

# Legislative Assembly

Thursday, 22 September 1994

**THE SPEAKER** (Mr Clarko) took the Chair at 10.00 am, and read prayers.

## PETITION - YOUNG OFFENDERS BILL, AMENDMENT

**DR CONSTABLE** (Floreat) [10.03 am]: I present the following petition -

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

We the undersigned wish to express our concern at the failure of the proposed Young Offenders Bill 1994 to provide adequate protection for young people who are taken into Police custody. We respectfully call on the Hon Attorney General, Cheryl Edwardes MLA to amend the Young Offenders Bill 1994 to enshrine in legislation, the following rights for young people and their families -

1. The right to make a telephone call to a family member or friend before being questioned by Police.
2. The right to make a telephone call to a legal adviser before being questioned by Police.
3. The right to have a family member, friend or other independent adult present at Police questioning.
4. The right to be treated in a dignified and humane way.
5. The right to prompt medical examination and hospital treatment where necessary.
6. The right to have bail on reasonable conditions considered without delay.
7. The right to have safety and welfare needs monitored regularly by Police while detained in custody.
8. The obligation for Police to inform young people and their families of their rights in Police custody.

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 319 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 117.]

## PETITION - ROAD TRAINS, METROPOLITAN AREA

**MRS HALLAHAN** (Armadale - Deputy Leader of the Opposition) [10.05 am]: I present the following petition -

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

We the undersigned ask the State Government to reverse its decision to allow road trains up to 45 metres (140 feet) long to travel along Thomas Road, South West Highway, Bedforddale Hill Road and Albany Highway.

We believe that road trains in the metropolitan area will cause serious accidents, traffic hazards, excessive noise, and damage to our roads.

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 192 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 118.]

## MINISTERIAL STATEMENT - MINISTER FOR LABOUR RELATIONS

### *National Wage Case, Wage Rise*

**MR KIERATH** (Riverton - Minister for Labour Relations) [10.06 am]: Yesterday, the Australian Industrial Relations Commission handed down what was one of the most economically irresponsible decisions in recent times. It granted workers an immediate \$8 increase which, if passed on to state workers, will rip about \$140m out of this State's economy. That is what it will cost the employers of about 340 000 of the State's award workers. Apart from the monetary costs, there is a more insidious effect. As there are no cost offsets in return for the pay rise, it will result in increased labour costs which will either be passed on in higher prices or more unemployment.

This decision from the Australian Industrial Relations Commission basically bows to what the unions were demanding. It is nothing more than a sweetener for workers to get involved in the new federal industrial relations system, which is flawed and undergoing a process of constant amendment. Not content with Mr Brereton spending \$27m of taxpayers' money to try to coerce workers into his system, the Industrial Relations Commission has to get into the act. In handing down its decision the commission's rationale was that the economy could sustain a modest increase in wages because of strong potential for economic growth. What a load of rubbish; this wage rise could in fact stifle that potential for growth.

The second and third \$8 wage increases handed down by the commission are tied to workers and employers seeking enterprise agreements. I believe this premise is also flawed as the unions will seek to find a way around this and by default be granted the increases. In addition, the increases effectively put between \$8 to \$24 a week onto the starting prices for future enterprise agreements. In an economy such as ours, wage rises must be tied to productivity gains. The one positive to come out of yesterday's decision is that it will encourage employers into workplace agreements out of the award system. In this way, they can have a more direct influence on their own destiny.

The national industrial relations system is a joke; it is a product of the Melbourne industrial relations club. I am not a lone voice in my comments about this stupid decision by the federal commission. The highly respected *The Australian Financial Review* had this to say in its editorial: "The IRC and the accord partners appeared to have missed an opportunity provided by the forthcoming review of awards to hasten the pace of award rationalisation." It concluded by expressing disappointment at the IRC and the accord partners' inability to move quickly down the track of award reform. *The Australian* newspaper also pours cold water on the fact that there is little incentive to workers to respond to these pay rises with productivity improvements. The decision is a disappointment and this Government will oppose any flow-on to state workers.

## MINISTERIAL STATEMENT - MINISTER FOR HOUSING

### *Visit to Malaysia and Indonesia*

**MR PRINCE** (Albany - Minister for Housing) [10.09 am]: I wish to make a brief ministerial statement regarding my recent visit to Malaysia and Indonesia with a delegation of five senior housing and construction industry members led by Mr Harvey McLeod, Executive Director of the Master Builders Association.

The purpose of the visit was fourfold, in that we sought -

- to establish a ministerial level contact between the Ministers for Housing in our respective countries to facilitate greater opportunities for the building and construction industry;

to establish contact between government and non-government officials of the housing, construction and allied industries;

to make a representation to selected industry representatives about opportunities for trade between our respective countries; and

to ascertain the current and future needs of the countries visited in the housing and construction fields.

I will not bore members with a running diary of our schedule but I was pleased to meet, among many others, both the Malaysian and Indonesian Ministers for Housing; and the Master Builders Association's counterparts in Malaysia and Indonesia facilitated visits for our party to a number of major building projects which provided a guide to future trade opportunities. I will highlight just two to give members an indication of possibilities for trade in the area.

My colleague the Minister for Labour Relations suggested prior to our leaving that the delegation visit the Damansara Utama project in Malaysia, which is on the outskirts of Kuala Lumpur. This project includes a skills based training component which alone will cost \$4m, and Australian expertise is being used to run the training program. There are similar opportunities for trade in services, or the export of expertise and education, throughout the region. To give members some idea of the scale of what is happening in Indonesia, and the scale of potential opportunities, I will relate a visit to Bumi Serpong Damai, a satellite city about 35km south west of Jakarta. The project incorporates a self-sustained city providing residential living for approximately 600 000 to 800 000 people over a total land mass of 5 000 hectares. By comparison I would say that Joondalup development is 1 000 ha. It involves construction of 140 000 housing units and employment for between 140 000 and 180 000 people.

If anyone in Western Australia doubts the wisdom of a continued and strong push for increased trade with South East Asia, and specifically with Indonesia, he should take a look at this project, because with growth like this to our north we cannot, and must not, be left behind. Members opposite will appreciate that the success or otherwise of the delegation may not be seen for some time. Many of those who were formerly Ministers, including the present Leader of the Opposition, worked hard to increase our trade with South East Asia, and would well know that it takes many visits, and often many years, to build the trust and the relationships we must build if we are to be truly a part of Asia. We did not expect to return from this visit with a suitcase full of orders. However, it was particularly encouraging that a representative of a major brick manufacturer who was part of the delegation was required to stay on in Indonesia to enter into further discussions which it is hoped will result in contracts for the supply of bricks and brick paving. I look forward to receiving news of any success eventuating from these discussions, and having just mentioned the scale of Bumi Serpong Damai I hardly need remind members of the potential trade which can come from such a foothold in the massive Indonesian market.

I am confident that the visit met all our objectives, and equally confident that the Western Australian building and construction industry can make its mark in South East Asia to the mutual benefit of Western Australia and our northern neighbours.

## **BILLS (2) - INTRODUCTION AND FIRST READING**

1. Electricity Corporation Bill
2. Gas Corporation Bill

Bills introduced, on motions by Mr C.J. Barnett (Minister for Energy), and read a first time.

## **MOTION - SELECT COMMITTEE ON HEAVY TRANSPORT, APPOINTMENT**

**MR TUBBY** (Roleystone - Parliamentary Secretary) [10.13 am]: I move -

- (1) That a select committee be appointed to inquire into, report on and make

recommendations concerning problems confronting heavy transport in Western Australia with particular reference to -

- (a) heavy haulage within the metropolitan area;
  - (b) the operation of road trains in built-up areas;
  - (c) efficient usage of the State's rail and road infrastructure; and
  - (d) the provision of infrastructure to ensure a safe and efficient transport system to meet the future needs of the State.
- (2) The committee have power to send for persons and papers, to sit on days over which the House stands adjourned, to move from place to place and to report from time to time.
- (3) The committee present its report by 30 November 1995.

The proposal to establish this select committee arises from public concern about the possible long term access of road trains to the metropolitan area. This issue has simply brought to a head an underlying set of concerns which the public has come to realise as a result of the amount of heavy haulage on our road network, not only in the metropolitan region but also in country areas and some of our country towns. These concerns have been bubbling below the surface for a number of years. The time has arrived when Parliament should have a very close look at the deregulation process that has been occurring over the past 15 years and take stock of some of the changes that have occurred and how they are affecting not only the transport industry, but also the general public at large. It is also appropriate that Parliament make some recommendations to the Government on what the public and the industry see as being an appropriate land freight policy for the future.

In the early part of this century the policy was essentially concerned with the development of a rail system as a means of promoting land settlement and the establishment of an agricultural industry. In 1905 the royal commission on land settlement concluded that 20 kilometres was the limit of a viable road transport operation. As a result of that, during the 1920s and 1930s a huge increase in the rail network occurred throughout the State, which created a significant burden for the railways. During the 1920s problems began to emerge as road freight transport became more profitable and competitive. Because the railways system was classified as a common carrier it was expected, and in fact compelled, to carry everything that was taken to it from small packages to bulk traffic such as grain and fertilisers.

As a result of that there was huge cross-subsidisation within the rail system. The road transporters targeted the high tariff areas of rail transport and thereby took over that part of the service, which then made the railway system even less efficient. Regulatory licensing was introduced into the land freight transport system in 1934 through the State Transport Co-ordination Act to try to overcome the difficulty for the railways. By the 1970s the efficiency of road transport in this State had been well and truly demonstrated. In 1975 the southern Western Australia transport study was undertaken.

This study recommended two things: First, that competition be increased between road and rail transport throughout the State and, second, that Westrail, or in those days the WAGR, should be restructured to allow it to operate on a commercial footing. From that time the transportation of goods on rail has been deregulated on a number of occasions. This process was started by my predecessor, the member for Dale, the late Hon Cyril Rushton, who was then the Minister for Transport, and it proceeded right through the remaining years of the conservative Government, through the Labor Government years and into the term of this conservative Government.

In April 1980 the first stage was introduced allowing road transport to carry up to 9 tonnes of any commodity, except grain and freezer chiller traffic in restricted areas. In 1981 the 9 tonne limit was removed on all goods other than grain, fertiliser, wool, ores, minerals, bulk petroleum products, timber and freezer chiller traffic. From July 1982 the third stage allowed licences to be granted for the road transport of general goods south of

the twenty-sixth parallel except in specific areas where protected road transport operated under franchise arrangements.

From 1982 to 1986 there was partial deregulation of timber transport along with the full deregulation of freezer chiller and wool transport. At the end of 1986 goods remaining regulated to rail were minor bulk traffic, including salt and gypsum, ores and minerals, bulk fuel, timber, fertiliser and grain. Further reviews led to the deregulation of fertiliser, the partial deregulation of bulk fuel and increased freedom for timber transportation. In 1990 Commonwealth intervention resulted in the deregulation of export grain transportation which was then followed by the domestic grain freight deregulation by the State Government. Since then further deregulation has occurred in the transportation of fuel and small volume bulk traffic. The only commodities remaining regulated to rail today are the major bulks; that is, the large volume traffic such as ores, minerals and woodchips.

Although the deregulation process has had many consequences, including the level of employment within Westrail and other outcomes from these moves, the greatest impact has been in two areas; firstly, in the cost of rail freight transport throughout the State and, secondly, in the shift of a significant quantity of transport from rail to road.

Between 1984 and 1990 Westrail reduced its commercial loss from \$68m to \$14m, in real terms. Members may have heard on the television last night that for the last financial year Westrail actually made a profit of \$19m. Between 1984 and 1990 there were significant annual savings to consumers of transport. In 1990 it is estimated that \$20m was saved in transportation in the general freight area; \$27m in grain; \$3m in fertiliser; \$4m in bulk fuel; and \$1m in timber. That is a very significant cost reduction for industry throughout this State.

The transfer of freight traffic has led to an estimated increase in the annual road transport task of 612 000 tonnes. That figure represents approximately 110 additional vehicle movements per day on this State's road system, thereby increasing the rate of wear on the roads. Much of Western Australia's vast network of highways and main roads was constructed in the road building boom of the 1950s and 1960s. It has now reached the stage where normal maintenance is no longer adequate. Roads require rehabilitation after 20 years and they need complete reconstruction after 35 years. Between 1988 and 1993 the proportion of sealed road network - the classified roads - which had pavement ages of more than 40 years rose from just over 1 per cent to nearly 5 per cent. Over the next 10 years this proportion will rise to more than 30 per cent. An annual road replacement budget of \$200m per year over the next 10 years will be required to avoid this problem. Unfortunately, this budget appears most unlikely to be met for a number of reasons. Firstly, there are severe restrictions on the use of Commonwealth funds; secondly, there are increasing maintenance needs for the State's road network; thirdly, there is an increased traffic management requirement in almost all areas; and, fourthly, there is a disproportionate distribution of Commonwealth funds to the more populous, smaller States.

While the total level of cost recovery by both the Commonwealth and State Governments substantially exceeds the cost of providing roads, the extent of cost recovery does vary between the various categories of road users. It is generally agreed in industry that cars and light commercial vehicles pay considerably more in fuel tax and other fixed charges than the costs which can be reasonably attributed to them. While the determination of an absolute level of cost recovery from a particular class of road user is illusory, it is generally accepted that heavy vehicles do not meet their share of the costs and the extent of under-recovery increases with the size of the vehicle.

Many studies have been undertaken into the damage that can be caused to roads by the various classes of vehicles. One of the studies indicates that small cars and light commercial vehicles contribute to about 0.1 per cent of the damage caused to the road system. Therefore, 99.9 per cent of the damage caused to pavements can be attributed to the cartage of heavy freight. A number of studies have tried to work out a way to recover some of the costs, and they have not all been related to actual road cost recovery. For

example, Sweden has come up with an initiative of removing the maintenance and construction of the actual tracks from the operation of the railway system. This initiative is similar to the new rail freight system which is being set up in this State whereby the National Rail Corporation will lease from the State the line between Perth and Kalgoorlie and operate its trains on that line. In the same way that the Main Roads Department is responsible for the road infrastructure and private operators use that infrastructure, consideration should be given to the possibility of separating the rail network from the responsibility of Westrail's operations. In that way the Government could very clearly attribute the cost of running the rail network against the cost of maintaining the infrastructure, which is what occurs with roads. An estimation can be easily made of the money required to upgrade and maintain the road network. It is a completely different set of figures from the actual figures pertaining to the operation of transporters using that network.

I have outlined some of the areas the committee should investigate. It is very important that the community be given the chance to have a say in this process. Ever increasing demands on government finances means there is a shortage of public money to continue subsidising the rail network, which has been the case for the last 50 or 60 years. Similarly, there is a shortage of money to continue current practices to try to maintain the road network.

Given the need to minimise transport costs to enhance the competitiveness of the State's export industries and the lack of public funds available for transport, there is an obvious need for improved efficiency in the provision of transport services. Governments come and governments go, but the transport system remains. A bipartisan set of policies should be developed to which both the major parties and major contributors to the transport industry agree. Unless that is done we will face very severe problems. One group of people will say that rail is the only way to go and another group will say that road is the only way to go. We need an integrated system and the only way to achieve that and make sure that the system operates fairly for all people - consumers, in general - is to adopt a bipartisan approach. I hope the committee will address the problem in this way and that it will not have problems with opposing philosophical points of view.

It was somewhat disappointing that the closure of the Midland Workshops caused such a problem. I do not think that issue should have been taken into the political arena. I understand the Opposition making capital out of it, but the closure was in the wind for five or six years, at least three or four years before this Government took office. For the first time the railway operation is now making a profit. The people in the workshops recognised that the previous Government was not funding it to the level required. A young man, who had previously been employed in Westrail, came into my office a month ago. He saw the writing on the wall for Westrail and the workshops five years ago, and went out of his way to save money and set himself up. He knew the inevitable would happen, whether under a Labor Government or the present Government. When it did he was in a position to use his skills and knowledge to set up a commercial operation. He has done this in Kelmscott in the Armadale electorate. This young fellow is in the business of hard anodising of aluminium products. He is not only doing work for Westrail that used to be done in the workshops, but also is attracting business from around the world. He showed me a device that someone had invented to go into the chimneys of wood burning stoves. It is a venturian tube that he will hard anodise. These initiatives came from the closure of that workshop, so it is not all bad. Many opportunities arose from that, not the least of which is the profitability of Westrail.

This is the first year in our State's history in which the transportation of grain will be cheaper by the rail network than by road. This results from progressive policies that stand our State in good stead. A bipartisan approach is needed in these matters because the policies developed now are not just for the term of this Government, but will flow into the terms of future Governments. It is important in the development of transport policies that the consumption of scarce resources and the impact on the natural environment are fully considered, to ensure we do not jeopardise the future with short-sighted policies. It is no longer satisfactory for the views of industry to be given primacy

in these considerations. Public concerns must be given due consideration, and the outcry over road train access to the metropolitan area clearly shows that people wish to participate in decisions relating to heavy transport.

I believe this select committee will provide both industry and the general public with the opportunity to express opinions on transport deregulation which has already occurred, and to participate in the development of policies for the future. I commend the motion to the House.

**MRS HALLAHAN** (Armadale - Deputy Leader of the Opposition) [10.34 am]: I second the motion for the establishment of this select committee. The Opposition is aware of a great deal of community concern in this area and will take a full and active part in the processes undertaken by the select committee. This select committee will do good and important work, and the Opposition believes the Government should not proceed in any way with further road train trials at any point in the metropolitan area, until the select committee has made recommendations on that matter. The Opposition strongly holds that view, which is based on good sense and safety for road users. The proposed select committee will address the concerns people have about road trains, and also their concerns generally about heavy haulage. For that reason, it should make a valuable contribution. The Opposition is strongly critical of the Government's announcement of this select committee during the Helena by-election campaign. It seemed to be a purely political and cynical move to make the announcement at that time.

