inquiry. It is not appropriate to release the employment details of individual officers.

HOUSING - HOMESWEST

Capital Works Program - Land and Property Sales Revenue

1345. Mr LEWIS to the Minister for Housing:

- (1) What is the breakdown of Homeswest's 1989-90 Capital Works Program for revenue from land and property sales shown as \$101 million, specifically from -
 - (a) land sales; and
 - (b) property sales?
- (2) What were the corresponding actual figures for financial years 1987-88 and 1988-89?

Mrs BEGGS replied:

Please refer to answer given to question 1230 of 28 September 1989.

HOUSING - HOMESWEST

Residential Home Sites - Open Market Sale, First Home Buyers

1346. Mr LEWIS to the Minister for Housing:

- (1) What proportion of the Homeswest residential home sites to be sold on the open market in 1989-90 are intended for first home buyers?
- (2) How many lots developed by Homeswest and sold on the open market during 1988-89 were sold to first home buyers?

Mrs BEGGS replied:

- (1) 1 915 out of 2 426 residential home sites will be sold at less than \$40 000 on the open market in 1989-90.
- (2) 1 701 lots.

HOUSING - HOMESWEST LAND DEVELOPMENT PROGRAM

Single Residential Home Sites - Statistics

1347. Mr LEWIS to the Minister for Housing:

- (1) How many single residential home sites in the Homeswest land development program for 1989-90 are in -
 - (a) the metropolitan area; and
 - (b) other areas?
- (2) What is the anticipated average selling price and projected total revenues from land sales within the metropolitan area?
- (3) What is the anticipated selling price range of the residential land expected to be sold in the metropolitan area?
- (4) In what suburbs are these lots located within the metropolitan area?
- (5) What is the expected highest price a first home owner will be expected to pay for such a residential site?

Mrs BEGGS replied:

- (1)
 - (a) 3 322; and
 - (b) 278.
(Figures exclude redevelopments).
- (2) Anticipated average selling price in the metropolitan area - \$35 850.
Projected total revenues - \$79 246 380 (accrued).
- (3) \$23 000 - \$60 000.
- (4) Midvale
Middleswan
Beechboro
Rockingham
Mirrabooka
Alexander Heights
Marangaroo
Gosnells
Armadale
Cooloongup
Yangebup
Parnellia
Forrestfield
Kelmscott
Maddington
Brentwood.
- (5) \$40 000.

HOUSING - HOMESWEST

Single Tenement Housing Lots - Development Statistics

1348. Mr LEWIS to the Minister for Housing:

- (1) What was the number of single tenement housing lots developed by Homeswest in the financial years 1986-87, 1987-88 and 1988-89?
- (2) How many housing lots are intended to be developed in the financial year 1989-90?

Mrs BEGGS replied:

- (1) Please refer to answer given to question 1230 of 28 September 1989.
- (2) 3 645 housing lots.
(Figure excludes redevelopment).

HOUSING - HOMESWEST

Land Development - Primary Role

1349. Mr LEWIS to the Minister for Housing:

Is land development now considered to be the primary role of Homeswest in view of the major allocation of resources in the Capital Works Budget to this area?

Mrs BEGGS replied:

Please refer to answer given to question 1232 of 28 September 1989.

HOUSING - KEYSTART HOME LOANS SCHEME

Capital Works Budget Allocation - Investment Date

1350. Mr LEWIS to the Minister for Housing:

- (1) At what date was the \$30 million allocated to Keystart in the Capital Works Budget invested?
- (2) To whom was the \$30 million advanced?
- (3) Were these moneys secured against equities or guarantees and, if so, how were they secured?
- (4) Are these moneys considered to be taxpayers' funds?
- (5) Has the \$30 million referred to in (1) been repaid and, if so, on what date?

Mrs BEGGS replied:

- (1) The funds were invested on 4 April 1989.
- (2) Keystart Housing Scheme Trust.
- (3) Yes, pursuant to a deed of charge between the Keystart trustee and the State Housing Commission. The SHC has a charge over all the present and future assets of the Keystart trust.
- (4) These are Homeswest funds, which are not immediately required for other Homeswest programs and would normally be invested.
- (5) The funds will be repaid with market interest during this financial year.

HOUSING - HOMESWEST

Rental Units - Completion Statistics

1351. Mr LEWIS to the Minister for Housing:

What was the actual total number of Homeswest rental housing units completed within the period 1 July 1987 to 30 June 1989?

Mrs BEGGS replied:

Homeswest rental housing units built or acquired during 1987-88 and 1988-89 totalled 2 387.