**Mr Strickland**: Don't you deal with the issues as they arise?

**Mrs HALLAHAN**: The Opposition feels the Government was dealing with the issue it confronted in the Helena by-election, but did not address people's concerns about road trains in the metropolitan area. If the Government were genuine in its concerns about the community, it would not allow road train trials to progress until the work of this select committee is completed. Members opposite cannot put forward any rationale for the integrity of their position unless they pressure the Government and the Minister to desist from road train trials in the metropolitan area until the select committee has made its recommendations. A great deal of work has been undertaken in the time these trials have been under way and have been mooted. I refer to one report entitled "A Study of the practicality of allowing double bottom road trains into metropolitan Perth - Final Report". It relates to road trains coming into metropolitan Perth, but considers only road trains in the Middle Swan area and the north eastern section of the metropolitan area. It does not consider the circumstances in the south east corridor of the metropolitan area. The geography is very different in that area, with the Albany Highway coming through Bedforddale on a very steep road alignment. Local residents are very concerned about safety on those roads. So great is that concern that a community based group has been formed called ARTTAG - Against Road Train Trials Action Group. From my observation those people are dealing with the matter very energetically, although they have not previously been involved in community action groups. They are learning about the role of action groups and how they can most effectively influence government decision making in this regard. They are very worried and they meet each week to discuss the strategies required to meet the hazard of road trains in the south east corridor. It is a huge commitment for a community group to meet on a weekly basis, and the people are driven entirely by their concerns about the effect of road trains on the Bedforddale hill. The road trains will go past schools. As they travel to the busy intersection of Albany Highway and South West Highway, they will pass Armadale Senior High School and another Catholic school. Senior citizens live on these proposed routes. Because they do not hear the Government responding to their concerns, they are looking at ways to influence the Premier. He is seen as the Leader of the Government and as able to have some influence over the Minister for Transport if he so chooses. That is an extraordinary development in the Armadale area. Two well attended public meetings have been held. One was attended by industry representatives from the road train lobby and private firms involved in the transport industry. They attempted to vote against what local residents indicated was their will at that meeting. That was not allowed to happen. The will of the people who live in that area is clearly against road

trains being allowed and any road train trials being conducted. That has been widely reported in the area's local papers.

I have personally received an enormous amount of support from people for my stand on the issue. People want it known that they are very worried about it and that they see no sense in the Court Government's proposal. The Government's proposal seems to be based on economics. As I understand it, the estimates are that over a number of years the saving will be less than \$5m. By the time modifications such as upgrading assembly areas, road alignments and traffic light arrangements occur, even on the estimates from officials themselves it will amount to only a fairly small economic benefit over a number of years. The saving is not each year; it is over a number of years.

Mr Omodei: From the safety point of view, it can be shown by trials that road trains can safely use those routes. That surely must be a plus from the point of view of fewer semitrailers being on the road.

Mrs HALLAHAN: We have an interjection from a country member who either flies over the approaches to Parliament House when he comes to the sittings here or shuts his eyes as he drives and does not see that the metropolitan area has much heavier traffic than does the seat of Warren. The much heavier level of traffic here demands a different response. To run road trains effectively, changes must be made to regulations, monitoring and driver training, and we have not had those changes.

The Minister for Water Resources interjected and stated that all those things should be ignored; that trials should proceed even though we have not put in place the proper protection for the community. People are concerned and are becoming very angry about those issues. That interjection from a Cabinet Minister demonstrates the ignorance of the position being taken by the Court Government. It may be that government members are on a promise, through their National Party colleagues, to the Road Transport Association. That has been widely alleged within and without the industry, and has been acknowledged in the letter from the Minister for Transport to that association, which has been widely read in local government areas and to which I referred in this place on another occasion.

One report in the Government's possession states that if road trains are permitted to access depots, attention must be given to the critical area of mechanical condition. In particular, effective steps must be taken to ensure road trains comply with national mechanical requirements. There are concerns about brakes, couplings and lighting provisions on road trains. These concerns led to the view that national conditions must be imposed if road trains are to be permitted.

I make the point that the Government has not imposed this national condition. That is why the interjections from members opposite about people's safety do not have a genuine ring of concern. Another point from the report states that the means by which compliance with mechanical conditions of operation is ensured must be addressed, including increased enforcement efforts and/or a system of permits for urban operation.

Again, the Minister for Transport has given no reassurance and has made no announcement and no provision at all for these matters, which have been set out in a Government report as necessary. What we hear from him when he speaks to people is that those matters will be attended to. The Opposition's position is that if the State Government is to proceed with this very dangerous proposal to bring road trains into the metropolitan area, the preparation, conditions and monitoring should be firmly in place so that we know the trials will take place under optimal conditions and that people's safety will not be jeopardised. The member for Collie interjected a moment ago. That interjection, whatever it was, will be of no comfort to people who live in Bedfordale, Armadale, and all the areas that will be affected, when the very conditions that the Government has been told should be in place are not in place. Yet the Government still says that the road train trials should proceed.

Several members interjected.

Mrs HALLAHAN: The notion is that road train trials should be conducted under the



most dangerous conditions possible, and then a judgment will be made. The people who live on the route proposed for the road train trials include members of the families of the two members who interjected. Those two members do not want to see their family members subjected to such a hazardous situation, either. We should listen to those people, not to the inanities of some people who want to proceed down a headstrong and very dangerous path.

This government report states that Western Australia does not have detailed mechanical assessment procedures for road trains which have been adopted in other States. How does the Government respond to that? The Deputy Premier is silly, he is ignoring reality.

Mr Cowan: Our systems are better.

Mrs HALLAHAN: Another government report states that Western Australia is concerned at the potential to overload the centre triaxle, although experience to date has not highlighted any major overloading problems.

Several members interjected.

The SPEAKER: Order!

Mrs HALLAHAN: B-doubles are already permitted -

Mr Cowan interjected.

The SPEAKER: Order!

Mrs HALLAHAN: Let the Deputy Premier be on record - let the people see the calibre of the leadership of the Government and the Deputy Premier. The fact is that B-doubles may already be on the road.

Mr Cowan: They are.

Mrs HALLAHAN: They are the very cause of the concern people have about road haulage. They do not like them and they do not want road trains. Do government members not understand that? Just because they are permitted does not mean that people are happy with them.

Mr Cowan: That is how far behind the Deputy Leader of the Opposition is.

Mrs HALLAHAN: Other problems include the difficulties for other motorists. Apart from the fact that children cross these highways to get to school, in Armadale a number of citizens have seen trucks with their brakes on fire and trucks running the red lights at the corner of South West Highway and Albany Highway. However, Government Ministers as high as the Deputy Premier discredit those eyewitness accounts and the concerns that the hazards will increase. I support those citizens; they are right. There is nothing to indicate that the road train trials will take place in any greater safety than already exists. At present the situation with the heavy haulage that is allowed is very hazardous. That is where those people are coming from: It is a very reasonable position.

It is also clear in government reports that concern exists about the speed and sway of road trains on the open road. When they come down Bedforddale hill and travel along South West Highway and Thomas Road, which are open roads, many other motorists will encounter the windshear created by those units. The effect it has on private vehicles is a particular worry, especially when the vehicles are towing caravans. That is a documented concern. In other States there is talk about the need to fit anti-skid brakes on these vehicles, particularly where they operate in hilly areas. In all the time this has been a high profile issue, nothing from the Government has indicated the measures it has implemented, the circumstances in which heavy haulage now operates, and what the Government will further impose on road trains in the metropolitan area. No-one is convinced that the present conditions are adequate. Road trains will just bring another hazardous element which people believe they should not encounter when travelling on roads.

Assembly areas are available where those road trains are broken up and brought into the metropolitan area by block trucks. That situation has worked satisfactorily. The

economic argument, as I said in my opening comments, is of small dimension when compared with the amount of work that is now needed on our roads, and with the level of hazard that will result. Residents of Bedfordale tell me they have frequently seen people with survey equipment along Bedfordale Hill Road over the past few months. They find that very disquieting because they feel their concerns have not been listened to -

**Mr Tubby:** It means that my concerns have been listened to and that the road will be upgraded.

**Mrs HALLAHAN:** That is another nice political statement from the member for Roleystone. He is quite a nice human being, but he has not represented his constituents well on this matter.

**Mr Tubby:** Because he knows a bit about the situation.

**Mrs HALLAHAN:** He is not dealing at all with the people who have very real concerns. They feel unsupported by him. They do not feel that either the Premier or the member for Roleystone listens to their cause. They are disappointed with the lack of interest they perceive from the member for Roleystone. Some of them welcome the setting up of the select committee. The member for Roleystone is to have a role in that, so to some extent the Government has met the concerns that have been expressed. However, there is a great cynicism about the member for Roleystone because people feel that he did not advocate on their behalf; he did not insist, as a condition of heading this select committee, that the road train trials not progress until the work of his committee had been completed. The people are very critical of that. That is understandable.

**Mr Omodei:** What would the committee have to look at if the trials weren't occurring?

**Mrs HALLAHAN:** The interjection from the Minister for Water Resources indicates that he has no notion of what the member for Roleystone intends as his program for this select committee. I suggest that the Minister turn around and talk to the member for Roleystone to find out what he has in mind for the activities of his select committee. I do not think the Minister understands what the member for Roleystone has in mind. I will not embarrass the member for Roleystone by advising the House of that.

The Opposition will play a full and active part in the considerations of this select committee. Opposition members are adamant that no road train trials should progress while that committee goes about its work. It will be a clear indication of the Government's genuine response to community concern if it stops the road train trials while the committee examines this matter. If the Government fails to do that, this whole exercise will have been a purely political and cynical response to the pressure brought about by the Helena by-election. Regulations, driver training, monitoring, and a number of other associated roadworks should be in place. They are necessary safety measures if we are to be faced with road trains in the metropolitan area; however, they all have a cost. Those costs must be taken off the so-called economic benefit that is to be achieved.

I understand that is to be less than \$5m over a number of years; therefore, the expected economic benefits are not great. The dangers are very real. For the sake of the members of ARTTAG at Armadale, their concerns about the descent through Bedfordale - the route on which is located a number of schools, and a very busy intersection where they have seen heavy haulage vehicles run the red lights or with their brakes on fire - should be considered. If I am not mistaken, even the member for Roleystone has been quoted as saying that he witnessed such an incident. However, this Government persists with road train trials in that very circumstance. There is no doubt that people will be critical of the Government if it persists with the trials until this select committee, which should be able to carry out a good examination of the matter, completes its work.

**MRS van de KLASHORST (Swan Hills) [10.58 am]:** I support the formation of this select committee on heavy haulage transport. The strongest reason I can think of at this moment is that we need to educate the member for Armadale about heavy haulage transport - what it consists of and how it works in the country and metropolitan areas. The member for Armadale concentrated her entire speech on road trains; however, if she had read the terms of reference of the select committee she would know that it will deal

with heavy haulage vehicles within the metropolitan area, which includes all types of haulage. The operation of road trains is just part of that. The efficient use of the State's road and rail infrastructure and the provision of infrastructure to ensure a safe and efficient transport system to meet the future needs of this State will also be addressed. It is important that we get this committee under way so that the member for Armadale can learn what is involved in the whole transport system, and not just about road trains.

Another thing the committee should look at is the misinformation that is being put out about heavy haulage. I, like the member for Armadale, have heavy haulage travel through my electorate of Swan Hills. I have the east-west link which brings from the Eastern States the many goods that we in Western Australia consume. We must look at the most efficient ways of getting those goods across from the Eastern States, including existing rail transport. Two rail links run through the electorate of Swan Hills. The north-south link also runs through that electorate, on which there is an increasing amount of heavy haulage traffic. That will continue as the Government further opens up and develops the north west of this State. That link will become one of the major links to the metropolitan area. We must make sure that that road, the transport that travels on it and an extension of the rail link are fully examined to be certain that we are doing what is right for Western Australia. Heavy haulage will become increasingly important as the State becomes more affluent, as it is doing under this Government.

Many people call my office about problems with trucks. Many of them refer to the problems being caused by road trains. However, when I delve further into their complaint, I find that the number plates are usually B-doubles or that they are long or wide vehicles. I do not think I have had a complaint about a road train but I have had complaints about other trucks. The major accident at the bottom of Greenmount Hill at the end of last year involved a fully laden wheat truck. Therefore, not all of the problems caused by heavy haulage in Western Australia are created by road trains.

The committee must also consider the condition of our roads. For example, the road through the Bullsbrook area is quite narrow. We are currently examining ways of solving that problem. The roads through the Swan Valley are also very narrow and heavy haulage on those roads must be managed. People are concerned about the effects on their lifestyles of trucks which move on side and feeder roads. As I said, the committee has to consider many aspects of heavy transport, not only road trains.

The member for Roleystone gave us an interesting history of road and rail transport in Western Australia but the committee should also consider the human concerns as a major and integral part of road transport. People are concerned. They feel that their lifestyles are being changed. However, they also use the goods that are being transported from one part of Australia to another and from one part of Western Australia to another. It is a huge State and we must have a good road transport system. New areas are opening up all the time. The Minister has suggested different truck combinations to facilitate the moving of goods. Trials are being conducted to see how heavy transport affects people. Permit and non-permit vehicles should also be investigated with a view to permit vehicles remaining on the major roads. Car traffic is also important. Rather than place an emphasis on road trains, the committee will look at all transport issues. The efficiency of our transport system is reflected in the economy of the State.

I commend the member for Roleystone's motion to set up this committee. It is a much needed committee. A good transport system will move us into the next century. The committee will consider all aspects of heavy transport and not just road trains. I support the motion.

**MR LEAHY (Northern Rivers) [11.06 am]:** I also support the establishment of this select committee. In doing so I want to raise a couple of points, the first of which is that this committee should not have resulted from the Helena by-election but should have been put in place when the Government first came into office.

**Mr Bloffwitch:** What a cynical view!

**Mr LEAHY:** It is not a cynical view at all. This Government has allowed the use of

triple road trains north of Wubin without any consultation whatsoever and in spite of the expressed objection of all the local government authorities in the Murchison region, including the shires of Mt Magnet, Cue and Meekatharra. There is now complete disarray in the town of Wubin because the Government has provided no facilities for assembly except a sheep paddock. Two trailers have tipped over already. All this is taking place on a single width road on which the Government is allowing triple road trains to operate. It is irresponsible of the Government to talk about a select committee after it has allowed this to happen. As I said, triple road trains are now operating through three towns in the Murchison which did not need them. They have not brought any economic benefit to the north or to consumers in that area. If members opposite talk to operators, subcontractors and truck drivers, they will be told that there has been no benefit. There has been no decrease in freight costs.

Mr McNee interjected.

Mr LEAHY: Did the member for Moore know that no triple road trains travel on the Eyre Highway? Until a few years ago, only single articulated trucks travelled on it and now only double road trains travel on it and there is no trouble whatsoever. The member for Moore does not have triple road trains travel through his electorate.

Mr McNee: Of course I do. You don't know what you are talking about.

Mr LEAHY: Is Wubin in the member's electorate?

Mr McNee: Yes.

Mr LEAHY: I suggest the member go back to his electorate and talk to the people there.

Mr McNee: I have.

Mr LEAHY: The member has not spoken to any truck drivers, because there has been no benefit to truck drivers or to subcontractors. The only people who benefit from triple road trains are large transport operators.

Mrs van de Klashorst: What about keeping down the cost of goods?

Mr LEAHY: There has been no reduction and there will be no reduction. For the benefit of members, I repeat that only double road trains travel on the east-west link and, until a few years ago, only single trucks travelled on it.

Several members interjected.

The DEPUTY SPEAKER: Order! The debate has livened up and that is probably a good thing. However, there are too many interjections, which is making it very difficult for the member, although he has fielded some of them which has added to the debate. However, it has now become a little ridiculous.

Mr LEAHY: Thank you, Mr Deputy Speaker, I appreciate your support.

Mr Bloffwitch interjected.

The DEPUTY SPEAKER: Order! Member for Geraldton.

Mr McNee interjected.

The DEPUTY SPEAKER: Order! Member for Moore.

Mr LEAHY: While members can hear what I am saying, I will repeat that -

Several members interjected.

Mr LEAHY: - the cheapest road freight at this time in Western Australia is east-west. On the west-east route the biggest configuration is double, not triple, road trains. On the east-west route, until a few years ago, single articulated vehicles - not even double road trains - were allowed. That is the cheapest freight in Western Australia. Members opposite should not tell me that economics demand road trains be increased to triple trains; that is a lot of bull dust. It is being done for the large companies who pass on none of the benefits to the consumers of Western Australia. Government members are pandering to their wishes, not to those of the people of Western Australia. They should

not try to con me, the subcontractors or the truck drivers, because they know the situation and the subject.

Mr Catania: Are the police supporting this?

Mr LEAHY: The police I know of do not support it. The heavy haulage division does not support it; that division faces enough difficulties trying to cope with double trains.

Mr Catania: Do you not agree it is hypocrisy for this Government to set up a road safety committee, yet agree with road trains going through metropolitan areas?

Mr LEAHY: I do agree with that. As I said earlier, they have already approved, without any consultation, triple road trains through the towns of Cue, Meekatharra and Mt Magnet against the objections of all three shire councils. Fifty kilometres of that road comprise single width bitumen. Vehicles are forced to move off the road altogether when confronted with another vehicle coming in the opposite direction. Two trailers have tipped over in the past few weeks. We are waiting for a fatality, which will happen because of a decision made by this Government without consulting the local authorities and after which it has moved for the establishment of a select committee.

Mr Omodei interjected.

Mr LEAHY: They ran off the road; one was a Key Transport Pty Ltd vehicle and the other was a Brambles Transport vehicle.

Mr Omodei interjected.

Mr LEAHY: It is only a single width road; the trucks must move off when a car comes from the other direction.

Several members interjected.

Mr LEAHY: That road must be significantly upgraded. No decision should have been made to allow triple road trains on that road until it was upgraded. The member for Geraldton will know that soon triple road trains will be allowed right into Geraldton.

Mr Bloffwitch: You should know that we have triple fuel carriers travelling out there now.

Mr LEAHY: Are they B-trains or triple fuel trains?

Mr Bloffwitch: They are triples going out to Mt Magnet, Wiluna -

Mr LEAHY: Are they triple articulated road trains?

Mr Bloffwitch: Yes.

Mr LEAHY: If triples are being used there, it is illegal. The only triples north of Perth are on Great Northern Highway, north of Wubin. No triples, only B-trains, are allowed to travel south of Carnarvon. If the member for Geraldton says that they are triples, he is wrong. He should speak to the member next to him. He does not - nor do the other members on that side of the House - know the subject.

Mr Bloffwitch: I have run a fuel agency for eight years, but I would not know anything about it!

Mr LEAHY: No member on that side of the House knows the subject. A decision will be made very soon to allow triple road trains in that area, but at the moment they are not allowed out of Geraldton.

Mr Bloffwitch: You should go and watch what goes into Mt Magnet.

Mr LEAHY: I know what goes into Mt Magnet. As I said earlier, I support the decision to set up a select committee; it is a good decision. However, it is being proposed 12 months later than it should have been. It should not have been as a result of the Helena by-election. The smile on the face of the member for Roleystone confirms what I am saying.

MR MCGINTY (Fremantle) [11.13 am]: The Opposition welcomes the establishment of a select committee to deal with aspects of heavy road haulage. It does so because of a

number of factors: Firstly, the essential issue is that it is a straight trade-off between safety and economics. Over the years significant concerns have been expressed about the hazards to property and pedestrians and people living and working near our roads if road trains are introduced into built up areas. The problems that have been expressed by experts in this field relate predominantly to the impact of the road trains on drivers on Perth roads. The Opposition sees the safety issue as one concerning the very large number of suburban road users who will come into contact with road trains - whether it be on the Roe and Leach Highways or other major highways around the metropolitan area leading to road train depots - when they are mixed with the Sunday drivers, parents taking children to school and people who are not used to giving a very wide berth to road trains.

People in the metropolitan area are not used to the braking requirements of the road trains, which are necessary because of their size and weight. Lane changing by road trains and their cargoes also represents a safety hazard to drivers on Perth roads. One need look no further than the recent very unfortunate accident in Kellerberrin. A road train with a dangerous chemical cargo was involved in a very unfortunate accident in the town. The cargo that vehicle was carrying posed a danger to the population of that town. It is of some significance that at the time, the road train was travelling through a 60 kilometre an hour zone. That is comparable to the speed limits that road trains will use if they are permitted into the metropolitan area.

When Labor was in power road trains were kept out of the metropolitan area for safety reasons. We will take some persuading on this committee, although we are always open to reasonable persuasion, that road trains do not represent an unacceptable threat to road users in the metropolitan area.

The second reason we have some concern about the establishment of this committee is doubt as to the true motivation of the Government. Although we welcome the opportunity to have these matters fully explored by a parliamentary select committee, we are aware that the policy of the coalition prior to the election was to facilitate the introduction of road trains into the metropolitan area. We make no allegation that this is in breach of a pre-election commitment. However, there is a blind commitment to expedite road trains into the Perth metropolitan area irrespective of the health and safety of the public as a whole.

It is quite significant that within a week of becoming Minister for Transport in February 1993 the Minister wrote to the Road Transport Association in these terms -

As I indicated to you during the lead up to the election and to initiate our transport policy undertaking, I have made arrangements concerning road train access to certain destinations in the metropolitan area.

I assure your association that I would like to see such access introduced as quickly as possible in order to improve transport productivity.

As a result of my inquiries, Main Roads will set up limited trials to test whether terminals at Canning Vale, Kwinana and Kewdale can be made accessible to road trains from country regions under controlled conditions.

Main Roads will establish a working party to advise which roads should be used in the trials and whether any road improvements are needed before the trials begin. The Commissioner of Main Roads will report to me by mid March.

That is a letter dated 23 February saying the Commissioner of Main Roads would report on this issue within three weeks. That was one week after the Minister, Hon Eric Charlton, came into office. That was the extent to which he was rushing headlong into the policy commitment without due regard to the impact on the public. The public very quickly became alarmed at the proposal and the Minister for Transport was forced to backtrack somewhat. He indicated that it involved a very limited trial of stock transport coming into the Midland area only. He said it would be very much confined to the outskirts of the metropolitan area because he realised that the full scale introduction he proposed to areas around Kwinana, Armadale, Kewdale and Canning Vale would cause

such a public outcry that it was politically unacceptable. At that stage the proposal was watered down to access to the Midland saleyards only. It was quite clear to everyone that that would be the Trojan Horse to securing the introduction of road trains into the metropolitan area generally.

In recent times the dual operation proposition came to light; firstly, in relation to the superphosphate trucks from Kwinana, via Thomas Road through the residential and built up areas of Armadale, to Bedforddale Hill Road. That proposal encountered massive opposition in the Armadale and Roleystone areas and that is the reason the local government authorities expressed their opposition to what I believe is an incorrect policy decision. That occurred at the same time it was proposed to introduce road trains into other parts of the eastern suburbs of Perth, in particular to the freight depots in the Kewdale and Canning Vale areas. This proposal met with similar opposition.

I express some doubt as to the Government's motivation because the establishment of this select committee is in response to the public pressure and opposition generated to the Government's policy. In other areas of government there has been a headlong rush into doing unpopular things without any community consultation. I certainly welcome the establishment of this committee because it is a recognition of the widespread concern in the community. I hope it will pull together, in a very public way, all the community concerns, as well as expert advice, so that a rational decision can be made about the implementation of this policy.

In other areas of Government activity - for example, the industrial relations legislation, the workers' compensation legislation and the young offenders' legislation which this House is in the process of finalising - there has been no community consultation. It was an ideological drive to implement a very unpopular policy and it has severely cut the Government's credibility.

The Opposition hopes that at this eleventh hour, on the question of road trains and heavy haulage transport having access to the built up areas of the metropolitan area, commonsense and proper analysis of the issues will prevail at long last and there will be proper consultation in a very public way. It is important because in the short time I have been the Opposition spokesperson on transport matters, I have seen associated with the question of road trains a mix of deception, denial of truths, and half truths by the Minister. For example, when the Minister's department wrote to local government authorities in the eastern suburbs of Perth indicating that he wished to initiate a trial of 36-metre long road trains throughout the eastern suburbs and he specified those suburbs,

I went along to the media to announce it to the public. My action was decried by the Minister, who said that I was misleading the public and there was no suggestion whatsoever of 36-metre long road trains coming into the metropolitan area and that he was referring only to pocket road trains, which are about two-thirds the length of the 36-metre long road trains, and that they would be confined to Armadale, Thomas Road and Kwinana for the purpose of transporting superphosphate to the farmers. With due respect to the Minister, that was a blatant lie because I had the letter to local authorities in the eastern suburbs in which he proposed the introduction of 36-metre long road trains. His denial came to absolutely nothing and he did his high office of Minister for Transport absolutely no good by attempting to mislead the public.

#### *Withdrawal of Remark*

Mr C.J. BARNETT: I do not want to make a major issue out of this, but from the way the member for Fremantle expressed himself I find it very difficult not to conclude that he was reflecting on both the upper House and the Minister for Transport.

The DEPUTY SPEAKER: I was pondering this matter. There certainly is a big distinction between the word "lie" and the word "untruth". The member was reflecting upon a Minister in another place. I ask the member for Fremantle to withdraw the word "lie".

Mr McGINTY: I withdraw.

*Debate Resumed*

**Mr McGINTY:** The incident with the Main Roads Department map followed. It was a current map used by the department for the purposes of briefing local authorities in the area. A document of that nature is a public document. I was given a copy of it immediately following the briefing by the Minister's departmental officers. I pointed out that the map indicated that road trains were proposed beyond Armadale and would travel extensively through built up areas. The Minister denied the existence of the map and said it was an old map. It is interesting that the department used it two days earlier to brief the local authorities in the area. Either the Minister is not telling the truth or he is clearly misleading the local authorities in that area. These are matters that should be brought out into the public arena. People must know whether a road train will be travelling past their front door regardless of whether that is in Armadale, Kewdale or other suburbs which will be affected by this proposal.

Unfortunately, a series of accidents have occurred which must be properly addressed in terms of safety. The point I raise is one of resources. I understand that the police have expressed their opposition to road trains in the metropolitan area for safety reasons. The Main Roads Department, at the direction of the Minister, is progressing the introduction of road trains into the metropolitan area. A number of academics have written papers or have done studies on the safety and economic benefits of the introduction of road trains into the metropolitan area. I hope the resources of all those groups of people will be made available to this committee so that not only will it have public input into the process, but also it will have expert input from relevant government departments, academia and the like.

I look forward to the committee's report and I hope that for the first time there will be openness and honesty in the debate and all the facts will be put before the committee, rather than the slanging match which has taken place to date.

**DR TURNBULL (Collie) [11.27 am]:** I am pleased that I have been asked to be a member of the proposed select committee on heavy transport. The proposed committee is of vital importance to the economy of this State. It will consider the most important factor confronting the mining, timber and agricultural industries; that is, the transportation of their product to the place of consumption. As the member for Swan Hills said in her presentation, heavy haulage is used to service the huge requirement for transport of exports and imports to and from the Eastern States.

One of the exciting aspects which has come out of this debate so far is the presentation by the member for Roleystone on the extent of the inquiry he envisages for the committee. One aspect is the comparison of the costing and benefits to the community of road haulage versus rail haulage. I can envisage the vigorous discussions that the committee will have on the benefits from rail haulage versus road haulage. Great vision is being applied to the rail system in America and other countries which could have application on the main rail links in Western Australia. Of course, they are the standard gauge rail links from the Eastern States to Perth, Kewdale and Kwinana, and there is also the possibility of standard gauge rail links between towns like Bunbury, Manjimup and Collie and the rest of the State. The proposed select committee will study an issue which is of vital importance to Western Australia.

The road haulage transport of the product of Western Australia in the past 10 years has doubled. This is a very good indication of the rapidly expanding economy of Western Australia. Unfortunately, many of the industrial and freight centres in the Perth metropolitan area can be accessed only from the hinterland using highways that were built when this type of heavy haulage was not in use. The highways go through built up areas, both commercial and residential, and that increasing traffic is producing conflict and concern within the community. It is only a perceived concern. The member for Armadale, the Deputy Leader of the Opposition, presented in the Parliament living proof that lack of information and understanding results in fear and concern. She was the epitome of that in her presentation this morning.

We need the select committee to, firstly, collect and collate the information and,



secondly, disseminate the facts. When people understand the facts of heavy haulage and what has happened to it as a result of deregulation, they will be able to address the issue better. The Minister for Transport constantly says that the fear of road trains is engendered because people do not know what road trains are compared with the rest of heavy haulage. Emotive descriptions of trucks with their brakes on fire outside schools is not indicative of road trains. Road trains require permits and the Minister can restrict them to exactly which roads they use, and at which times. During the trials no road trains have been able to travel during the times at which children are going to or leaving schools. Most of those trials restrict road trains to moving at night-time. The Minister has, as we all know, introduced limited trials for road trains carrying livestock from the north to the Midland stockyards on one specific route. Fortunately, that route is mainly on good roads except for an area in the Swan Valley. Those roads have been built to carry heavy haulage transport and road trains. Part of the problem with this debate is that some of the roads that must be used are not of high enough quality. The chairman of the proposed select committee addressed that as one of the issues the committee will be looking at.

Another trial that will commence very soon is the carting of fertiliser from Rockingham onto Albany Highway via Armadale. The member for Fremantle talked disparagingly about the Minister, and used quite unparliamentary language, which he had to withdraw. He said that the Minister had allowed 36-metre road trains to be involved in this trial. The member for Fremantle did not know the facts. He again was discussing rumour. The facts are that the type of trucks which cart that fertiliser are not 36-metres long; they are basically up to 26 metres. Fertiliser has different carting requirements to materials. The containers that cart fertiliser must take into account the centre of gravity of the load. These types of containers do not fit on 36-metre long road trains. Unfortunately, this whole issue is about perceptions and fears, and not about the facts. One of the reasons why we must have the select committee, and why the Minister for Transport welcomes the select committee, is that it will be able to sort out the facts. The member for Armadale cannot face the facts either. The Deputy Leader of the Opposition quoted a document on B-double trucks and said that studies had shown that it was possible for an overloading of the axles of B-double trailers to occur. Then, in a slightly lower voice, although fortunately she was not so dishonest as to not continue reading from that document, she stated that there was no evidence that this had happened. It is the fear of what may happen that is the problem with the debate about road trains. Heavy haulage is a problem. Certainly many trucks, including semitrailers and trucks with trailer combinations, have general access to metropolitan roads and do not require permits or licences to use those roads. Many people, particularly the transport operators, will be afraid that the select committee will be looking at regulating them. However, most heavy haulage operators are extremely sensible. They do not want to take their trucks down metropolitan side roads. They have a great sense of responsibility as well. Their livelihood and investment is based on their trucks, and that is an important consideration for them. As the member for Kimberley knows, truck operators have their own ethos, culture and code of ethics. Those involve a strong responsibility towards other people on the roads, towards individuals and their own equipment and means of livelihood.

Part of the reason for the select committee is to allay the fears fuelled by the Opposition. The trials on road trains are necessary. They are being conducted under very strict conditions.

Another issue that will be addressed by the select committee includes the efficient use of the State's rail and road infrastructure. The committee will address the provision of infrastructure. The problem is the huge amount of capital of the State which is tied up in infrastructure, road and rail. The chairman came up with a very interesting proposition that we might have to separate from rail's actual operating costs the debt that is owed on the capital cost of the infrastructure. That will be a difficult comparison because the capital infrastructure for rail is a state responsibility, whereas the capital infrastructure structure of the roads is dependent on the grants we get from Federal Government. When we receive from the Federal Government only 7¢ of the 33¢ we pay for fuel tax to spend

on construction in Western Australia, that creates a severe disadvantage for the Western Australian Government and a huge problem in determining in which capital infrastructure to invest. A classic example of an investment in capital infrastructure is the northern suburbs railway. Despite the fact that the railway will cost the State \$44m per annum to run and will return only \$14m per annum for umpteen years, the State has made that investment in rail and that investment will be in place forever. When we take into account the fact that that railway will still be in operation in 100 years, it will prove to be a very good investment for the State.

I agree with the chairman that perhaps we do need to look at capital investment in railways as being of more long term benefit to the State than capital investment in roads. This select committee will be of immense value to Western Australia. It will discuss the immediate, medium and long term requirements of capital infrastructure in roads and rail for this State and will allow the important facts to be presented. I hope the committee will reach bipartisan agreement on planning for the long term requirements of this State. I am pleased and honoured to be asked to be a member of this committee, and I will ensure that the interests and requirements of the productive sector of Western Australia are well aired and presented to the committee for the long term benefit of the economy of Western Australia.

**DR WATSON (Kenwick) [11.42 am]:** This issue is raised with me frequently by my constituents, particularly those who live in East Cannington and Beckenham. The increasing use of heavy haulage vehicles has been of concern for some time, particularly on a number of roads which connect between the Perth-Armadale railway line and Welshpool Road. Each of those roads is a straight length of about 2.5 kilometres, with little traffic management or control. These roads are intersected by other roads at right angles, and that provides an opportunity for many drivers to speed and to slow down only at the stop signs at those road intersections. Frequently, there are near misses, and far too frequently there are collisions.

I acknowledge that the issue of road trains gives rise to a number of emotions, including fear, as the member for Collie has stated. With our experience of traffic management and the renowned discourtesies that are too often attributed to Perth-based drivers, we can predict that accidents will occur. We have had the tragedies at Greenmount Hill, at the intersection of Roe Highway and Kalamunda Road the other day, and at the intersection of Thomas and Nicholson Roads yesterday.

**Dr Turnbull:** You must admit that is not about road trains.

**Dr WATSON:** I am talking about heavy haulage. That causes an enormous amount of concern, and that will be the focus of my brief contribution to this debate. I am sorry that it took a by-election to prod the Government into establishing this select committee. We have raised concerns for several months about the way in which the Minister for Transport introduced the trials for road trains in Midland. A number of members of this House were present at a meeting in Midland, convened by Hon John Halden from the other place, to discuss with people from the road transport industry and the Department of Transport, and academics, the implications of trialling road trains firstly in Midland and then extending those trials to Bedfordale and Albany Highway. The member for Fremantle raised the issues of economics versus safety and country versus city, and also the issue of fear that has just arisen.

I return to the issue of heavy haulage in my electorate. The quickest route for truck drivers travelling between the Welshpool, Kewdale and Canning Vale industrial areas is along Nicholson Road, William Street and Welshpool Road. Recently, the first of a five stage extension of Roe Highway was opened. Roe Highway will be extended through my electorate in two more stages. However, the Government has seen fit to reduce the priority which the previous Government gave to that construction, and we are all unsure of the completion date for stages 2 and 3 of the Roe Highway extension. This means that heavy haulage transport now comes straight off Roe Highway from Midland into William Street, which is 2.5 kilometres long, with houses along both sides, with the exception of a small shopping centre and doctor's surgery on one side. It also has a crossing which is

used by a lot of pedestrians to go to both the railway station at Beckenham and the primary school. For the eight years that I have represented that area, people from William Street have expressed to me their concern that speeds are not checked as frequently as they would like to see and also their concern about the increasing number of trucks which use William Street. They now fear that the trucks which come off Roe Highway will exacerbate all of the problems which they have been experiencing for many years and that it will not be until stages 2 and 3 of the Roe Highway extension are completed that they can hope for any relief. That is a serious problem.

Mr Cowan: Have you talked to your federal colleagues about this?

Dr WATSON: I have spoken to the Minister for Transport, because the State Government now gets the money and sets the priorities. That is where the problem lies.

Mr Cowan: That is not right. We do not get the money.

Dr WATSON: Heavy haulage and motor vehicles do not mix; I have given three examples of that. Heavy haulage and pedestrians of all ages do not mix. It deters people from walking and cycling, and it puts a huge onus on the parents of primary school aged children in particular, and on people who have family members who are disabled or frail, to ensure that they are always escorted in these streets. In saying that, I hope the select committee will examine the regulation of routes and the times when heavy haulage can use suburban streets. I have long been an advocate for the designation of routes for trucks which are carrying chemicals and other potentially hazardous loads. We have just had an example of what could happen, in Kellerberrin, where a truck ran off the road, went through a house and overturned, spilling a very dangerous cargo. I have long had concerns, since my days as an occupational health and safety consultant, about the way in which trucks carrying dangerous cargoes have literally been able to go anywhere and at any speed. This select committee will be bound to look at that because the people who will be giving evidence to it will bring forward those issues.

The drivers of heavy transport vehicles have been the subjects of a study by WorkSafe Australia about their occupational health and safety. It is important that those considerations are taken into account because they relate to the health of people who are driving for hours and hours on end, who are persuaded by workplace or individual contracts to make a delivery within a certain time - the time provided might not be sufficient to enable it to be done safely - and to drive during the night. These issues relate to work in the heavy haulage industry. When we bring those types of goods into built up areas, into suburban areas, we increase the risk for everybody. I urge the committee to make those considerations, to ensure people come before it who can give the kind of evidence to enable it to make sensible decisions. I support the establishment of the select committee and believe the beauty of this way of working in the Parliament is to obtain bipartisan agreement. I hope that works, and works well.

MR RIPPER (Belmont) [11.52 am]: I hasten to assure the member for Roleystone that my remarks will be only brief. I contribute to the debate because part of the Government's plan seems to be to have road trains come into part of my electorate. It is important that my constituents' views on this matter are put before the House as we debate the establishment of this select committee. The motion to establish this select committee is the Government's response to a political problem. The clear view of people in our suburbs is that they do not want to share their roads with road transport.

Mr Cowan: They are not their roads; they are public roads.

Mr RIPPER: They do not want to share the public roads in their localities with road transport vehicles. The difficulty of the Government is that that is precisely what it wants to see. Despite all of the denials, all of the twists and turns, the Government has steadily pursued this objective of allowing road trains into the metropolitan area on what the Government says are government roads.