BUSES, SCHOOL - NEW GUIDELINES

Turn Around Point - Residence Distance Allowance, Policy Abolition

1352. Mr HOUSE to the Minister for Education:

With regard to new guidelines expected to be completed by December for school bus services, does the Ministry intend to abolish the policy of allowing a school bus to go 0.3 kilometres closer to the residence if a suitable turn around point is not available at the usual 1.5 kilometre distance?

Dr LAWRENCE replied:

No. There will be no alteration to the current policy with respect to suitable turn around points on spurs.

CHINA, PEOPLE'S REPUBLIC OF - OFFICIAL CONTACTS

Government Policy

1355. Mr HASSELL to the Premier:

What is the policy of the Western Australian Government in relation to contacts at official and political levels with the People's Republic of China?

Mr PETER DOWDING replied:

The policy of the Western Australian Government is that of the Federal Government.

HONG KONG - PREMIER'S VISIT

Purpose

1356. Mr HASSELL to the Premier:

- (1) What was the purpose of the Premier's recent visit to Hong Kong?
- (2) How many media staff accompanied the Premier?
- (3) How many other staff accompanied the Premier?
- (4) What was the total cost of the visit?
- (5) What official meetings were held and with what parties?

Mr PETER DOWDING replied:

- (1) To promote Western Australia as an outstanding place to visit and invest and to counter racist claims and reports.
- (2) One.
- (3) Two.
- (4) Costs were in keeping with normal official visits.
- (5) Numerous official meetings were held, including those with the Governor of Hong Kong, Sir David Wilson; Legislative Council members and officials; the Australian Consul General, Mr Geoff Bentley; the President of the Australian Chamber of Commerce in Hong Kong, Mr Bill Wyllie; plus other meetings with senior officials, businessmen and local and international journalists.

ABORIGINAL LEGAL SERVICE - OPERATIONS REPORT

Commission - Responsibility

1361. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) Who commissioned the recent report into the operations of the Aboriginal Legal Service?
- (2) When was this commission requested?
- (3) To whom was the completed report sent to?
- (4) What was the cost of this commissioned report?
- (5) Has the Government acted on any of the report's recommendations?
- (6) If so, which recommendations have been acted upon?

(7) Which recommendations have not been acted upon and why not?

Dr LAWRENCE replied:

(1) I understand that the report was commissioned by the Commonwealth Department of Aboriginal Affairs.

(2)-(7)

Any questions about the report should be referred either to the Department of Aboriginal Affairs or to the Aboriginal Legal Service.

EDUCATION - TEACHERS

Industrial Action Participation - Wages, Non-payments

1368. Mr MENSAROS to the Minister for Education:

What is the aggregate amount of wages/salary not paid out to teaching staff for losing time by participating in industrial action in 1989 until the latest available specified accounting day?

Dr LAWRENCE replied:

The aggregate amount of wages/salary not paid out to teaching staff who participated in industrial action up until 12 October 1989 is \$2 904 460.50.

FUNCTIONAL REVIEW COMMITTEE - BURKE GOVERNMENT ESTABLISHMENT *Continuation*

1371. Mr MENSAROS to the Minister for Public Sector Management:

- (1) Is the Government's Functional Review Committee established earlier by the Burke Government still active?
- (2) If so, who are its present members?
- (3) Would the Minister give details of recent Government actions taken as a result of the recommendations of the committee?

Mr PETER DOWDING replied:

(1) Yes.

(2) Mr G. McCullagh

Director, Policy, and
Executive Services
Public Service Commission

Mr M. Bowler

Assistant General
Secretary, Civil Service
Association

Mr P. Farrell

Assistant Under Treasurer,
Treasury Department

Mr I. Hill

Executive Director,
Department of Corrective
Services

Dr C. Whitaker

Director, Review &
Implementation Branch,
Office of Public Sector
Management, Ministry of the
Cabinet and Public Sector
Management

Dr B. Martin

Principal Policy Officer,
Office of the Cabinet,
Ministry of the Cabinet
and Public Sector
Management

- (3) The question is too vague. If the member has any area of interest he should specify it.

WESTERN AUSTRALIAN EXIM CORPORATION - TELECOM AUSTRALIA
Saudi Arabia Telecommunications Network - Appointment Fee

1373. Mr COURT to the Premier:

- (1) What fee was EXIM Corporation paid for Telecom Australia being appointed to manage Saudi Arabia's telecommunications network?
- (2) When was this fee paid?

Mr PETER DOWDING replied:

- (1) \$1 734 375.
- (2) \$462 499.98 was paid on 14 July 1989. The balance is being paid to the Treasury in monthly moieties of \$48 177.08. The last payment is scheduled for January 1992.

MINPROC HOLDINGS LTD - TITANIUM METAL PLANT
Establishment - Competitive Energy Package

1375. Mr COURT to the Minister for Fuel and Energy:

- (1) Has the Government been able to give Minproc Holdings Limited a competitive energy package to ensure the establishment of the titanium metal plant takes place in Western Australia?
- (2) If yes, has this package been accepted as competitive by Minproc?

Mr CARR replied:

- (1) An electricity supply pricing package, covering supply terms and conditions, has been offered to Minproc Holdings Ltd for the company's proposed titanium metal plant.
- (2) No response to State Energy Commission Western Australia's offer has been received to date.

MARINE INDUSTRIES LTD - GOVERNMENT SHAREHOLDING
Western Australian Exim Corporation - Investment Losses

1383. Mr COURT to the Premier:

- (1) What is the Government's current shareholding in Marine Industries?
- (2) How much money did Exim Corporation lose in relation to its investment in Marine Industries?
- (3) What does the Government propose to do with its interest in this company?

Mr PETER DOWDING replied:

- (1) The Ministry of Economic Development and Trade currently holds a 50 per cent interest in the Marine Industries joint venture.
- (2) The Ministry paid Exim Corporation \$970 000 after Treasury assessed an independent valuation of the company. Exim's original investment was \$2 million and the corporation recorded a book loss of \$1 030 000.
- (3) The ministry purchased the shares to facilitate the closure of Exim rather than attempt a rushed sale to the market. As announced in *The West Australian* of 2 September 1989, the ministry is looking at options within the industry and is in the process of determining if there is a strategic reason to retain the investment.

EDUCATION MINISTRY - BALGA SENIOR HIGH SCHOOL
Social Worker Appointment

1385. Mrs EDWARDES to the Minister for Education:

- (1) Will the Minister advise if the Ministry of Education will provide a social worker to the Balga Senior High School in 1990?
- (2) If not, why not?

Dr LAWRENCE replied:

- (1) No.
- (2) There is no increase envisaged in school social worker establishment for 1990.

EDUCATION MINISTRY - BALGA SENIOR HIGH SCHOOL
Social Worker Appointment

1386. Mrs EDWARDES to the Minister for Education:

Can the Minister please advise -

- (a) if the Ministry of Education ever employed a social work at the Balga Senior High School; and
- (b) if so, for what period?

Dr LAWRENCE replied:

- (a) Yes. A school social worker was employed by the Ministry of Education to service the Balga Senior High School and contributory primary schools; and
- (b) from 1975 until 1987 at the high school; and
from 1975 until 1989 at the primary schools.

EDUCATION MINISTRY - TEACHERS
Duties and Responsibilities Survey

1387. Mrs EDWARDES to the Minister for Education:

- (1) Will the Minister please advise if the Ministry of Education commissioned a survey of teachers' duties and responsibilities during 1989?
- (2) If so, was this as a result of the condition of work agreement 1989 between the State School Teachers' Union of Western Australia and the Ministry of Education?

Dr LAWRENCE replied:

- (1) Yes.
- (2) The agreement did not require a survey to be commissioned.

GOVERNMENT EMPLOYEES - PUBLIC SERVANTS
Work Hours - 1800 Per Annum

1389. Mrs EDWARDES to the Minister for Education:

- (1) Has the Minister made a statement that State public servants work 1800 hours per annum?
- (2) If so, were public holidays taken into account in the calculation of the 1800 hours per annum?

Dr LAWRENCE replied:

- (1) No.
- (2) Not applicable.

EDUCATION - BEACONSFIELD PRIMARY SCHOOL
Renovations - Minor Works Funding Requests

1390. Mrs EDWARDES to the Minister for Education:

- (1) Will the Minister please advise if requests for minor works funding to renovate the Beaconsfield Primary School canteen were received from the Beaconsfield Primary School in 1988 and 1989?
- (2) If so, were these requests met by an allocation of funds?
- (3) If not, why not?

Dr LAWRENCE replied:

- (1) Yes.
- (2) No.
- (3) The project was not allocated a priority by the district office, but a subsidy of 50 per cent was offered. This was refused. Subsequent inspections by the local health surveyor have indicated satisfaction with the building.

EDUCATION - BEACONSFIELD PRIMARY SCHOOL

Canteen Work Orders - City of Fremantle

1391. Mrs EDWARDES to the Minister for Education:

- (1) Will the Minister please advise if the City of Fremantle has placed work orders on the Beaconsfield Primary School canteen?
- (2) If so, can the Minister please detail the work orders?

Dr LAWRENCE replied:

- (1) No work order has been placed on the school canteen. A request was made - 31 May 1988 - that a number of items be upgraded.
- (2) Information from the council health surveyor for this area indicated that following subsequent inspection of the canteen - 8 August 1989 - the council is now satisfied with the building and its facilities.