Mr Cowan: On designated roads.

Mr RIPPER: The truth of my statement still stands: The Government wants to deliver to the road transport companies. The difficulty is that the public in the metropolitan area

through which the road trains are to travel does not want that to happen. The Government, through the motion of the member for Roleystone, has sought to establish a select committee. The Opposition does not oppose that select committee, but we say that although a select committee might delay the Government's problem, it will not resolve it. In the end members of the public in the metropolitan area where road trains are proposed will not accept that they should have to share the roads that they use every day with these very large vehicles.

Before the last election, when it was in opposition, the now Government did not tell the people of Belmont that road trains were proposed. In fact, government candidates, when in opposition, were very sympathetic to the traffic problems that people experienced. What will government members be saying to the people before the next election? I do not think the select committee will solve the political problem of the Government. There will be a double effect on safety: Firstly, the family drivers will have to share the roads that they use every day with these very large vehicles.

Mr Cowan: As we do in the bush.

Mr RIPPER: Does the Deputy Premier see a lot of lane changing in the bush? Is that the sort of thing his constituents experience?

Mr Cowan: We have single lane roads but will have road trains on them.

Mr RIPPER: Does the Deputy Premier have traffic lights, lane changes and high density use of roads?

Mr Cowan: Other factors must be taken into account - and you know it.

Mr RIPPER: Conditions on Tonkin Highway at rush hour are a little different from those in the main street of Merredin or on a highway outside the metropolitan area. Those different circumstances will create a hazard for people who live in the electorate I represent in this Parliament.

Secondly, there will need to be significant expenditure to alter the layout of intersections which will be used by road trains. That expenditure could be spent on ameliorating other road hazards, other black spots, around the metropolitan area. Instead of the funds being used to improve road safety for people whom I represent, it will be used to introduce a further hazard to their safety in their district. I think we will find that whatever the outcome of this select committee the Government's political problem will not go away.

I will deal with the first part of the proposed terms of reference; that is, heavy haulage within the metropolitan area. I support an examination of that problem. Belmont is an inner city area, one where residential development is cheek by jowl with industrial development. There is a problem with trucks in residential streets. Belmont City Council has made strenuous efforts over the years to protect local residents from through traffic to the extent that if foreigners come into Belmont, it is sometimes a bit hard for them to find their way through the culs-de-sac and so on. The council has tried very hard to confine the traffic to Tonkin Highway, Leach Highway, Orrong Road and Great Eastern Highway, with Abernethy Road being the only through road in Belmont. People driving trucks are particularly ingenious at finding short cuts. I receive quite a number of complaints from residents in particular streets about the use by trucks of those streets. Often it is inappropriate for trucks to be using those streets; nevertheless, there is an advantage for a driver to use a short cut and the residents then suffer. I think some examination of what can be done about that problem would be most welcome. That is one reason that I am particularly supportive of the proposal to establish a select committee, as least in relation to paragraph (a) of the motion.

Mr Board: I am not sure whether you would be aware that under your Government an interdepartmental working party met for six or seven years, to come up with methods to avoid heavy trucks in residential streets. Those people met for seven years and in 1988 a set of guidelines was prepared for your Government to act on and included a range of changes, including those about weight and length of trucks using residential streets - and nothing happened. It just sat there and it still sits there.

**Mr RIPPER:** I am grateful for the interjection. It almost merits the status of a speech. Regardless of the history, some action needs to be taken in my electorate. If action was not taken in the past, it was because obstacles had to be overcome. Hopefully the proposed select committee will overcome those obstacles. It is not an easy matter to address. The proposal will face some resistance from the transport industry. However, we have the responsibility to promote the quality of life for people who live in our electorates. This problem exists in my area, and I hope that the select committee can deal with it.

**MR TUBBY** (Roleystone - Parliamentary Secretary) [12 noon]: I thank both opposition and government members for their support for the establishment of this select committee. A number of opposition members stated that the only motivation for the select committee was the Helena by-election. I can assure the Opposition that was not the motivation. This problem has been ongoing for a number of years. As I stated earlier today, the issue of road train access to the metropolitan area brought the matter to a head in the public arena. The public wants a say on heavy haulage transport within towns, on country roads and metropolitan streets. The select committee will provide an avenue for people to have a say. The retirement of Gordon Hill had nothing to do with the establishment of this select committee. It is all about the public being able to express a point of view. Also it will be an avenue for the select committee to assist in the education of the general public regarding the important role that the transport industry plays in the total economy of our State. Arguments have been put forward by people in various areas, both metropolitan and outside, that are fairly short term and narrow in outlook, and counterproductive to the future development of the State. The public should be informed about all issues, and the member for Collie made valid points in that regard.

I turn now to the action groups that have been working in and around my electorate. I understand the concerns expressed by the member for Armadale. I live in Bedfordale. For 10 years, my wife, my children and I have travelled up and down that highway. People who have lived in Bedfordale for a number of years are not the people who have raised their concerns with me. We have become accustomed to heavy haulage using that road. We know the danger spots, and we know where it is safe to pass those vehicles. We know the spots where the newcomers cause a hazard by being impatient and not waiting to reach the passing lane. We live with that situation daily. The majority of the long term residents accept the situation. The people who object most strongly are those who have not lived with the situation for years. They are new to the area, and until they become used to the situation they will continue to fear the fact that they must share the road with heavy vehicles. The heavy vehicles go down that seven kilometre strip, which is a gentle slope to the lights, at a very steady pace. At most, that adds about five minutes to my journey into town. If we allowed the individual heavy vehicles to travel down connected up, we would halve the amount of heavy traffic on the highway, but we would save the vehicles five hours' operator time.

**Mr Riebeling** interjected.

**Mr TUBBY:** There is no question about that. The bigger and heavier the vehicle, the longer the braking distance when stopping. If we allow the vehicles to operate on the road we need to engineer the roads to handle them. It is not an insurmountable problem. It can be overcome if we can convince people of the economic advantage, as well as the safety advantage of vehicles going down the hill in a connected state rather than as blocked trucks hauling single trailers at a time; that in the long term it will be safer and better for the vehicles to travel in a chain rather than individually, and will result in a good service for the community.

**Mr Riebeling** interjected.

**Mr TUBBY:** We should not ask the truck drivers; we should look at the research. The vehicles need longer distances to stop, but that hill is not comparable to the Greenmount area. From the top to the bottom may be the same distance but in Greenmount it is spread over probably a couple of kilometres; in Bedfordale it is over seven kilometres. That is the major difference that people tend to overlook. The select committee will need to consider that situation. The establishment of the committee will be a double-edged

sword. It will be all about listening to public concern but also it will be about educating the public regarding the important role transport plays in our economy and the need for compromise. These issues will be matters for consideration by the select committee.

The member for Collie took care of some matters. The fertiliser hauliers do not operate 36.5 metre road trains. They operate 26 metre road trains, for a number of reasons. A lot of misinformation has been placed in the public arena regarding the operation of road trains. When road train access was first mooted, my telephone was almost jumping off the hook because people thought they saw road trains all over the place. However, they were not road trains; they were B-doubles or they were rigid trucks hauling dog trailers. Those vehicles have been on the roads for at least 15 years. So, people must be educated about what constitutes a road train.

As to the safety aspects, from all the reading I have done on the subject, because road trains are so heavily regulated, are restricted on the routes they can use, and operate under a permit system, their safety record is far superior to other areas of heavy road haulage. Perhaps the select committee will need to look at the regulation of other heavy haulage operators. Perhaps it will need to look at the supervision of regulations, because road train operators already have that supervision. Road train operators already have regulations and operate under permits. Perhaps that system needs to be expanded. Perhaps the committee should consider who will do that, and whether it will be the Department of Transport or the Police Department. That will be a matter for the committee. In some areas of operations, the Police Department has that responsibility. My experience with the Police Department is that few officers understand very much about heavy haulage vehicles. It is too difficult for the police to come to terms with the situation, so they tend not to supervise. The Minister is taking action to try to transfer to the Department of Transport the responsibility for the regulations and the supervision of them. I agree with that move. I hope that the committee will arrive at the same conclusion after considering all the evidence. Perhaps the police are not the correct people to supervise; perhaps experts in the field who know about heavy haulage would be the better people to control the system.

There is a range of issues not just connected with road trains, on which most of the debate was centred, but with the whole operation of our road and rail heavy haulage system that must be considered by the committee. We must determine policies to look after the safety and environmental aspects and address the public concerns. We must try to educate the public about the importance of transport in our economy and the need for compromise without compromising safety. The committee will look at all these issues, not just the sole issue of road trains on which most of the debate has centred. I thank members for their support for the establishment of the committee and look forward to working with the members who will be elected to it.

Question put and passed.

## **PAWNBROKERS AND SECOND-HAND DEALERS BILL**

### *Second Reading*

**MR WIESE** (Wagin - Minister for Police) [12.12 pm]: I move -

That the Bill be now read a second time.

This Bill repeals the Pawnbrokers Act 1860, the Marine Stores Act 1902 and the Second-hand Dealers Act 1906. This Bill makes provision for the licensing and regulation of pawnbrokers and second-hand dealers. In line with the Government's commitment to law and order, this legislation is primarily aimed at putting a stop to the trade of stolen goods through the pawnbroking and second-hand dealing industry which costs the community millions of dollars each year. In recent years there has been widespread community concern that pawnbroking and second-hand dealing premises are used extensively for the disposal of stolen goods. Indeed, in the last financial year, stolen property recovered by the Police Department's CIB dealers squad totalled more than \$275 000, and since 1989 more than \$1.6m worth of goods have been recovered. This

does not include stolen property recovered by other sections of the Police Force such as local police stations, the anti-theft squads and general duty police.

To their credit, major sections of the industry have taken positive measures to address the problem of stolen goods being traded through their industry. Although any measures which are initiated by the industry are certainly most welcome, they do not overcome the problems caused by the inadequacy of the present legislation, some of which is more than 130 years old. The existing legislation is in desperate need of reform. The existing Statutes may have been adequate 100 years ago for the licensing and regulation of these industries. However, due to the increase in the number of licensed operators, the increase in our population and the quantity of stolen goods circulating in the community, this is no longer the case.

Various reviews have identified difficulties within these Statutes in respect of recording of goods traded, licensing, consumer protection, police powers and enforcement. The Law Reform Commission of Western Australia conducted a major review of the Pawnbrokers Act 1860 and in 1985 produced its report. In 1990-91 the Police Department conducted a review of the Marine Stores Act 1902 and the Second-hand Dealers Act 1906 which included invitations from the public to make submissions. That review contained recommendations for proposed amendments to these Statutes. In late 1993 a working group with representatives from the Police Department and Ministry of Fair Trading examined all previous reviews, submissions and recommendations and finalised a proposal which was submitted to me in February 1994.

This Bill addresses the problems identified in these reviews by -

- (1) establishing a clearly defined licensing process and ensuring that only suitable persons are licensed as pawnbrokers and second-hand dealers;
- (2) detailing the rights and obligations of pawnbrokers and second-hand dealers;
- (3) providing consumers with clearly defined rights, obligations and judicial remedies; and
- (4) affording the police effective powers, which I will outline later in this speech.

The Bill also significantly increases the penalties for offences against the Act. Currently the maximum penalty available under the Pawnbrokers Act is a fine of \$50, under the Second-hand Dealers Act a fine of \$20, and under the Marine Stores Act a fine of \$20 and imprisonment not exceeding six months. This Bill provides for a range of penalties with the maximum for individuals committing offences being a fine of \$5 000, and the courts having an option of handing down sentences of 12 months' imprisonment. For corporate bodies a fine of \$20 000 is provided.

Part 1 contains the preliminary provisions of the Bill. There is authority in this part to exempt by regulation persons dealing in certain goods or classes of goods from all or any of the provisions. Consideration is presently given to providing such an exemption for the majority of goods, or marine stores, traded by marine collectors and marine dealers. This will have the effect of exempting the majority of marine collectors and marine dealers from the requirements of the Bill. Where a marine collector or marine dealer trades in goods not included in the exemptions, it will be necessary for a second-hand dealer's licence to be obtained.

Part 2 of the Bill provides that the Commissioner of Police is responsible for licensing pawnbrokers and second-hand dealers. This legislation will make it tougher for pawnbrokers and second-hand dealers to get a licence and easier to revoke the licence if there are any breaches of the new laws. Extensive character checks will be conducted into both the individual and the business entity before a licence is issued or renewed. There is provision to suspend, revoke or disqualify a licence where the holder has committed an offence, or is found to be no longer suitable to hold a licence. This will overcome an anomaly that exists in the current legislation because in most circumstances a licence cannot be revoked or removed until it is due for renewal. There is a safeguard in the Bill where there is a dispute in relation to a decision made by the Commissioner of Police concerning a licensing matter. That safeguard is the provision of an avenue of

appeal for an aggrieved party through a Court of Petty Sessions. The court is empowered to maintain or vary a decision of the commissioner.

Part 3 of the Bill deals with matters relating to entering into a contract with pawnbrokers and second-hand dealers. Before entering into a contract the pawnbroker or second-hand dealer will be required to establish that the client is 18 year or older, and be satisfied as to the identity of the person by sighting a photographic driver's licence, a passport, a proof of identity document issued by the commissioner or other documents as may be prescribed by regulation. The pawnbroker and second-hand dealer will be required to maintain records of all transactions, including the details of the client and the identification documents produced, together with detailed descriptions of all goods received.

Mr M. Barnett: Would that be for sales as well?

Mr WIESE: Yes.

There is provision to allow the Commissioner of Police to require pawnbrokers and second-hand dealers to produce copies of their transactions in a manner and at a frequency prescribed by the regulations. This may occur by means of electronic data transfer.

Part 3 provides pawnbroking clients with the right of access to the commercial tribunal in respect of contracts that are considered harsh, unconscionable or oppressive, or where the interest rate is excessive. In such circumstances the tribunal may set aside part or all of the contract and make consequential orders for the repayment of money and redelivery of the goods. Pawnbroking and second-hand dealing clients will have access to the Small Claims Tribunal, provided the value of the goods is within the scope of the Small Claims Tribunal Act.

Part 4 of the Bill contains provisions that will enable police to enforce the legislation effectively. In the past, police have been hampered in their operations because the records which are currently required to be kept by pawnbrokers and second-hand dealers do not provide sufficient information about the goods or the identification of the person pawning or selling the goods. This Bill will enable police to enter and inspect the premises of a pawnbroker or second-hand dealer, including all storage areas. Police will also be able to inspect the transaction records of pawnbrokers and second-hand dealers, and be empowered to seize goods that are reasonably suspected of being stolen. It will also be possible for police to issue a notice to stop a pawnbroker or second-hand dealer from altering or further dealing with property which is suspected of being stolen.

Part 4 provides that a court of petty sessions may issue orders for the disposal of property in the possession of a pawnbroker or second-hand dealer where there is a dispute in relation to the ownership of the goods. Part 4 of the Bill also provides that a licensee is held responsible for any offence committed by an employee or agent as though he had committed the offence himself and is liable for the penalty as though he himself were the offender. Part 4 also allows for infringement notices to be issued for prescribed offences.

Part 6 deals with several miscellaneous matters including provisions to enable regulations to be made. Schedule 1 contains several important transitional matters which ensure that contracts entered into before the repeal of the existing Acts remain valid, and that licences issued under the repealed Act will continue to have effect until the licence expires.

The legislation will go a long way to ensuring that the pawnbroking and second-hand dealing industry cannot be used for the purpose of disposal of stolen property, and it will assist police in recovering stolen property and identifying those responsible so that they can be properly dealt with by the courts. The new legislation will provide much improved licensing and regulation of pawnbrokers and second-hand dealers, and the added protection for consumers who utilise this industry. It will have a substantial impact on crime throughout the State by making it more difficult for persons to dispose of stolen property. I commend the Bill to the House.

Debate adjourned, on motion by Ms Warnock.



**YOUNG OFFENDERS BILL***Third Reading*

Resumed from 21 September.

**MRS EDWARDES** (Kingsley - Attorney General) [12.23 pm]: I shall summarise and outline the major changes which will occur through this legislation. I mentioned in my remarks yesterday that the legislation will provide a number of gateways to screen out minor offenders from far more serious offenders within the system. It amalgamates into one piece of legislation many aspects relating to the juvenile justice system. It transfers the juvenile justice system away from the Child Welfare Act, which will be required to be considered in a new light.

The Bill also enumerates many principles relating to United Nations' conventions, particularly clause 7(k) which relates to article 20.1 of the Beijing Rules. Some criticism has been made by members opposite that the legislation breaches United Nations' conventions, but that is not true - it is consistent with those conventions. However, I would be the last to indicate that our legislation should be based on any United Nations' convention; I firmly believe that Western Australians should determine Western Australian law. Nevertheless, the principles outlined in the United Nations' convention are recognised and endorsed in the Bill.

The Young Offenders Bill will change the system of recording convictions. Unless exceptional circumstances are involved, all serious offences will be regarded as convictions. The legislation defines "responsible adult", a notion introduced into the system through the Bail Act amendments. Some exemptions are provided. It clearly specifies the responsibilities and obligations of an adult regarding his or her child when involved with the juvenile justice system. Also, the State has an obligation to notify responsible adults as soon as a child enters the system. That is a key feature of the Bill. It places responsibility back on the parent and on the State, rather than the *in loco parentis* approach of the previous system.

The legislation consolidates the use of notices to attend as the preferred means of bringing a juvenile to court. This aspect has been under discussion for some time and the legislation brings into play the consolidation and use of cautions, but places limits on the frequency of their use in relation to the offence involved.

The legislation introduces the major Government initiative of juvenile justice teams. Members opposite have been critical that this will not provide the same type of family conference system found in New Zealand. However, we are providing a system which will meet the needs of the Western Australian community and its young offenders. As such, we will provide a far more flexible, and thus efficient, system than that used in New Zealand. It must be recognised that the New Zealand system deals with care and protection, and that was never intended for our system. Also, the seriousness of the offence brought before the family group conference system in New Zealand is a little different from those that will be dealt with by juvenile justice teams in this State. Simply, lesser types of offences are dealt with by the police in New Zealand, which is similar to the South Australian situation. Our legislation is a mixture of systems which is unique to Western Australia. It is a very good balance. We look forward to establishing two new juvenile justice teams in the near future within the metropolitan area. We are also looking to extend into country regions with a flexibility to meet the needs of the community.