EDUCATION - LEONORA PRIMARY SCHOOL

Three Bedroom Transportable - Building Program Funds

1392. Mrs EDWARDES to the Minister for Education:

Will the Minister please advise what funds have been made in the 1989-90 building program for a three-bedroom transportable for teachers at the Leonora Primary School?

Dr LAWRENCE replied:

Local arrangements have been made for 1989. The Government Employees Housing Authority has one house on the current program, and one more is proposed.

EDUCATION - LEONORA PRIMARY SCHOOL

Library Resource Centre - Construction, Capital Works Program Funds

1393. Mrs EDWARDES to the Minister for Education:

Will the Minister please advise what funds have been made in the 1989-90 capital works program for the construction of a library resource centre at the Leonora Primary School?

Dr LAWRENCE replied:

It is proposed to provide a transportable library to Leonora during first term 1990.

EDUCATION - BELDON PRIMARY SCHOOL

Stage 2 - Construction Date

1394. Mrs EDWARDES to the Minister for Education:

Will the Minister please advise when stage 2 of the Beldon Primary School is to be constructed?

Dr LAWRENCE replied:

No permanent additions are scheduled at Beldon for the current financial year. The need for additions for 1990-91 will be assessed on the preparation of the future Capital Works Program.

EDUCATION - BELDON PRIMARY SCHOOL
Transportables - Statistics

1395. Mrs EDWARDES to the Minister for Education:

Will the Minister please advise how many demountables or transportables are currently located at Beldon Primary School and how many will there be in -

- (a) 1990;
- (b) 1991; and
- (c) 1992?

Dr LAWRENCE replied:

Current - (3).

- (a) 1990 - (6);
- (b) 1991 - (2) or (8)*; and
- (c) 1992 - (4) or (10)*;

*If permanent additions are not provided.

EDUCATION MINISTRY - STUDENTS
Education Costs - Family Funds

1397. Mrs EDWARDES to the Minister for Education:

Will the Minister please advise what steps will be taken by the Ministry of Education to ensure that funds provided to families to meet the costs associated with the education of their children - the education allowance - will be used for that purpose?

Dr LAWRENCE replied:

The new education allowance of \$50 and \$100 for all children at primary schools and secondary schools, respectively, will be paid from the commencement of the 1990 school year. Parents of school children will not be asked to account for the manner in which the allowance is spent. In the early weeks of term 1 of the school year, parents face the expense of clothing, books and other items. The education allowance payable at about the same time represents a partial offset to these outlays made by families. The education allowances are in addition to the existing means tested allowances available for needy families.

EDUCATION - BELDON PRIMARY SCHOOL
Student Statistics

1398. Mrs EDWARDES to the Minister for Education:

Will the Minister advise the student population of Beldon Primary School for the years -

- (a) 1987;
- (b) 1988; and
- (c) 1989?

Dr LAWRENCE replied:

	Pre Primary	Primary	Total
(a) 1987	50	276	326
(b) 1988	53	352	405
(c) 1989	53	395	448

As at second semester census.

EDUCATION MINISTRY - PRIMARY SCHOOL
Sorrento - Building Plan

1399. Mrs EDWARDES to the Minister for Education:

Will the Minister advise if the Ministry of Education has plans to build a new primary school in Sorrento to cater for the large number of dwellings being constructed in the new subdivision of Sorrento?

Dr LAWRENCE replied:

The Seacrest estate development has placed no inordinate pressures so far on Sorrento Primary School, which has only one temporary classroom on site. It is projected that the residue of development will have some impact on the Sorrento school, which could have up to four or five temporary rooms at its peak, before commencing a slow decline. Unless this requirement is exceeded, it is highly unlikely that a new school will be built, since this would lead to underutilisation of permanent classrooms at Sorrento. A final decision should be possible within two years, when the full impact will be known.

GOVERNMENT EMPLOYEES - PUBLIC SERVANTS
Annual Leave - Public Holidays Entitlement

1400. Mrs EDWARDES to the Minister for Public Sector Management:

- (1) Will the Minister advise if State public servants are entitled to public holidays in addition to four weeks' annual leave?
- (2) If so, how many days of public holidays are State public servants entitled to during 1989?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) State public servants are entitled to 13 days of public holidays during 1989.