The legislation will repeal the juvenile panel, which no-one believes has been effective. The juvenile justice teams will bring victims, parents and juveniles together to reach agreement. Under the legislation penalties must be agreed unanimously by all parties, and that will ensure that young offenders accept responsibility and that victims are involved in deciding the type of penalty levied. We have seen initiatives made with the type of penalties involved. These cannot be given by the courts and are more appropriate for young persons and the offences involved. Some significant provisions relate to support for the juvenile justice teams. Some of the amendments to the original Bill have

been in response to community feedback. For example, such feedback led to the minimum composition of the juvenile justice team when dealing with a matter being clarified; namely, it will comprise the offender, the responsible adult, the victim - if he or she wishes to participate - and the statutory members. Also, the coordinator will have the power to appoint other members as required.

More safeguards have been placed in the legislation to ensure appearance before a team does not prejudice subsequent court hearings on the same matter. Again, this amendment arose through consultation. The range of penalties available to the courts has been extended significantly under the legislation. A range of community-based order conditions and a range of intensive youth supervision order conditions will be introduced, and this will ensure that the Bill is consistent with the proposed sentencing Bill. It provides options for community service orders, which are sometimes seen to be the weakest of all options. The provisions will be balanced with the more serious penalties involving detention or a fine if deemed to be more appropriate.

The Bill provides for a far more intensive supervision order, and a middle range which provides flexibility for the judiciary to apply a penalty to clearly meet the needs of the young person in light of the offence and the behaviour involved. The range will include dismissals with conditions, dismissals without conditions, bonds, fines, youth community-based orders, work camps, and detention sentences. The Bill introduces provisions to support the placement of young offenders over the age of 16 years in a work camp, provided they previously have been neither convicted of a prescribed offence nor sentenced to detention. The Government believes that is worth trying. It can operate as a circuit breaker to turn some of these young people around, whether or not it is their first offence of a serious nature or they have been offending for some time but it is the first time they are considered for detention. Before they get into that cycle and mix with hardened criminals, we want to give them a last chance to turn the situation around.

Also, the Government has introduced a parole system for juvenile offenders called the supervised released program. This will eliminate remission for juveniles on detention sentences. In relation to the parole system, it has always amazed me that when juveniles have been released from detention, they have been released back into the community without care and supervision. Often a young person released in those circumstances will be back in detention within 24 hours. The parole system will enable young people to integrate in the community with support and to continue meeting the conditions of their parole, which may include further education or training or getting a job. Whatever those conditions are, the young people will be supported in their endeavours not to re-offend. Often examples come to my attention, such as the young person who said he wanted to enrol at a TAFE college. He said he wanted some training in order to get a job but if he tried to enrol, he would be arrested because there were two warrants out for him. These kids want the opportunity to change the course of their lives, and through the juvenile justice system we shall meet the needs of those young persons, as well as the interests of justice. That is the balance we must strive for. We are putting the emphasis on justice rather than welfare. Young people must acknowledge their offending behaviour and must face the consequences before they can move on with their lives.

The Government has also introduced an alternative to the totally ineffective Crime (Serious and Repeat Offenders) Sentencing Act. This change provides for a sentence of 18 months - 12 months' detention and 6 months' supervised release - to be made cumulative to any existing sentence for certain repeat serious offenders. The definition of such an offender involves conviction for a defined serious offence, as well as evidence that the offender has previously served at least two separate periods of detention. The application for this special order is to be made by the Director of Public Prosecutions and can be defended by the offender. That is one of the real initiatives in this Bill. It provides for choice and for discretion on the part of the judiciary officer. Therefore, a serious and repeat offender, who obviously needs a level of support in detention to address his or her offending behaviour, may be the subject of a special order.

The Bill also clarifies the role of detention centre visitors and visiting justices. It provides for an extended range of processes for dealing with detention offences. The

Government has introduced major changes into the juvenile justice system, which changes do not just involve the training of those people looking after the juvenile offenders and the programs in place in the detention centres. All those programs, which will be seen as circuit breakers to deter people from becoming serious offenders, will be introduced into the system. Similar programs have been operating in the adult system for some time.

The Young Offenders Bill clearly reflects the coalition's tough but fair policy. It is tough for serious and repeat offenders, in an endeavour to give them the assistance they need while protecting the community at the same time. It is fair because of the major initiatives for diversionary programs for separating minor offenders from serious offenders and providing alternatives to prison or detention. Although some of those provisions, such as supervised release programs and no remission, may be regarded as tough, others, such as the principles and the juvenile justice teams, can be seen as fair. I commend the Bill to the House.

Question put and passed.

Bill read a third time and transmitted to the Council.

### **SKELETON WEED AND RESISTANT GRAIN INSECTS (ERADICATION FUNDS) AMENDMENT BILL**

#### *Second Reading*

Resumed from 11 August.

**MR GRILL (Eyre)** [12.36 pm]: This is simple legislation which should not delay the House for too long. However, the simplicity of the legislation should not belie the seriousness of the problem which this Bill and the parent Act seek to overcome. I refer to the threat to Western Australia of, firstly, skeleton weed as a pest and, secondly, certain insects which are resistant to certain insecticides, constituting another pest and another significant threat to the grain growing industries of Western Australia, of which the wheat industry is the largest. The parent Act came into existence in 1974 and it put in place a levy which was, and still is, collected from all seed and grain growers in Western Australia who produce more than 30 tonnes of grain a year. The present levy is at the rate of 10¢ a tonne. The majority of the levies for that fund is applied to eradicate skeleton weed in Western Australia; that is, all except \$20 000 which goes to eradicate certain insects which are resistant to certain insecticides. The insecticide generally used in Western Australia by the Grain Pool is Phosphene, and most of the silos are fumigated with that chemical. Certain insects have over the years built up a resistance to Phosphene, and the \$20 000 from this fund is applied annually for the eradication of that group of insects. The payment of that \$20 000 from the skeleton weed eradication fund came about by amendment to the Act in 1980. Until that time, the whole of the fund was applied to the eradication of skeleton weed.

Over the years a series of amendments have been made to the legislation. That succession of amendments has been directed to the continuation of the fund. Criticism has been made of the fund, and of the handling and management of the program over many years, and questions have been asked about the program's efficacy and efficiency.

The legislation, after its most recent extension, expires on 31 October this year. In the interim period the Government put in place an inquiry into the operation of the skeleton weed eradication fund. That inquiry was conducted by one of the members of the coalition in the upper House, Hon Murray Criddle. With a number of other members of a review committee drawn from rural areas, a report dated May 1994 was produced which is under review by rural industries generally. That further review of the report will not be completed until some time after 31 October, the expiry date of the legislation. As a consequence, it is thought necessary to extend the operation of the fund for at least 12 months. The Government will then have completed its final review of the legislation and will have set in place a new regime to operate in the eradication of skeleton weed and resistant insects. That review is well documented in the report dated May 1994.

The approach adopted by the committee was to consider the situation in Western Australia in the event that there was no skeleton weed eradication fund and no skeleton weed eradication program. Two scenarios were considered: The first was a worst case scenario, and the second was a "half way" scenario. The worst case scenario contemplated a situation where two-thirds of the wheatbelt would be infested with skeleton weed. The "half way" scenario considered a situation where approximately half of that area - that is, half of two-thirds - would be infected with skeleton weed.

Skeleton weed is a problem in other States, which do not have the same eradication program or eradication fund that we have in Western Australia. In that respect, country and rural members of this Parliament will understand that a number of exotic pests and diseases are not problems in Western Australia and do not infest this State, but they are problems in other States and infest areas of other States. By and large, that is the case with skeleton weed. It is a problem in other States but is not a problem here.

We have endeavoured fairly successfully to keep skeleton weed under management control in this State since the inception of the legislation in 1974. The review indicates that the grower groups support a continuation of legislation of this nature and an extension of one year. To consider the worst case scenario in Western Australia, as set out on page 4 of the report of the review committee, we find that a worst case scenario would see a problem of a dimension of about \$116m per annum in Western Australia. The scheme set up under this Act would have a cost benefit ratio of about 9.5 to 1, and an internal rate of return of 24 per cent, which is a healthy rate of return. The "half way" scenario presents a problem of \$57m per annum to Western Australia, a cost benefit ratio of 5.2 to 1, and an internal rate of return of 20 per cent, which is once again a very healthy rate of return. The worst case scenario contemplates a situation where two-thirds of the State is infested with skeleton weed. The fund has had some success in the sense that the area under infestation has been kept to a minimum. Some 129 farms have been declared skeleton weed free after initial infestations - the period after which such a declaration can be made is three years - and the area which has been infested by skeleton weed has been kept to a fairly small level. However, failures have been experienced, which means that skeleton weed has not been totally eradicated; in fact, something like 339 farms are still infested. The area under infestation has increased rather than decreased.

Page 3 of the report reveals that, from 1987-88 to 1993-94, the number of volunteer days expended in endeavouring to eradicate skeleton weed increased from 1 827 to 2 365. The area searched increased from about 23 000 hectares to about 44 000 hectares. In 1987-88 there were 22 new infestations, which increased to 56 new infestations in 1993-94. The area infested increased from 244 hectares in 1988-89 to under 500 hectares in 1993-94. Although those figures seem to indicate that the scheme has not been entirely successful, it also indicates that the scheme has been largely successful and should be continued. That is the recommendation of the committee. Page 6 of the report states -

The farming community still considers skeleton weed to be a major threat to agriculture in this State. There is strong support for the continuation of the eradication program.

The report continues -

The current system of searching for, and then eradicating skeleton weed, is supported by the community as the only option available at the present time. However, improvements can be made to the management practices and resources available.

The report makes recommendations in that regard.

The ACTING SPEAKER (Mr Johnson): Order! So many conversations are going on in this Chamber at present that I am having difficulty hearing, and I know that Hansard is - I can see that by the Hansard reporter's expression. I ask members to keep their voices low. If they want to have conversations they can leave the Chamber.

Mr GRILL: I agree entirely. It is just that seeds and weeds get people on this side of the

House so worked up that they must express their anger somehow. Without going into too much detail, the review of this legislation indicates support for a continuing program; hence we have no problem in supporting this Bill.

**MR COWAN** (Merredin - Deputy Premier) [12.49 pm]: I apologise that the Minister for Primary Industry is not present in the House today. Unfortunately, an urgent meeting of State Ministers was called by the federal Minister for Primary Industries to discuss the drought. As a consequence, he felt it was his responsibility to attend that meeting. I hope the Opposition and all members of the House, especially the member for Eyre, accept that apology.

The member for Eyre indicated that he has a good understanding of why we are seeking to extend the skeleton weed eradication fund. It is simply to collect funds from this year's crop. I hope there is one; if there is no rain shortly, some of the eastern parts of the country, particularly those more seriously affected by skeleton weed infestation, will have greatly reduced yields from their expectations two week ago. Notwithstanding the member for Eyre's grasp of why we need this extension, I correct him on one small point. The levy has been changed and is now collected on all grains delivered rather than deliveries over 30 tonnes. I thank the member for his contribution and for his support of the Bill.

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 Cowan (Deputy Premier), and transmitted to the Council.

### **PERSONAL EXPLANATION - SMITH, HON DAVID, APOLOGY**

**MR D.L. SMITH** (Mitchell) [12.51 pm] - by leave: I thank the House for the opportunity to make this personal explanation. In a sense it is not that, for there is nothing I can or wish to say to rationalise or excuse what has happened. I first apologise to the Parliament, the people of Western Australia, the electors of Mitchell, and especially to my wife, children, extended family and friends, and grassroots supporters. I do not want to lessen that apology by describing what it is for. It is for everything I have ever done that has caused any embarrassment or hurt to anyone.

Stepping down from the shadow ministry is something I felt I had to do to give the apology the force it requires. I decided a long time ago that if I was unable to resolve my problems I could not, and would not, accept a portfolio in the next Labor Government, although I hoped to continue as a backbencher.

The events of the past two days have precipitated the situation. Some people say that it would have been easy to attack the people who made the allegations and tough out the position, but I could not bring myself to do that. There will be no tit for tat from me. There is no provocation that would lead me to say anything adverse, especially in any public arena, about the personal life of any state or federal member. My years as a lawyer and a member of Parliament have given me loads of ammunition, but I assure all members here and in the Federal Parliament that it will never be loaded, nor the trigger pulled by me, whatever the provocation. Their public life and role is one thing; their private life is another.

Please do not take that as a complaint about the process that has led to this explanation. There is no person responsible for it other than me. However, I ask members to understand that and all its implications. My family, friends and supporters, the Australian Labor Party, my leader, and my parliamentary and party colleagues are the victims of my conduct, not the cause of it; nor have they been involved in any cover up of it. Certain members on the opposite side, federal and state, have probably known more about it than members on this side. That is by the way.

I repeat that what has happened is my fault alone. I accept full responsibility for it. However, I ask that it not be a vehicle for attacking or distressing others. I find it difficult to mention my family without tears. Every country member knows the hardships our spouses and children suffer as a result of our involvement in public life and the separation it brings.

I could not expect - and have had no right to expect - anyone to endure our problems and give me more support and love than my wife and children have so willingly given me. I have also been given the private support of members, staff and friends over the past 24 hours, for which I thank them - especially the friends who spent last night with my family. I ask only that I, not any of them, be the target of criticism. That support has come from both sides of the House. I especially thank members on the other side of the House who have extended their hand of friendship at this time.

On a more positive note, I have not resigned from the Parliament. I will consider that when I have better assessed the concerns of my constituents and family. However, until I do decide my future, let there be no doubt about my conduct in this Parliament and the electorate. My constituents, my party, and my strong commitment to social justice mean that while I am here I will discharge my duties to the best of my ability and with all the energy and force I can muster; not with a view to toughing it out, but with a view to doing what I regard as my duty. I thank the House for its time.

[Applause.]

*Sitting suspended from 12.57 to 2.00 pm*

[Questions without notice taken.]

#### **MATTER OF PUBLIC INTEREST - LIVING STANDARDS OF VULNERABLE PEOPLE**

**THE SPEAKER** (Mr Clarko): Today I received, within the prescribed time, a letter from the member for Morley seeking to debate as a matter of public interest the living standards of those who are most vulnerable in the community.

The matter appears to be in order and if at least five members stand in support of the matter being discussed, I will allow it.

[At least five members rose in their places.]

The **SPEAKER**: The matter shall proceed on the usual basis with half an hour allocated to members on my left, half an hour to members on my right and three minutes to the Independent, should she seek the call.

**MR BROWN** (Morley) [2.32 pm]: I move -

That this House expresses alarm at the Government's calculated attacks on the rights and living standards of those most vulnerable in society and calls on the Government to govern for all Western Australians including those most in need.

This Government has been in office for a little over 18 months. It is important to look at the record of the Government in standing up for those who are vulnerable. Let us look at the Government's proposals in relation to those who are powerless, injured, homeless, in financial distress or disabled. The Government's policies have been clearly designed to support the powerful against the weak. They have been designed to discriminate against the less well off. I appreciate that the conservatives do not like to hear about the weak and the less powerful, but they will hear about it again and again.

Several members interjected.

**Mr BROWN**: They might yell and scream.

The **SPEAKER**: Order! I refer particularly to members on my right. The level of interjection is grossly out of order and I ask that members not interject in that way.

**Mr BROWN**: I understand the Government's reaction when I start to talk about the less powerful, either financially or politically, because they know that is the group that they

seek to silence, who are not their traditional friends. That is the group they do not need to look after; that is the group to which they have shown, and continue to show, callous disregard. I expect these interjections; it is par for the course, because each time someone endeavours to raise the problem of people who need assistance, or to put them on the political agenda, those in the Government's ranks seek to keep them quiet. They try to silence those who stand up for people who have no financial or political power to stand up for themselves.

We heard in question time about the wonderful economic recovery in this State that the Premier and others would have us believe started on 13 February 1993. Let us look at how the Government deals with people who are in distress.

Mr Kierath interjected.

Mr BROWN: The Minister for Labour Relations cannot stop talking. That is a problem that he and a few of his colleagues have. If he were quiet for a few minutes, he would learn something.

In the 1992-93 financial year the State Government spent \$5.1m in emergency relief on families in crisis and people in distress. That was necessary to provide assistance to those people. In the 1993-94 Budget an amount of \$3.6m was allocated. Of that, \$2.6m was spent. We saw in the 1993-94 financial year the introduction of a new family crisis program with rigid guidelines which have meant that thousands upon thousands of people who have sought financial assistance to overcome financial hardship and crisis have been rejected by this Government. This Government has taken a very narrow-minded and mean approach to such people in desperate need.

What has that meant for that sector of the community which endeavours to look after those people in need? Let us ask the charitable organisations - not organisations one cannot rely on, but organisations like the Salvation Army, Anglicare, and Centrecare that have high credibility in the community - whether demand for emergency financial services and relief subsided in the 1993-94 financial year. Those organisations, particularly the major organisations, say that despite this so-called economic recovery the demand for financial and emergency assistance increased dramatically over the past financial year. Some people say, "Oh, it is just the bludgers. It is the people who continually come back, and who look for a supplement to their normal income." Of all the clients seeking financial assistance to overcome a crisis in their family, or some personal dilemma, 40 per cent were new clients. They were people who have not been seen before. Let us ask those agencies what that has meant in terms of the lack of funding provided for this program. Firstly, for people who are in dire financial circumstances, those agencies have had to allocate smaller amounts of money, food or other assistance. What has it meant to the way those families have dealt with the crisis and the upset in which they have found themselves? The agencies say that many families find themselves in this crisis because they have lost their jobs, been made redundant or been pushed into lower paid employment. The agencies tell us honestly and sincerely that they deal with such people every day of the week. It is said that this Government has compassion, and the Minister for Labour Relations brags about his Workplace Agreements Act. I will tell members about the people who do not say anything about his Act. I will give one example that occurred last week that depicts the type of person who may end up in need of this assistance. I refer to a fairly young, intelligent employee who was working on award wages and conditions and was confronted by her employer and asked to sign a workplace agreement which would lower her standard of living and put her in a difficult financial position. Did she object? No, she did not, because she would not be so stupid. She knows that if she objects to either the employer or the Commissioner for Workplace Agreements she will be tagged as a person who is uncooperative and will not comply with the new workplace agreements. She is one of the 1 300 people who have signed the document and who the Minister for Labour Relations says gloatingly are getting a better deal. They are not getting a better deal. They signed those workplace agreements in fear and because they needed to continue to work in those workplaces. That employee will leave that employer, despite the fact that she has been employed there for some years, and seek a more reputable employer who

will not try to exploit her labour under the Workplace Agreements Act of this Government and this Minister.

Mr Bloffwitch: Give us the example.

Mr BROWN: That is the example, and if the member for Geraldton thinks I will name that person, he has rocks in his head. The member knows about the black-lists that operate in this State.