QUESTIONS WITHOUT NOTICE

ROTHWELLS LTD - McCUSKER, MR MALCOLM
Inquiry, Terms of Reference - Bosch, Mr Henry, Companies Code Breaches Claim

209. Mr MacKINNON to the Premier:

- (1) Is the Premier aware that Henry Bosch claimed on 6WF this afternoon that the McCusker inquiry will examine only breaches of the Companies Code?
- (2) Is he also aware that Mr Bosch indicated that the inquiry is not examining any matter outside this ambit?
- (3) Will he now give consideration to taking action to broaden the terms of reference of the inquiry to enable it to inquire into all aspects of the Rothwells' collapse including -
 - (a) the role of the Premier in supporting the rescue effort;
 - (b) whether the Minister for Economic Development and Trade or any other Minister involved in the failed rescue efforts or petrochemical project had a conflict of interest as a consequence of that involvement; and
 - (c) the role of the Attorney General in seeking and providing advice to Government about the Rothwells and petrochemical affairs?

Mr PETER DOWDING replied:

(1)-(3)

I did not hear Mr Bosch speaking on the radio, but I heard the question the Leader of the Opposition has just asked being asked in the Legislative Council of the Attorney General. Either he thinks it is appropriate for me to answer the question or that it is appropriate for the Attorney General to answer it. Alternatively, is he trying to make a political point in both Houses?

I also asked my staff, having heard that report, whether there was a tape of Mr Bosch's comments this afternoon, because I have learned from the Opposition's unreliability that it is better to check these issues. I listened to the first half of the tape before I came into the Chamber and I heard Mr Bosch unequivocally state that the NCSC prepared the terms of reference, that the NCSC prepared the list of companies, and that, while it might have been technically possible - I am paraphrasing his comments - for the Attorney General to have altered the list, it was not the sort of thing he would expect to happen. In other words, let me say once again to Opposition members, who were on the radio this morning promulgating this untruth, that the Government of Western Australia did not prepare the list of companies, nor limit the list of companies, nor in any way limit the ambit of the McCusker inquiry.

It is about time the Opposition also read the statement made by Mr McCusker. His statement obviously was not among the papers that the Opposition's research officer provided to "The 7.30 Report" television program. The research officer obviously fell down.

Mr MacKinnon: No he did not.

Mr PETER DOWDING: Did he provide a copy?

Mr MacKinnon: He did not fall down.

Mr PETER DOWDING: The Opposition's researcher did not provide a copy of that Press release when providing information to "The 7.30 Report". Incidentally I make it clear that the Leader of the Opposition tried to give the impression this morning on the radio that the Opposition's action yesterday followed the revelations made on "The 7.30 Report". It now turns out that those revelations have been the subject of six weeks' investigation in conjunction with the Leader of the Opposition's research staff. So much for an independent Opposition; it was only when "The 7.30 Report" was screened that these wondrous discoveries, which have been proved false, were made.

I received a telephone call today from an outraged member of one of the Minister's staff. He said that the Opposition had been peddling around the journalists the fact that he had some shares in Chequëcard. It was a small shareholding which he purchased some years ago because he knew Mr Zuks. The Opposition was trying to encourage the media to give that story a run. The Opposition not only is trying to create a problem if a Minister or a Minister's wife has some shares - the Opposition has not been prepared to cop this on the question of disclosure of assets of members of Parliament - but also wants to involve people who work in a Minister's office. No doubt soon it will extend that to all members of the Public Service.

This question is specifically directed to whether Mr McCusker has the capacity to inquire into offences committed under the Companies Code. We have reached the stage at which an independent investigator has to issue Press releases because the Opposition continually misrepresents his role in the community.

Mr Kierath: You have to media manage him as well?

Mr PETER DOWDING: What does the member for Riverton mean by that suggestion? He has put his foot in his mouth again; the last time he did that he had to move a special motion in this House the following day. Is the member for Riverton suggesting that I issued the Press release?

Mr Kierath: I asked whether you have to media manage him as you do everyone else.

Mr PETER DOWDING: Does the Leader of the Opposition endorse that remark?

Mr MacKinnon: I was not listening.

Mr PETER DOWDING: Has the Leader of the Opposition seen the Press release from Mr McCusker dated 13 October?

Mr MacKinnon: I cannot recall seeing it.

Mr PETER DOWDING: The Leader of the Opposition has led the events in a week during which he and his members attack the role of this investigator, yet he has not read the Press release which explains this man's role.

Mr MacKinnon: He has not sent me a copy.

Mr PETER DOWDING: Then I will. Does the Leader of the Opposition accept that this is a copy of Mr McCusker's Press release dated 13 October?

The SPEAKER: Order! This is not an appropriate use of question time. I have deliberately refrained from calling people who are interjecting to order because I wanted to make a point. The answer to this question has taken eight minutes so far, and that will preclude other members in this place from both asking and answering questions. It is entirely unfair to all members in this House. Firstly, I ask members to stop interjecting and I am sure the Premier will answer the question he was asked nine minutes ago. Secondly, I ask the Premier to draw his answer to a fairly rapid close.

Mr PETER DOWDING: The following paragraph appeared in the Press release and answered the revolting innuendo from the Opposition -

My task, as confirmed with the NCSC, is to investigate matters which suggest that breaches of the law (e.g. the Companies Code or Criminal Code) may have been committed.

The next paragraph says -

Recently, it was suggested that because the names of some corporations and some Government bodies do not appear in the schedule to my appointment, the terms of reference may be unduly restricted or deficient. To date, I have not found that to be so. The powers of examination conferred on an inspector under the Companies Code are very wide.

My appointment is on the basis that I will be available, as required, to give direction (particularly with respect to legal issues) to the full-time investigation team, the members of which include permanent Corporate Affairs Department officers, plus detectives seconded from the Perth CIB.

It is a disgrace that the Leader of the Opposition should raise a question about the terms of reference of Malcolm McCusker, QC, when he has not taken the reasonable step of inquiring into the ambit of those terms of reference.

KINGS PARK RESTAURANT - LEASE CHANGE

Parks and Reserves Act - Amendment

210. Mr RIPPER to the Minister for Conservation and Land Management:

Can the Minister explain why the Parks and Reserves Act is to be amended to change the Kings Park restaurant lease?

Mr TAYLOR replied:

I am happy to answer that question. I also wish to say something about the statements made by the member for Vasse in respect of this issue. The member for Vasse issued a Press release earlier this week, to the effect that the Government was taking over Kings Park and was going to treat the Kings Park restaurant in the way that he considered it had treated the -

Point of Order

Mr LEWIS: There is at present a Bill before the Parliament dealing with this matter, and there is ample opportunity for the Government and the Minister to explain all the matters germane to that legislation, so is this question not therefore out of order?

The SPEAKER: No.

Questions without Notice Resumed

Mr TAYLOR: I have asked the Kings Park Board what it thought about this issue. The President of the Kings Park Board, Mrs Ann Cullity, sent me a note which said that -

The statement by Mr. Blaikie is not accurate.

The Government of the day is not responsible for decisions made in respect of the lease of any part of Kings Park, or any other decisions relating to the Reserve. Those decisions are vested in the Kings Park Board. The Board is responsible for determining who will be the lessee of the land available for the Restaurant and Visitor Centre, and who would take any assignment of any lease. However in respect of the leasing of land within the Park any lease must be presented to the Governor for his consent before it becomes operative. The Board would prefer the power to grant a longer term to enable the proper development of the site.

The Bill before the House results not from a Government initiative but from a direct request from the Kings Park Board. I understand that the Opposition will receive another briefing in respect of this issue, perhaps tonight, and I hope that at the conclusion of that briefing, the member for Vasse might realise the commonsense of this exercise in respect of the future development of Kings Park.

ABORIGINAL CHILD CARE AGENCY - BENNETT STREET, EAST PERTH*Funds - Misuse Allegations*

211. Mr MacKINNON to the Minister for Aboriginal Affairs:

- (1) Is the Minister aware of reports of possible misuse of funds in the Aboriginal Child Care Agency operating at Bennett Street, East Perth?
- (2) If so, what action has she taken to examine those allegations?
- (3) If not, will she immediately order an inquiry into the claims, and report back to the Parliament on the outcome of the inquiry?

Dr LAWRENCE replied:

(1)-(3)

I would have thought that in a matter as specific as this, the question would have been put on notice, or some notice would have been given. It is likely that those funds would have come from Commonwealth sources; nonetheless, I will investigate the matter raised by the Leader of the Opposition, and report back to him appropriately.

Mr Peter Dowding: Does he have any evidence?

Dr LAWRENCE: I take it for granted that in respect of the matter of expenditure on Aboriginal affairs, this State Liberal Party, like its counterparts elsewhere, takes the view that any money spent on Aboriginal affairs is wasted; and by definition, therefore, the Leader of the Opposition believes that what he says is true.

MINISTER FOR SOUTH-WEST - MEMBER FOR WARREN*Mineral Sands Mining Studies - "Publicly Withholding Information" Claim*

212. Mr READ to the Minister for South-West:

Is the Minister aware that the member for Warren has accused him of "publicly withholding information" about mineral sands mining studies?

Mr D.L. SMITH replied:

I am of course aware of the claim of the member for Warren that I have been publicly withholding information. I am not sure how one goes about publicly withholding information, and I do not want to deal any further with that question, other than to say that is what he said. He said also -

As the democratically elected Member for Warren I demand that South West Minister David Smith release all information relating to not only the environmental aspects of mining and transport, but also all matters relating to the impact on housing (bearing in mind, no funds in this Budget for Warren), education facilities, tourist industry and other social impact caused by decisions made by his "Yes Minister committees".