Let us look at this Government's position with regard to homeless persons who need emergency accommodation - women who are the victims of domestic violence, young people who are the victims of abuse or violence, and single men and women. Those persons are the most vulnerable in our community. The plans of the Government with regard to emergency accommodation in this State are being pushed through at a rapid rate of knots. Indeed, one of the major councils in the area described the plans - these are not my words - as being railroaded through.

Mr Nicholls: Which council?

Mr BROWN: No. The Government should release the review and commit to funding for these councils, not hold over their heads the sword of Damocles so that if they speak their mind they will lose their funding. If the Minister thinks I will give him any ammunition to cut off the funding for that council, he is sadly mistaken.

The Government is proposing to reduce the number of agencies and beds for homeless persons. It is using the model that allegedly was used in South Australia, but it will be used with greater haste in this State. The people about whom we are talking are those who for one reason or another cannot find secure accommodation when an emergency situation arises. If we think there is a problem with drugs, prostitution and crime in our society, look at what happens when young people are turfed out of their homes onto the streets and cannot get emergency accommodation, and look at what happens when women who are the victims of domestic violence cannot get emergency accommodation. I know, the community knows and the Government knows what happens in those situations, yet we find the Government rushing headlong into restructuring this sector without giving it proper thought, without setting any guidelines, and with a determination to reduce the level of services in accordance with the review. The member for Geraldton shakes his head. He should read the report.

We see that the Workplace Agreements Act is discriminating against the powerless and defenceless in our community and that the vulnerable are being exploited. We see that the workers' compensation system is discriminating against injured workers and putting many of them into poverty. The member for Peel will deal with some of those matters.

I understand the Government's difficulties in dealing with this issue. I understand that it wants to get its political agenda up and running well before the next election. I understand that it wants to close women's refuges, youth shelters and shelters for homeless men and women in the next 12 months, well prior to the next election. That is a reflection not of the Government's desire to restructure the industry so that it can provide properly for the needs of the vulnerable, but rather of its headlong push to make changes now so that it will not be faced with a political dilemma in the 12 months prior to the 1997 election.

This is happening at a time when the Government is bragging about the wonderful things it is doing for the economy and about the \$100m windfall that it has recouped. The Government's miserly, mean-minded attitude is being inflicted upon those who can least afford it. I do not know how members of the Government who have some conscience about these people in the community can hold their heads up high. I do not know how they can sleep at night. I do not know how they can look people in the eye and say that the Government has any regard for social justice. I recognise that many of the people about whom we are talking are not the Government's traditional conservative supporters and that the Government will not get too many votes by looking after them, but one would hope that the Government governs for all people, and particularly those most in need. It is often said that the measure of a government and of a community is the degree



to which those in power are prepared to look after those who do not have power. That is the measure of the community's soul, and the extent to which those in government turn their back on it is the extent to which they deserve to be damned.

**MR NICHOLLS** (Mandurah - Minister for Community Development) [2.49 pm]: It is with interest that I hear the member for Morley try to create a perception that all of these changes are some new found direction, totally foreign to the welfare structure and totally out of step with the measures that could lead to better assisting people. With his comments the member for Morley tried to capture the high ground: This Government does not care about those people who are in need, who may find themselves in crisis.

Members opposite, although the member for Morley may not have been part of the former Government, have done more to destroy the ability of this State to be able to support the people of Western Australia than any other Government in history. Those people sat in government and allowed millions and millions of dollars to be wasted on their mates which could have been used to help people in need.

**Mr Taylor**: This is unbelievable. Do you believe this?

**Mr NICHOLLS**: I do believe it. The Leader of the Opposition seems to have a short memory and has forgotten previous events already.

**Mr Taylor**: You have not done anything to remember yet.

**Mr NICHOLLS**: I trust my memories will be a lot happier than those of the Leader of the Opposition. The member for Morley referred to the emergency financial assistance program as the support base and how, when this Government took office, we implemented a change that saw some of that funding directed towards financial crisis, and how we changed some of the guidelines. Members may be interested to know that a review was conducted by a committee under the previous Labor Government of the emergency financial assistance program because there were grave concerns about its operation. It was designed to try to find some alternatives. For the benefit of the member for Morley, who may be interested, I will refer to some parts of the report of that committee. It stated that the committee recognised that to achieve an integrated approach to assistance under the further assistance category, some funds of basic domestic expenses - they were the funds within the emergency financial assistance program that were given out to people - would need to be devoted to increasing the ability of services such as bill paying and financial counselling. That was back in 1991-92 under the Labor Government.

**Mr Ripper**: We increased the funds for financial counselling and we did not cut the amount of assistance to be handed out.

**Mr NICHOLLS**: Very interesting! I will get to the ex-Minister in a minute. I would be interested to know whether the ex-Minister ever read this report. I expect that he must have. In relation to basic domestic expenses the committee stated that it had been argued that to a large extent assistance under this category was being used by people as regular income supplements instead of meeting crises. Other concerns were that payments were not integrated with other forms of financial and welfare assistance which could significantly improve people's financial and social wellbeing and that some of the provisions within the guidelines were inequitable. Within the department it has been argued that a significant proportion of clients regarded their limit under the basic domestic expenses category as a regular part of their finances.

The Western Australian Council of Social Service made a comment in its publication which, in part, stated that most agencies pointed out that some families accessing the program do use it as income support. People who used it in this way were seen to be those in the know about welfare systems, who came back at six monthly intervals and who viewed assistance virtually as an entitlement. Those are not my words; this is not a report that was prepared under my stewardship.

**Mrs Roberts**: It is your excuse.

**Mr NICHOLLS**: Rather than simply dismissing my comments, the member needs to

listen to what I am saying. This report comes from a committee that was set up by the previous Labor Government.

Mr Ripper: Changes were made after that.

Mr NICHOLLS: Changes were made but not in accordance with the recommendations. The Labor Government did not have the guts or the backbone to make the changes: It fiddled at the edges to try to stop people accessing the program; it reduced the number of people who could access it by tightening the guidelines.

Under the heading relating to the adequacy of limits to meet clients' needs, the committee found that one of the former Minister's major concerns in requesting this review was whether, given the existing limits, the relatively small amount of assistance provided to clients was sufficient to address people's needs adequately. In this regard a suggestion was made that a greater level of assistance might be provided to a smaller number of clients. The assistance would be aimed at their overall financial reconstruction. The initial recommendation of the committee was that the state emergency financial assistance program should seek to assist people in financial hardship or crisis. Two strategies should be used to pursue this objective, the first of which was the provision of monetary assistance and/or social linkage to support services such as financial counselling and bill paying mechanisms where these services can assist the applicant. The changes that were made under the family crisis program did exactly that. We shifted \$1m out of the emergency financial assistance program and provided that money for additional financial counselling. More importantly, we also provided funding to establish training programs that could be accredited to financial counselling.

Mr Brown: That means less money.

Mr NICHOLLS: The problem of the member is that his mentality sticks on the groove that if we are not handing out money to people, we are not helping them. That is a very narrow view. It is not a true reflection of people's needs.

Mr Brown: Ask the Salvation Army.

Mr NICHOLLS: The member opposite can ask me to talk to the Salvation Army. I talk to that agency and other agencies on a regular basis. When we start to discuss these issues, I do get support for the notions that we should be better targeting resources, evaluating our services, and that we need to be accountable for where the funds are going.

Mr Catania: We are not arguing that at all.

Mr NICHOLLS: The member's problem is that he does not see the need to be able to link the resources to the people in need. I refer to the funding of non-government agencies. Under the emergency financial assistance program, no money went to the non-government agencies; it was all run through what was the Department of Community Services. The only funding that was going to non-government agencies was from the Federal Government under the emergency release program. In the lead up to the 1993 federal election, all of a sudden some of the organisations, such as the Salvation Army and others, got a big boost in funding. It was about an extra \$1m in Western Australia, if my memory serves me correctly, but I will stand corrected. That additional money had to be spent in January. The election was in March. All of a sudden an extra million dollars came in which had to be spent quickly over the Christmas period. People said to me that it was ridiculous; it was an absolute waste; that they could have used that money over a whole year and given people better support, but they had to spend it in that time or they lost it. Less than eight weeks later, we went to the polls. That is where the non-government sector got its funding. In 1993-94 the extra million dollars was removed. The previous funding levels were reinstated. I can tell members that I know about the extra demand on the non-government sector. Members opposite completely forgot to say that the Federal Government sought to increase the amount over a Christmas period just before a federal election and then saw fit not to put that funding in place on a permanent basis.

Mr Brown: Your program was to close it all down.

Mr NICHOLLS: That just shows how wrong and out of step the member is. The member for Morley made an interesting statement, that whenever an agency criticised me or the Government it lost its funding.

Mr Brown: I did not say that.

Mr NICHOLLS: That is what he was intimating. What did he say?

Mr Brown: I said that you are holding the sword of Damocles over their heads.

Mr NICHOLLS: Perhaps the member could give one example of where an agency has criticised this Government and has been defunded. Better still, perhaps he could give an example of where an agency had recurrent funding and has been defunded since I have been the Minister. The reasons it would have been defunded were because it was not meeting the required accountability process or there was a one-off grant which went for a 12 month period. The provision of funding will change because it is being advocated that instead of simply giving agencies a whole heap of money, we will fund the services they provide so that in each district we are able to identify the services provided.

Mr Brown: What are the criteria?

Mr NICHOLLS: As the member for Morley was saying how bad it was, I would like to give an overview of the process of the SAAP review. I believe these things could be achieved if the recommendations were put in place, but of course that is subject to the advice of the implementation committee set up to look at the individual recommendations of the report.

Mr Brown: Are you supporting the recommendations?

Mr NICHOLLS: I said that I broadly supported the thrust and the recommendations of the report. The implementation committee I announced in July will look at the recommendations and then recommend to me whether they could be put in place or should be modified. It is also required to interact with the sector. It is interesting to look at the recommendations; before the review there were 12 women's refuges with a funding of \$2.8m and having 286 beds, and after the review there would be eight refuges, still with \$2.8m spent, but 320 beds would be provided.

Mr Brown: Where does it say that in the review?

Mr NICHOLLS: That is the expectation.

Several members interjected.

The SPEAKER: Order!

Mr NICHOLLS: The additional services are that the domestic violence outreach service will be funded to about \$330 000 together with the children support services. The 24 hour youth emergency accommodation services had five services with 40 beds before the review and after the review eight services with approximately 48 beds are expected, depending on the structure of the internal city and Fremantle areas as well as the regions.

Mr Brown: Is this the family service or the youth and family service?

Mr NICHOLLS: This is the youth and family service. There will also be special funding for youth with challenging behaviours and young women's services. We must understand that the review was undertaken in consultation with a steering committee and a reference group. The reference group had representatives from the sector and the steering committee had representatives from the Commonwealth, the Department for Community Development, the Western Australian Council of Social Service, and Homeswest, I believe. This report has not been put together inside the Government but has been undertaken to look at the whole sector.

When we talk about where we want to go and what we want to achieve, we are talking about how we can deliver better services to the people who use them, not necessarily how we can make it more comfortable or try to make the people who are providing the services happier. I concede that the changes will affect a number of agencies, which do not like it, but the ones who have spoken to me have raised questions about boundaries

and funding levels. One of the areas of concern is psychiatric services because there are more and more people who have psychiatric conditions and need access to psychiatric services. They are represented by the chronically homeless as well as those in the crisis accommodation area, and by both young and old. Many of their problems seem to emanate from the fact that more and more people are abusing or misusing substances and more people are exhibiting behavioural changes with which I do not believe the average staff member in some of these facilities is equipped to deal.

Mr Brown: Where else can they go? There is no other accommodation.

Mr NICHOLLS: That is the point I am making. We are talking about how we link those services with those that can be provided in specific circumstances.

Mr Brown: Will the Minister for Health provide it?

Mr NICHOLLS: I will give an example of the house at Bateman where a pilot scheme has been run which has shown that if psychiatric services have access to crisis accommodation service providers there can be a very good outcome. That has been done with women in need. We must make sure that link is clear in each area; that we are able to evaluate the services and target the groups that need the services; and that we are also able to make sure the right resources go to the right priorities.

I want to highlight another issue - the need to do more work and have a greater emphasis on prevention. It is fine to talk about picking up the pieces and how good we would be to rush in and provide services after the crisis or after a person is the victim of some sort of violence. I would like to see a greater consideration of the need for prevention. I intend to examine better ways of providing prevention services to reduce the number of people who are homeless, victims of violence, or young people in conflict with their parents. That will not happen overnight.

Mr Brown: What about the short term? The additional funding for prevention in order to minimise the number of people coming into the system must be addressed.

Mr NICHOLLS: That is easy to say. Both the member and I know that is not as easy to produce. This review has outlined a way which the people who undertook it, the steering committee and the reference group, believe has the ability to provide better solutions for the people in need in Western Australia. The member might not agree.

Mr Brown: I have been told. You are saying one thing and they are telling me another.

Mr NICHOLLS: At least this Government wants to make some decisions to try to make things better or at least increase the services. History will reflect whether I am right or wrong. I believe our direction will provide benefits not only to those people in need but also in the preventive area.

Another issue that is important to highlight is that when we talk about people in need and about compassion, I do not believe compassion is measured by the size of a cheque but by the way in which one goes about providing support mechanisms.

Mr Ripper: In that case you have made some very compassionate statements!

Mr NICHOLLS: It is interesting that the member for Belmont chirps up, because when changes were being made when he or his predecessor was the Minister to try to tighten up the emergency financial assistance programs guidelines, he went through the process of outlining the briefing note. What happened when it came to the media release, bearing in mind that members opposite when in government were not backward in coming forward with media statements or providing the community with their interpretation? The answer was that these changes did not need any media release. The member made changes to this very valuable program which he said was the best.

Mr Ripper: Did a public servant write that?

Mr NICHOLLS: Yes.

Mr Ripper: So a public servant said that and not the Minister.

Mr NICHOLLS: The member is saying that he countered this.

Mr Ripper: I was in the media on this issue.

Mr NICHOLLS: Does the member remember why he was tightening up the provisions?

Mr Ripper: Yes.

Mr NICHOLLS: The member said that too many people were receiving too little so that the system was not helping.

Mr Ripper: The provisions were tightened because the feeling was that the scheme was meant to pay people who were in an unforeseen financial crisis. The scheme was able to be misused by people who were not in that position. You have taken it beyond that; you are saying that people in unforeseen financial crisis must receive counselling - they may have hungry children.

Mr NICHOLLS: Interestingly, I faced the same problem as the former Minister.

Mr Ripper: I fixed it.

Mr NICHOLLS: No, the member did not; he put a bandaid on and let it go.

In summary, the only persons who could access the previous emergency finance assistance program were those with a health card. Anyone who lost his job and did not have a health care card would not get a look in. The same situation applies to somebody in financial trouble on a low income without a card. I said that the scheme should be opened up to the entire community. It should be available and the guidelines should be changed to encourage people to receive financial counselling to identify the reasons for the financial crisis and to determine how they could be assisted.

MR MARLBOROUGH (Peel) [3.12 pm]: I shall refer to the action of this Government in its time in office in hitting those in a vulnerable position. I will touch on a number of areas within the workers' compensation system put in place by the Minister for Labour Relations.

This system reform was seen by members opposite as the panacea for the State's economic development: It would put more money into the pocket of injured workers; it was to reduce the cost of insurance for employers; and it would speed up the process by which people are paid compensation. On all three counts it has failed. I am starting to receive evidence - I will present it to the Parliament, if not next week, certainly during the following sitting week - in the form of letters from employer organisations indicating that in the last month premiums have increased. This has occurred since this policy was put in place.

I also have evidence with me today, which I want the Minister and the Government to note, regarding the cost and effects on the injured worker of the workers' compensation mess put in place by this Government. I will concentrate on a couple of areas. The review hearing process requires a worker to be able to present his case at a hearing which will assist the review officer to make a decision which is equitable. A Workcover WA conciliation and review group document reads -

As you are aware, one of the main features of the new dispute resolution system is that the Directorate officers must have regard to the need to be fair, economical, informal and quick in the processing of these matters.

That document does not indicate that before an injured worker can get into that process, a number of steps must be taken, not the least of which is the presentation of a full medical record of the injury. That is part of the measures by which these officers determine the cases before them.

An injured worker must be competent to be able to, firstly, write to his medical practitioner. Many of us know that a letter from a local doctor is rarely sufficient in the workers' compensation system; a precise medical statement is required from a specialist involved in the case. I want the Minister to know that this aspect of the process alone is causing many problems. People do not necessarily have the skills to write the appropriate letters to specialists to ask detailed medical questions about their injury. Therefore, they cannot obtain a proper report which covers the extent of the injury as it

exists at the time. Also, they must consider problems which arise in the future with the ongoing process of the injury. In the main, many workers must go to experts by asking for a letter from the medical practitioner to be sent to the specialist. Following that process of writing the request to the specialist, asking precise medical questions of the specialist, they take the returned precise answers - which may involve a wait - to the review process.

The Minister should be aware, if he is not already, that many of these medical practitioners are charging anything up to \$500 for the medical report. These specialists do not give of their time freely; when they put pen to paper, they charge for it. An inbuilt cost is involved before the review process has started. Up to \$500 is required for the medical report and, at the same time, other costs are associated with legal practitioners. I again quote Workcover Western Australia regarding the need for medical evidence -

... generally it is not possible to look at the matter on its merits without appropriate medical report. A party must provide evidence necessary to support their claim.

It is an integral part of the entire workers' compensation system. Therefore, a worker is already facing a bill of up to \$1 000. On few occasions is that worker able, even if he wins the case, to recoup those costs. The Minister's system does not regard those costs as recoupable by the worker concerned.

Another problem is created when a worker has an ongoing injury caused in the early part of his employment with the same or a different employer. Some years later another work-related accident may occur. No argument arises in the worker's mind regarding the accidents; however, an argument arises as a result of the change in insurance companies or the change in employers about who carries the blame. It may be claimed that it is a previous work injury, and this is no different from what occurred under the old Act; namely, two big insurance companies would fight over who is to blame. Mostly, they say that it is not their fault, and that the injury is covered by another insurance company's policy.