Let us look at which "Yes Minister committees" the member must be referring to, because as Minister for South-West, the only involvement I have had in the projects to which he refers is that the shires associated with the mining or transport elements involved approached me because they were concerned that there was a technical committee looking at all the transport aspects, and they wanted to ensure that there was also a committee established to look at the social cost of the transport options as distinct from the technical aspects and financial costs. The shires therefore formed such a committee to look at the social impact; so it was not a "Yes Minister committee" formed by me.

Mr Omodei: Which of the six committees was that? Was it the one that was gagged?

Mr D.L. SMITH: I will come to that in a moment. This was a committee formed by the shires. The member should go back and explain to the shires why he refers to a committee formed by them as a "Yes Minister committee". The shires approached me because they wanted some secretarial and, if necessary, financial support to enable that committee to perform its function. I agreed to provide that support, and the shire representatives left that meeting, having been supported in the way they requested. They have not come back to me and suggested that they were in any way directed away from their proper objectives.

The SPEAKER: Order! I want to ask Ministers for their cooperation. I do not believe this is a proper use of question time. We have had only four questions today in 20 minutes. That is absolutely unfair. Members will recall that when we talked about this earlier in the session, there was an indication that 10 or 12 questions should be able to be asked and answered in the half an hour of time available. If it is necessary to make statements, let us talk to the Standing Orders Committee and have a period set aside for statements; but let us not misuse question time in this way.

Mr D.L. SMITH: The net result was that when the report was completed, the shire committee resolved that the individual shires not release that report until a copy of it had been sent to me, as a matter of courtesy. Unfortunately one of the shire representatives who was at that meeting where that resolution was passed went to the Press on the basis that I personally had somehow initiated that resolution and thereby gagged the committee from publishing the details of the report. There was absolutely no truth in that; the shires were just being courteous and saying that as the Minister had been supportive in getting this report together before releasing it publicly, I should see it. It then went to me, I approved of it, and it has now been released. The report to which he refers as being withheld has been released as a public document.

For the sake of saving time for other members' questions, I shall not go on with the numerous other aspects in which the member for Warren has misconceived my role and his own. If members opposite, particularly those representing constituencies in the south west, would stop attacking the South West Development Authority and all the projects going on in the south west and get on with their real job of representing their electorate, their constituencies would be much better places.

LEGISLATIVE ASSEMBLY - SEPARATE ENTITIES *Private Members' Day - Contribution*

213. Mr THOMPSON to the Leader of the House:

Does the Leader of the House recognise that there are several separate entities in the Legislative Assembly; namely, the Government, the Opposition, the

National Party, an independent, and Government and Opposition backbenchers. Given that there are that many entities, does he have any plan to ensure that each of those separate entities is given an opportunity to make a contribution to the matters raised in this Parliament, particularly in respect of private members' day?

Mr PEARCE replied:

It used to be the practice in this House when I was first a member that matters on private members' day were dealt with in the order in which they appeared on the Notice Paper. That is when the member was the Speaker.

Mr Thompson: That should be the position now.

Mr PEARCE: Over time an arrangement has evolved between the Government and the Opposition which started when the roles were reversed, during the latter stages of Sir Charles Court's Government and during the time of Mr O'Connor. Subsequently, when Mr Burke was Premier, the Leader of the Opposition became responsible for the order of business on private members' day. That has been particularly formalised since I have been Leader of the House. The practice has been that on the evening before private members' day the person responsible for the conduct of Opposition business approaches me and I take his advice on what is to be dealt with on private members' day, and on behalf of the Government I move a motion to order business in that way. There has been no complaint about that, until recently, except from Government backbenchers. In the last couple of years I have had a range of complaints from Government backbenchers that the process has prevented Government backbenchers from dealing with anything at all on private members' day. I have discussed that position with the Deputy Leader of the Opposition, and some Government members' Bills have now been dealt with.

Since the member has raised the question, I discussed the matter yesterday with the Deputy Leader of the Opposition and said that consideration will have to be given to the point raised by the member for Darling Range, and also by Government and Opposition backbenchers. Nevertheless, the Government would like to preserve the position whereby the ordering of business for private members' day is done by private members rather than in the haphazard way in which matters are put on the Notice Paper.

I do not know what should be the position in regard to ordering business on private members' day to take account of all private members. That is something which could be discussed between the Opposition and the Government, and perhaps the Speaker and the member for Darling Range. Consideration should be given to the very valid point that the member makes. On the other hand the Government is not anxious to disturb the arrangements, but we should try to accommodate the circumstances to which the member referred.

NATIONAL PARKS - RESERVES *Western Australia - Promotion Cost*

214. Dr TURNBULL to the Minister for Conservation and Land Management:

- (1) What is the cost of the promotion of the Western Australian National Parks and Reserves which was included as an insert in *The West Australian* and in associated television advertising?
- (2) Why was this promotional campaign conducted?
- (3) Who is responsible for the cost, as there is no listing in the Conservation and Land Management budget for promotion?

Mr TAYLOR replied:

(1)-(3)

I shall advise the House in due course of the great success of that campaign to have Western Australians appreciate, and more importantly visit, their

national parks during the school holidays. This was a period when those people would normally pay to attend. The number of visitors during that period increased dramatically. As to the cost, I do not have it in my head. I know it was in the vicinity of tens of thousands of dollars for the entire campaign.

I think I have already given the reason for the campaign. National parks in Western Australia belong to all Western Australians, and one of the things I shall seek to do as Minister responsible for those national parks is to try to encourage Western Australians to regard those national parks as their national parks and try to encourage them to think about their national parks as American citizens and people in New Zealand think about their national parks, and that is as national treasures. It is important for the Department of Conservation and Land Management that national parks are there to be appreciated and sold to the community. We have to ensure as legislators that those national parks not only are there to be seen by Western Australians for decades to come, but also they are so good and so much appreciated that more national parks will be announced by this Government over the next couple of years in Western Australia.

STATE PLANNING COMMISSION - CHAIRMAN

McKenzie, Mr W - Service Termination

215. Mr LEWIS to the Minister for Planning:

- (1) Are the services of the current Chairman of the State Planning Commission, Mr W.A. McKenzie, to terminate in the near future?
- (2) If yes to (1), was Mr McKenzie's termination of services precipitated because of Government's requirement in the administration of planning, or is he departing for his own personal reasons?
- (3) Was Mr McKenzie's appointment as statutory Chairman of the State Planning Commission extended by contract for a further five years at or about the end of 1988 just prior to the 1989 election?
- (4) If yes to (3), with his departure is Mr McKenzie relinquishing the rights and privileges of his contract of employment, has he been offered a redundancy package, or is he to be offered another comparable position within Government service?

Mrs BEGGS replied:

(1)-(4)

I do not have any difficulty in answering the several questions contained in that question. It is true that Mr McKenzie has tendered his resignation from the position he now holds. I understand it is for personal reasons. I understand his contract was extended some time in 1988, but I do not know the exact date that he signed the new contract.

Mr Lewis: It was in December.

Mrs BEGGS: I do not have knowledge of that.

The termination of Mr McKenzie's contract is a matter for the Public Service Commission. He advised the commission of his intention to retire and he discussed the matter with the appropriate people there. I have no knowledge of what arrangement was made in regard to Mr McKenzie's contract, and neither should I.

ROADS - ST GEORGE'S TERRACE

Car Park - Lane Access Concern

216. Dr ALEXANDER to the Minister for Transport:

Is the Minister concerned about the proposed use of St George's Terrace for access to a car park in the so-called Central Park project recently approved by the Perth City Council, which I understand to be well in excess of normal parking standards?

Mr PEARCE replied:

I am concerned about the decision of the Perth City Council to allow a lane of St George's Terrace effectively to be a queuing lane for a central city car park under this building. That is particularly the case because Hay Street and Murray Street are both the malls and are not available for east-west traffic in the city. Although I support the creation of pedestrian malls in those streets - it has provided a very good pedestrian precinct in the middle of the city - it has created a lot of traffic pressure on St George's Terrace and on Wellington Street, and the proposal to have a car park queuing lane effectively in what is now the public transport lane is likely to cause a great deal of difficulty. However, I have asked the Main Roads Department, the Department of Transport and Transperth - all of which have different interests in that matter - to report to me on the implications of that Perth City Council decision. If the reports are as worrying as I think they probably will be, I will seek to discuss the matter with the Perth City Council to see what action can be taken.

RAILWAYS - NORTHERN SUBURBS

Project Stage - Councils' Planning Considerations

217. Mr STRICKLAND to the Minister for Transport:

When will the planning for the northern suburbs railway project reach the stage where the councils of the Cities of Stirling and Wanneroo will be able to consider access and egress proposals to integrate the railway station sites with local pedestrian and vehicular traffic?

Mr PEARCE replied:

That is a fair question. The master plan for the northern suburbs railway has been completed, and will go to Cabinet within the course of the next two weeks. The master plan is a very detailed engineering study of traffic alignment and station design, and all of the things necessary for the line to be constructed to its final form. When it has gone to Cabinet the master plan will be publicly released within a day or two, and the councils will be able to use the very detailed master plan as the basis for that planning. It will take about three weeks.