Under the Minister's proposal we find that the matter goes before the review hearing process. We then find that insurance companies treat it no differently from a court; before going to the review hearing process, suddenly one of the companies agrees that it is its problem. The insurance company agrees to accept liability, the worker has been injured, it happened under that policy and is a recurrence of what happened previously. It may be that the new insurance company will pick up the running. However, once those insurance companies agree who is responsible for the payment for the work caused injury, the worker may seek an order for payment of legal costs. Under the current process the two insurance companies fight each other over liability for the worker's injury, and the worker generally needs some assistance to deal with this matter. In the main the worker will go to a solicitor, but that costs money. The worker is seeking legal advice about which insurance company is liable for the claim. The average cost of that legal assistance in the current process is \$2 000. Traditionally, under the previous workers' compensation scheme, once an insurance company agreed to handle the claim, it would pick up the cost of all legal proceedings. It was a straightforward matter. Lo and behold, that does not necessarily happen under the current process. Situations occur in which a worker seeking an order for legal costs against the insurance company is told by the review officer that each party should bear its own costs. The Minister for Labour Relations put in place a workers' compensation program that did not deliver any benefits to workers. He has in many instances reduced the amount of money that a worker can claim for injury and illness, and also changed the system of payment of legal costs. An insurer may accept its responsibility to cover a worker for injury, having initially disputed it with another insurance company, and when the worker appears before the review officer with a \$2 000 legal bill incurred trying to settle the matter, he is left to pay it himself. I do not know what qualifications the review officers have to deal with these matters. This division of costs is a major imposition on workers seeking fair compensation. I suggest this process discourages workers from carrying through their workers' compensation claims because they simply cannot afford to.

I refer to the third part of the Minister's workers' compensation process; that is, the rules that apply for representation for one side are markedly different from those that apply to the other. In this review process even articulated clerks have been denied the right to appear on behalf of injured workers on the basis that they are legal practitioners. Notwithstanding this ruling by the Director of Conciliation and Review, an insurance company has been allowed representation by a legal practitioner who was a direct employee of the insurance company. There is one rule for the insurance companies who are allowed to use legal practitioners in the process, and another rule for workers who are not allowed to be represented by an articulated clerk. The Minister should review three matters in the workers' compensation system. It is an example of how words can be used so easily. At every question time the Minister for Labour Relations makes a three minute ministerial statement. They are all worthless. They are a front for what is going on in this State; that is, this Minister and his cohorts are attacking the weak and defenceless at every opportunity.

**MR RIPPER (Belmont) [3.25 pm]:** The Minister for Community Development spoke about the family crisis program, and quoted from minutes written by public servants as though they were the policy of the previous Government. The outcome of his policies is shown in the payments under the family crisis program in the Belmont district of the Department for Community Development. The assistance has been reduced by almost two-thirds compared with the assistance given under the emergency financial relief program. This is the measure - direct financial assistance to some of the most vulnerable people in the community, those in unforeseen financial crisis. As a result of changes to the guidelines made by the Minister, assistance has been cut by two-thirds in the Belmont district. People who are vulnerable, weak, poor, disadvantaged, or injured workers should not come to this Government for support because they will not get it. There are two people in the Public Gallery who know well that this Government has a lack of care and compassion. I refer to Rosalie Fraser and Chantelle Graham, who were once wards of the State and who suffered appallingly during a period when they were supposed to be under the care of the Department for Community Development. They have approached the Government for compensation for their experiences -

**Mr Nicholls:** They approached your Government. What did you do?

**Mr RIPPER:** I referred the matter to the Crown Law Department for advice. What has happened? That legal advice became available to the Minister for Community Development shortly after the change of government. It was not received from Crown Law when the Labor Party was in government. Despite the Minister's having received that advice early in his term of office, he has not responded to or made a decision on that advice after almost 18 months. That is an indication of this Government's lack of care and concern. Later today the Budget Bill will be read a third time, and at that stage the Minister for Community Development should indicate the actions he will take with regard to this case.

**MR KIERATH (Riverton - Minister for Labour Relations) [3.28 pm]:** We see this afternoon the sort of tactics the Labor Party continues to use. Members opposite get their facts wrong every time. They do not worry about the truth; they make it up. The motion refers to the rights and living standards of those most vulnerable in our society, including those most in need.

I decided to check on the record of the last 18 months of the Labor Government in terms of the number of jobs available. Even the Labor Party will agree that the biggest problem in our community is the people who want work and cannot get it. I compared the record of the last 18 months of the Labor Government with that of the coalition Government over the same time frame. On 9 September 1991 the unemployment rate was 11 per cent, and 760 300 people were working. In February 1993 that number had increased to 760 500, representing an increase of 200 jobs in 18 months. That was the best the Labor Party could manage in its last 18 months of incompetent and crisis ridden government.

What is the record of the coalition Government? The number of people working is now 792 900, which represents an additional 32 400 jobs, compared with the 200 additional

jobs created under the Labor Government. The rate of increase in the number of people working is up by 16 200. I know whose record I would rather stand on and it is not that of the Labor Party. This State has improved from having the worst unemployment record to being the best performing State in the country, with an unemployment figure of 8 per cent. I agree that 8 per cent is 8 per cent too high. In September 1991, the Opposition had it up to 11 per cent. I am very proud that we have reduced it from 11.3 per cent to 8 per cent, and I will stand on our record any time.

Let us look at economic growth. These are Australian Bureau of Statistics figures, not ours. Last year there was growth of 5.75 per cent in this State. It was the best performing State in the country. This State is performing the best in jobs and economic growth. Let us consider the reason why: We believe in private investment, not government investment. The Australian average is 5.7 per cent. Guess what it is in Western Australia? It is 11.4 per cent; it is running at double the national average. I would rather stand on our record any time. When this Opposition was in power it stole from the working men and women of this State and gave to its rich mates. It is a case of Robin Hood in reverse when one steals from the poor and gives to the rich.

I know that politics is about perceptions. I assure members opposite that they did not look after the working men and women of this State, but this Government will and is doing so. That brings me to the next best thing. The Opposition never did it in 10 years in government, but this Government increased the minimum wage by \$25.60, to \$301.10. The Opposition can argue whether \$301 is enough, but we did it. The Opposition was never capable of delivering, and it is still incapable of delivering.

Mr Marlborough interjected.

The ACTING SPEAKER (Mr Ainsworth): Member for Peel, I note from the marks on the Notice Paper that you have been formally called to order on two occasions today, so you are very close to being called a third time, and after that you know what happens. I ask you to temper your remarks somewhat.

#### *Point of Order*

Mr MARLBOROUGH: I think the records should be checked, because my understanding is that I have been called to order only once today. I think the Speaker may have put me down as being called when he called the member for Cockburn to a point of order. If you would like to check with the Clerk of the House, that may be confirmed.

The ACTING SPEAKER: I have confirmation that you were called twice. Perhaps you were making so much noise you did not hear the second call. That would not surprise me today.

#### *Debate Resumed*

Mr KIERATH: The Government increased the minimum wage by 9.3 per cent. That targets the lower paid, and is more than the Opposition ever did. The Opposition was never able to deliver in its 10 years in government. Within 18 months the coalition Government lifted the minimum wage to a respectable level. The Opposition cannot stand it when we do something and the Opposition is incapable of doing it. This Government extended the Minimum Conditions of Employment Act to 100 000 Western Australians who had no safety net at all. Did the Labor Government do it in its 10 years? The answer is never. It was incapable of doing it in its 10 years and is still incapable. It is true, when referring to workplace agreements, that nearly 8 000 people have adopted this practice since 1 December last year.

What the Opposition cannot get over is that this Government wants to give people a choice. We want to let the best system work. I am pretty proud of the system that attracted 1 300 people last month and which is creating a head of steam one would not believe. The fact is that the unions, such as Peckham and Co, are bleating about it; the reason is that it is starting to hurt because for the first time in this State workers are getting a say at the workplace. They never had this under a Labor Government, but they are getting it under a coalition Government.



This Government introduced enterprise agreements into our state Act. It was thought some people would not want to go down that path; however, they are going ahead in record numbers. The chief commissioner told me that a record number of enterprise agreements were going through the commission. Some unions are refusing to negotiate when the employer starts talking about workplace agreements. They then come running back and are prepared to negotiate anything reasonable in the enterprise agreement to avoid having workplace agreements. That is what is really happening out there. One would think that, if the Opposition moved a motion like this, it would come from a position of great strength and compassion.

I refer to an article which appeared in *The West Australian* on 14 June this year. This is of interest to the member for Geraldton. It concerns a worker in Geraldton who happened to die before receiving his \$35 000 redundancy payout. Let us look at the caring Federal Labor Government and the caring State coalition Government. The state coalition, through the Geraldton Port Authority, said it would pay half. Do members know what the Federal Government said? Do they know what Ralph Willis said? He stated that no, he would not pay it. Guess what happened? This Government paid the Federal Government's half. Let us consider true compassion. Is it in the Labor Party? The answer is no, the Labor Party is uncaring. Is it in the Federal Government? The answer is absolutely not. Not only must we pick up our share, but also we picked up Labor's share. That is a disgrace. I also have an article from *The Australian* dated 10 March 1994, titled "ACTU attacks Labor's record on tax reform". The article states -

It has laid much of the blame for a growing inequality of income and wealth on the operation of the tax system during 11 years of federal Labor government.

The ACTU blames its colleagues. That is a disgrace. When it comes to workers' compensation, I place on record that this Government increased the benefits by 13 per cent. We included neck, back and pelvic injuries for the first time ever. The Opposition never included them. We reduced the delays, and I will give an example. A case that had been continuing for four and a half years, involving 57 doctors' reports and 12 different doctors, was resolved in less than two months under our system. That is a record to be proud of. We oppose this ridiculous motion from the Labor Party and ask that members opposite put up or shut up.

Question put and a division taken with the following result -

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Ayes (19)

Mr M. Barnett  
Mr Bridge  
Mr Brown  
Mr Cunningham  
Dr Edwards  
Dr Gallop  
Mr Graham

Mrs Henderson  
Mr Kobelke  
Mr Marlborough  
Mr McGinty  
Mr Riebeling  
Mr Ripper  
Mrs Roberts

Mr Taylor  
Mr Thomas  
Ms Warnock  
Dr Watson  
Mr Leahy (Teller)

Noes (28)

Mr C.J. Barnett  
Mr Board  
Mr Bradshaw  
Mr Court  
Mr Cowan  
Mr Day  
Mrs Edwardes  
Dr Hames  
Mr Johnson  
Mr Kierath

Mr Lewis  
Mr Marshall  
Mr McNee  
Mr Minson  
Mr Nicholls  
Mr Omodei  
Mr Osborne  
Mrs Parker  
Mr Pandal  
Mr Prince

Mr Shave  
Mr W. Smith  
Mr Strickland  
Mr Tubby  
Dr Turnbull  
Mrs van de Klashorst  
Mr Wiese  
Mr Bloffwitch (Teller)

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Question thus negatived.

# **APPROPRIATION (CONSOLIDATED FUND) BILL (No 1)**

## *Third Reading*

Resumed from 20 September.

**MR KOBELKE (Nollamara)** [3.41 pm]: I will comment on a number of matters that have arisen in this Budget particularly through the Estimates Committees. The first relates to planning in this State. Through the committee we were able to ask a series of questions of the Minister. I will consider one area; namely, the shift of greater costs onto local government which is taking place under this Minister. I am not saying perhaps that should not happen; the problem is that it is happening by stealth. The Minister is just pushing more and more things out and hoping local government will take them up. In some cases he will have the power to force local government organisations to spend money. In other instances local councils will not expend the money and, therefore, the things that should be done will not be done. I give three examples. I refer to page 99 of the *Hansard* report of Estimates Committee A where I ask -

I take it, then, that you see the need to move onto local councils a greater responsibility for local management plans for coastal areas?

The Minister replied -

Yes, because it is part of their function.

If this were done under the Better Government agreement or through some formal arrangement with council, we would have a basis for considering that the process would work. However, the Minister just expects local councils to take a greater responsibility for the cost of management plans and the implementation of those plans in coastal areas. We do not need to look hard at the centres of population in Western Australia to realise the importance of our coastline. It is a great asset to this city and to the people of this State. It is under pressure because of the population density along that coastline. Therefore, we must be careful that we do not squander that asset so that future generations are able to enjoy it in the way we do. However, this Government and this Minister say that local councils should take a greater responsibility.

This is not done through the Better Government agreement or some reciprocal arrangement with local government; it is simply pushed off onto local government in an atmosphere in which this Government has tried to thwart the actions of the Commonwealth Government to assist local councils in matters of coastal management. I will not go into that matter because that is another issue and my time is limited. We can be clear that this Minister and this Government expect local councils to play an even greater role in coastal management. That will lead to a reduced effort in managing the important and wonderful coastline of Western Australia.

The second area about which I am concerned is the new planning legislation which the House will debate soon. This Budget does not contain the funds to enable the Department of Planning and Urban Development to ensure in this financial year that proper planning will proceed under the new legislation. The Minister expects local councils to pick up more of that responsibility. It may be appropriate that local councils play a greater role in and commit greater resources to planning; however, if that is to happen effectively it must be done in an up front way, negotiating with local councils and ensuring that they are equipped and willing to take on that added responsibility. We do not find that. We find that through a back door means under legislation that will come forward soon in this place, local councils will have to bear a heavier financial burden for the planning processes. I refer to page 105 of the report of Estimates Committee A where, with respect to this new legislation, the Minister states -

The proponents are responsible for the town planning scheme amendment.

Further, the Minister states -

The proponents. At the end of the day the proponent will pay.

When I put to him that often local government authorities will have to move amendments to schemes and could be seen as the proponents, the Minister states -

The authority may have to underwrite that cost in the short term. Like all schemes, costs are associated with it.

It is clear from the words of the Minister that he expects local councils to pick up a greater cost. That cost will come in two key areas. The first is that the legislation will expect councils to review their planning schemes in a more timely manner. That is something we would all consider an advantage. However, it will require them to pay the cost of reviewing or adapting the town planning scheme to meet changing needs in their area. There will be no discussion with local councils as to how they will meet that extra cost. They are simply expected to take that on as their job and pick up the cost so that matter can be shoved off, away from the State Government's area of responsibility in meeting the cost.

The second element that will increase the cost to local government relates to the environmental assessments that will have to be done. The new legislation will require that environmental assessments be done at the outset; therefore, the cost of those will be met, as the Minister has said, by the proponents of the change to the town planning scheme. My great fear is that given that those costs may be considerable, some councils will simply seek to avoid them by having the minimum level of environmental assessment possible. A range of planning decisions will be made without the proper initial steps, particularly on the level of environmental assessment. As far as this Minister is concerned, that can be pushed off to local government. It will have to wear it and manage as best it can, and if the whole system does not work he can blame local government because it was not willing to commit resources to make it work. That is poor administration and will result in a lower quality of planning, because in planning we must think ahead and make the system work.

It is not just a matter of cutting costs by hiving off a certain amount of work and getting someone else to pick up the tab. That is not planning; it is simply avoiding the responsibility of ensuring the system works. That is what will occur under the legislation which we will have the opportunity to debate later, and it is clear from the discussion that took place in the Estimates Committee for this Budget.

In response to a question on Whiteman Park the Minister states at page 93 of the report of the Estimates Committee -

This Government has never considered selling any part of Whiteman Park.

Perhaps that was a slip of the tongue and the Minister did not pick it up - because it is not true. Perhaps the Minister will make it clear that it was a slip of the tongue. We have on record more than one answer to parliamentary questions on notice where the Minister has made very clear his intention to consider selling off part of Whiteman Park. The Minister may want to play semantics and say that a review of the boundaries with a view to selling part of it does not mean he is considering the sale of part of Whiteman Park. However, that would be nothing more than semantics because in more than one parliamentary question the Minister has indicated that the whole matter was being reviewed but he could not indicate how much would be sold off because the Government was still considering whether there would be new boundaries to the park. In that case, the Minister has it wrong. I hope it was a slip of the tongue, and that he did not mean to mislead the House. However, that was a quote from the Estimates Committee hearings.

I turn now to another session of that committee involving the Attorney General and the Western Australian Electoral Commission. This clearly shows the inability of the Attorney General to be accountable, and the way in which the Attorney General tries to hide information, to avoid the truth. She is simply not willing to give straight answers to a straight question. I put question 824 on notice on 9 August. It related to a contract for the Western Australian Electoral Commission. The Estimates Committee had its hearing with the Electoral Commissioner on 24 August, some two weeks later. I asked a set of questions which cut across some of the areas covered by question 824. I received a response to the question on notice at the Estimates Committee within a few days of my asking it on 24 August. What was particularly interesting was that the reply indicated that the Electoral Commissioner had already provided the Attorney General with the

answer to my question, but she had not seen fit to pass it on. The answer I received to the question on notice at the Estimates Committee was that a broad description of the contracts was contained in the standard form of contract, a copy of which had been provided to me in answer to parliamentary question 824. That indicates that my question to the Attorney General on 9 August had received an answer on or about 24 August from the Electoral Commissioner - and that was mentioned in the answer I received before the end of August. However, as at 14 September the answer to my question on notice had not been forwarded to me. I received it on 15 September.

Perhaps the Attorney General is completely incompetent and cannot forward answers to members, or perhaps she wishes to thwart the flow of information to the Parliament and to the people of the State. It is clear that the Attorney General cannot be open and accountable; at every turn, she seeks to thwart answers to questions. One need only look at the Notice Paper. I checked it on 14 September because I had not received an answer to my question of 9 August. Of the questions outstanding for one month or more, one-third had been asked of the Attorney General and she had refused to answer them a month later. As to the questions outstanding for more than three months, and which had not been answered on 14 September - those that had been asked on or before 14 June - two-thirds had been put to the Attorney General. It is very clear that the Attorney General is either totally incompetent or she is not willing to provide information because she is trying to hide the truth. Perhaps it is part of her game plan, and she thinks that because she has things to hide she will not provide information in any area.

Mr Strickland: Your former Premier did that to members on this side. I can remember waiting six months for answers.

Mr KOBELKE: The Government has been in office for more than 18 months, and the member is part of that Government. If the member considers that because something occurred in the past, that justifies the continuation of the situation, he is missing the point. This is 1994, and mistakes which may have been made in the past are no justification for continuing to make them.

I turn now to the central city historic precinct - an admirable concept, and one which I hope will come to fruition. This is a deal related to other agendas and not primarily to do with establishing a central city historic precinct for Perth. Money which was allocated to buy the BankWest building in Barrack Street came from the 1993-94 Budget. The actual work to be undertaken falls within the current Budget, and that is the critical point to understand when considering what the Government is about. The Government would like to sell the idea that it is interested in historic buildings in Perth and wants to do something about beautifying the city. I hope the Government will do something about that, but this is not what this deal is about. This deal is all about putting money into BankWest so that it will be a better prospect for the privatisation the Government is about to embark on.

Mr Court: Can you explain that? If the building is in that account at a certain value and we buy it for less than that, how does that add value?

Mr KOBELKE: I do not have the data. I do not say the Government paid too much for it; but I will look into that. The sale was brought on in last year's Budget because it primarily suited the Government's purpose in the privatisation process for BankWest. It was not brought on at that stage because it had anything to do with establishing the historic precinct.

Mr Court: You have it wrong.

Mr KOBELKE: I will make my contribution; the Treasurer will have his chance to close debate, and perhaps that will throw a different light on the matter.

An amount of \$12m was offered as compensation for the building in Barrack Street plus another \$3m as a concession for allowing the plot ratio in respect of the former Bond building at the corner of St George's Terrace and William Street. There was a limitation on using all the floor space in that building because it exceeded the plot ratio. The Government has done a deal to use that extra space and exceed the plot ratios - and the

answer by the Treasurer is that it is valued at approximately \$3m. So, we have this injection of \$15m into BankWest in the 1993-94 Budget. If this expenditure were related primarily to the historic precinct, the Government would have undertaken a study of the heritage significance of the precinct, on which to base a decision to spend that money in 1993-94, as opposed to this financial year or next financial year. However, that is not the case, because the money for the study had not been let. A contract in respect of at least part of the work was let on 11 July 1994.

Mr Court: Some of the work was done a couple of years ago.

Mr KOBELKE: That is correct; it was to look at the proposal. It was done at the time of the last Government. We were looking at the importance of the area to ensure the heritage value was preserved and enhanced as a valuable attribute of our fine city. The Government did not approach the deal through the proper process, and that is normal for this Government. If the proper process had been undertaken, the Government would have done a study to ensure the elements that it wished to put in place in the heritage plan actually worked. The Government then would know the order in which it would spend money to maximise the value of the heritage precinct. However, the decision was made and money was moved to BankWest in the last financial year to help the privatisation process. This financial year the Government has put money into a heritage study to work out the details.

There are a range of projects that will take a great deal of money. The Treasurer referred in the Estimates Committee to doing something about the Law Chambers in Hay Street. That is an excellent idea, and I support it. However, again it was thrown in as a good idea. We need to go past good ideas. A lot of money is involved and it needs to be considered with the total historical precinct and what the Government gives priority to for spending money. The Government has referred also to demolishing the Perth City Council building. I oppose that because I think it should be preserved. Where is the heritage study on which the Government bases its decisions to prioritise the spending of money to get the value it wants from the spending of that money? It has not been done.

Mr Court: We could erect a statue of you fair in the middle of that precinct.

Mr KOBELKE: The Government has taken the opportunity to make noises about doing something for the City of Perth and looking after BankWest at the same time. It has jumped in and transferred the money over, and has now decided to put in place a heritage plan. I support the development of a heritage plan. However, I hope the Government does it through a better process than it has gone through to date.

Mr Pandal: Does the member know that his party voted against the Bill to achieve that when it went through the upper House three years ago?

Mr KOBELKE: That was three years ago. We are in a different situation now. The good work done by the previous Government is returning money to the coffers of this Government, as independent commentators have stated.

MR RIEBELING (Ashburton) [4.03 pm]: It would be a good idea to have erected a statue of my good friend on this side when the precinct is finally developed. I want to take the time of the House to look at the effects on my electorate of a number of issues which result from this Government's actions over the past 18 months or so.

Mr Court: This is the third reading of the Bill.

Mr RIEBELING: Yes. What does that mean?

Basically, I want to refer to the rhetoric of this Government and the lack of benefits that are flowing to the Pilbara region from actions by this Government. A new project that is being developed is the pipeline from Karratha to Port Hedland. It will provide substantial benefits, especially to the Port Hedland area, and will support the development of a powerhouse in that area which will be of enormous benefit to industry and we hope to domestic users in that town. However, we are yet to see benefits to the local community from that project. The pipeline project was developed under the Labor Government and was announced prior to the last election. If this Government had not

objected to the terms and conditions of the project, it would now be nearing completion instead of just beginning in the next few weeks.

I am concerned that one of the major contracts involved in that project - a contract involving the carting of pipes from Karratha along the route of the pipeline - has been given to a Queensland company. I can understand projects being given to companies that have extra skills and expertise in a certain area. However, Western Australia has a large number of trucking companies which could have transported the pipes. I think the State Government should ensure that Western Australian businesses gain maximum benefits from a project of this type. I do not want to see the Government sit back and watch work of this nature flowing to the Eastern States on a regular basis. We have heard a lot in this Chamber about States' rights and I do not disagree with many of the statements. However, when it comes to commercial activities, it appears that the Government is reluctant to interfere and encourage companies to use Western Australian products. I hope the Premier looks at that and does something about the valuable contracts going out of this State.

While I am on the subject of the gas line, we have witnessed in the past 18 months or so a shaking off of the shackles, so to speak, of the gas contracts which were entered into in an endeavour to encourage the development of the Woodside gas project. That project has created many benefits, especially for my region. However, on the negative side, it has inhibited development of other industries in the Pilbara for a number of years. Those shackles have now been removed. I hope that we witness in the next 18 months to two years the start of many major projects involving downstream processing and the like. The development of the pipeline will allow opportunities for downstream processing which we witnessed recently in the electorate of Pilbara when BHP announced the development of a briquette plant which we on this side applaud.

Mr Graham: It is recognition of the quality of the Labor Party.

Mr RIEBELING: That may well be. I hope that we see that type of development throughout the Pilbara region so that the value of the products that are produced in that region are enhanced for the benefit of the entire community of this State and of Australia.

I also hope that we see the development of reticulated gas to the towns in the Pilbara. It is ludicrous that homes in the area which produces the vast majority of gas for the State's needs do not have reticulated gas connected to them. The people in those towns must buy bottled gas whereas people in Perth, 1 500 kilometres away, get reticulated gas. I hope the Government considers some method of providing reticulated gas especially to the towns of Karratha, Dampier, Wickham and Roebourne.

Despite the rhetoric of this Government, its belief in the future of the area was shown in its submission to the Electoral Commission of this State. It was a true reflection of this Government's belief that the area has no growth potential because it supported a reduction in the number of seats in that area from six to five. I want to explain the actions of the Liberal Party and also the views of the commissioners which concerned a number of us and which will be reflected in the submission that the ALP lodges with the commission in the near future, if it has not been lodged already. For a number of years the Liberals have concerned us by their process of cleansing the roll. We have watched for a decade or more the practice of Liberals posting letters to people. When they are returned unclaimed, they apply to have those people removed from the roll. This has resulted in 62 per cent of residents of the Mining and Pastoral Region being on the electoral roll compared with 95 per cent of residents in the South West Region. In my view, this is an attempt to rot the system.

I reiterate that only 62 per cent of the residents of the Mining and Pastoral Region are on the electoral roll. Armed with that information this Government still supported the removal of one of the seats, knowing its actions resulted in the reduction in the number of people listed on the electoral rolls over a considerable number of years. They were very successful at doing that and it is to the detriment of the region.

Mr Strickland: One-vote-one-value will take out another couple of seats.

Mr RIEBELING: It will provide a fair system throughout the State and the rotting of the system now in the south will no longer occur. It really means the National Party will go down the gurgler. There will not be any National Party members to worry about after that.

Mr Graham: The Liberal Party's federal senators have a deliberate strategy of sending out mail to the mining and pastoral region so that mail is returned in order that people be struck off the role.

Mr RIEBELING: That has been going on for 10 years. Members will find, I hope, in the one-vote-one-value argument that the judges who examine that case will kick the conservative Government over its rotting of the system in the Mining and Pastoral Region.

The ACTING SPEAKER (Ms Warnock): Can we have fewer interjections? The member on his feet has a light voice and I can see *Hansard* is not able to hear as a result of the noisy rumblings. That includes members on both sides.

Mr RIEBELING: What are the commissioners calling a balanced report? They claim to have considered all the rules they have put in place in the Act which they must consider when drawing the boundaries. I believe they have not examined many of the rules they have set for us to consider. They have done the redistribution based purely on populations and what they have achieved is totally unacceptable, especially to the people in the electorate of Ashburton. When the commissioners consider their drafting of these new boundaries, they are bound by the Act to take into account a number of matters: One is the community of interests which exists in the various regions they are looking at. Others are distances from the capital, means of communication, existing boundaries of the districts within the regions and existing local government boundaries. Anyone who has bothered to look at the split up of the northern seats will know that not too much consideration has been given to any of those categories. The commissioners' own figures support what I am saying. If they have a serious look at what will be the outcome, they should change their ideas on the boundaries and reinstate the sixth seat for the Mining and Pastoral Region. The only area which has major growth is the new seat in the area around Mandurah, an area which most people in this State consider to be the outer reaches of the metropolitan area. This division has highlighted the undemocratic nature of the electoral system to which we are subject and how inequities can occur if the system is not put into practice correctly.

Mr Strickland: Many members on both sides of the Chamber agree with what you are saying. There are also many other questions about the Act.

Mr RIEBELING: I hope they rethink a number of them. The ones I know best relate to the Mining and Pastoral Region. The member for Scarborough might like to comment about others. When 104 000 permanent residents are represented by five seats in an area where all the seats are above quota and will remain so for the next 10 years at least, the gap this redistribution has created will increase the disparity between the most remote areas and the more centralised areas of the State. Therefore, the south west areas will have less disparity above the norm, compared with the Mining and Pastoral Regions.

In my seat, the seat of Ashburton, the towns that constitute the Shire of Roebourne - Dampier and Karratha, the two most populous towns in the seat of Ashburton - have been separated from the community. The communities of Karratha and Dampier are now in a different electorate from the towns of Wickham, Roebourne and Point Samson. To split that small community which has a radius of approximately 30 kilometres and which comprises all the towns I have mentioned, using the railway line to separate the communities, is an insult to people who have driven through and know that region. It has outraged the shires and the people who live in the communities. The communities of Wickham and Roebourne are especially upset because their great fear is that they will lose me as their representative!

The real annoyance is that when a constituent wants to approach a member of Parliament to intervene in a problem, rather than be able to drive approximately 20 kilometres down

the road to visit the member who will be based in Karratha, that constituent will have to travel 240 kilometres to see the member who resides in the Port Hedland area. That defies logic and is a decision which the commissioners will have to overturn because of its stupidity. To my horror, when we contacted the commissioners about that decision, they could not tell me whether Wickham was in the seat of Northern Rivers or the seat of Pilbara.

The ACTING SPEAKER (Ms Warnock): Order! I draw members' attention to Standing Order No 133 concerning matters such as this. It does not provide for a general discussion in a third reading debate. It reads -

No Member shall digress from the subject matter of any question under discussion: Provided that on the motion for the second reading of an Appropriation, Loan or Supply Bill, for expenditure for the ordinary annual services of the Government, matters relating to public affairs may be debated.

This does not refer to the third reading of a Bill. The matter must relate to the Budget itself or some matter that arose in the estimates hearing. I also remind other members who are likely to speak on this matter this evening.

Mr RIEBELING: I take your ruling on board Madam Acting Speaker, but it is my understanding that the Budget provides an allocation of money to allow the redistribution to occur. Therefore, that is the section which I am addressing in my speech.

If members take the boundaries drawn by the commissioners and draw a line from Wickham south, which the commissioners have done, Paraburdoo is now in the seat of Pilbara and Tom Price, its nearest neighbour, goes into the seat of Northern Rivers. Newman will be in the seat of Pilbara and Jigalong will go into the seat of Northern Rivers. The new Northern Rivers that is the section seat will include areas as diverse as Jigalong and Warburton which is on the South Australian border. The member who represents that electorate will have to travel between Warburton and Karratha.

The concept of vote weighting in country areas has been turned on its head by this distribution. The most isolated and scattered communities of this State who, if the vote weighting system worked, would have the lowest population base will have the highest population base of any of the country seats. That sort of thing persists throughout this distribution. Therefore, in the next 10 years the most isolated and the hardest areas to service will have a higher population than the areas of Mandurah and Busselton, which have the highest growth rates. The problems that now exist will become greater during the next 10 years.

One of the good things that will come out of this type of redistribution is the strengthening of support for one-vote-one-value. We now have an example of the complete disregard of the rules and theory behind the vote weighting system. The areas which are supposed to have been most advantaged by this system will be disadvantaged.

Mr Leahy: Those who put forward those proposals are the advocates of vote weighting - the National and Liberal Parties.

Mr RIEBELING: That is right. One of the big losers in the one-vote-one-value system will be the National Party. I hope it understands that its submission about the Mining and Pastoral Region has put it in the situation of saying, "Let's rot the system as much as possible and as result of that our case for one-vote-one-value will be further strengthened." With the case the member for Fremantle has expertly been putting together there will be an end to the vote weighting system which has allowed the National and Liberal Parties to dominate the upper House since its inception and has kept them in office far longer than they deserve.

DR GALLOP (Victoria Park) [4.24 pm]: I will focus my attention on the Health budget and, in particular, on some of the issues raised about that budget in the Estimates Committee. We can now say that there has been a slight increase in dollar terms in the Health budget, which has come about mainly because more money has come to Western Australia from the Federal Government. Most of that money has been allocated to very useful programs in this State, but it is tied money. It is money which is not actually



freely available to the State Government to spend on the health system as it would wish. As a result of that slight increase in dollar terms, most of which has come from the Federal Government, the Opposition can only conclude that when the ageing population and rising medical costs are taken into account there has been a real reduction in health expenditure in Western Australia.

It is important to observe the existence of that real reduction alongside the optimism that exists in the growth of this State's economy and the extra revenue it is creating for the Government. On the one hand this Government says very positive things about this State's economy and reflects upon the increasing level of growth as the State pulls out of recession and the movement out of recession gathers pace, but on the other hand it is putting the screws on the health system. Probably, along with the types of issues mentioned in the matter of public interest today, that contrast - optimism, growth, extra revenue with putting the squeeze on health and dampening down expectations in respect of health care delivery - clearly tells us what are the priorities of the Liberal and National Parties.

That reduction is being particularly felt in the hospital sector. All the hospitals are being told they will have to cut their budget by 2 or 3 per cent and that that can be done through efficiency. As the days go by the Opposition is finding that the only way the 2 or 3 per cent cut can be achieved is to actually reduce the services available to people. That was personified only too clearly at Royal Perth Hospital a couple of weeks ago when a doctor who had gone there for surgery ended up in a corridor. It is interesting that when pressure was brought to bear resources in that hospital were found to provide another ward for patients undergoing surgery. That sort of thing happens in the Health budget all the time. When the heat goes on the Health Department reshuffles its scarce budget to overcome a problem and, in the process, another problem is created.

Overall, the Health budget is declining and two things are happening: Firstly, the services are being squeezed and, secondly, staffing levels are being reduced in the hospital sector. One of the key elements in a good health care system is quality and quantity of staff. When people are ill and find themselves dependent upon the hospital system for care, it is the quality and quantity of staff available to look after them which is the crucial element in the health care equation. This financial year 418 positions will go out of the health area. That is what we know about the Health budget in aggregate terms.

In addition, a new health system in Western Australia called the funder purchaser provider system is being imposed on this State by the coalition Government. I raised two concerns about that system in the Estimates Committee: Firstly, the implementation of this system is causing problems and, secondly, there is real concern in the community about whether that system has a rationale that fits the circumstances of Western Australia and whether it has a rationale in the health care system at all. The Opposition remains very concerned, despite some of the comments of the Commissioner for Health at the Estimates Committee, that the imposition of that model onto the circumstances that exist in Western Australia will lead to a diminution of real health delivery and a growth in bureaucracy.

The graph that exists in all jurisdictions that apply the funder purchaser provider model is: Bureaucracy goes up, and health care services directly provided to consumers go down. I am not convinced, having looked at the structure the Government is setting up, that that table will not be reproduced in Western Australia, because we are currently seeing the formation of 36 provider units. Those units will sell to the purchasers, that have also been created, a package of health care delivery for the area that they will encompass. Each of them is based on a hospital, and other services in that region. We will see in each of those 36 provider units the inevitable emergence of bureaucracy that will gradually suck resources from nurses, doctors and those who deliver those very important services in hospitals, such as food and cleaning. We will certainly press the Government as this new model is introduced this year on the impact of the purchaser provider model on health delivery.

Secondly, we see the fact that the case mix model will be introduced into hospital

funding, as confirmed in the Estimates Committee by the Commissioner for Health. This leads to real concerns for all people who care for health in country areas. That is because the case mix model is based upon the amount of work done in any hospital. It is not based upon what a hospital can do; it is based upon the number of cases hospital has dealt with in the past. When applied in a very radical way in the State of Victoria, where the Government of Victoria said, "This is the amount of money you have. You can tender to provide those services in the country", Victorians have the ridiculous situation where country hospitals are being closed and people are put on buses and driven away from their families into the city to have health care. I am concerned that if case mix is not introduced with care for our country constituencies, we will see a diminution in the level of health care for those who suffer the disadvantage of remoteness in Western Australia. When I pressed the Commissioner for Health on this issue, he acknowledged that core services would be preserved. However, I remain sceptical, having seen the experience of case mix in Victoria. The Opposition will be pressing the Government as this Budget is taken through in the course of the next year and case mix is introduced. We will be putting up a voice on behalf of country people to ensure that services will remain in country areas. That should not be on the basis of the numbers of people who might have used that service the year before, or the year before that, but based on the right of those people to have a decent system of health care, should the need arise.

The third issue in relation to health policy in the Budget is the resource allocation model, which will determine the amount of money which will go to each purchasing authority in Western Australia. It is a population based model. I pressed the commissioner on this issue and he assured me, and other members of Parliament who were at the Estimates Committee, that in the first year historical funding will continue. In other words, the purchasing authorities will be funded on the basis of their historical experience. Alongside that a theoretical notion will be put. That is revealed by the resource allocation model, which will give those authorities some idea of where the system is going in the future. We have still to see the results of that resource allocation model. We were told that the results would be published at the end of August, but they still have not been published. The people of Western Australia have a right to know where the health dollar will go once the new system is put into place, and what this resource allocation model will reveal. It is important that the facts be revealed to the public, so we can have an informed debate. It was supposed to be produced at the end of August. It is now nearly the end of September, and we still do not have the model.

We will look at a number of areas of health that remain problem areas in Western Australia. They are problem areas that have not been adequately addressed in the Budget. We will look at the situation which prevails with mental health that is currently characterised by three elements: A shortage of psychiatrists in the public hospital system; overcrowding at Graylands and Heathcoate; and the lack of appropriate supported accommodation for those people who are ready and willing to leave the acute sector at Graylands and Heathcoate. We could not get a worse mix than that. All of that indicates this State has a major problem in relation to mental health services. None of the signals coming from the Government indicates it is fully appreciative of the problems being created by that trifecta of difficulties.

Secondly, we see some very misguided policy directions in the mental health area. The whole approach to child and adolescent health has been characterised over the past nine months by the efforts of the Health Development to close down the Hillview Child and Adolescent Clinic. The latest stage in that episode is the appointment of a consultant by the Government. That consultant was not appointed on the basis of tender. I am not sure what are the qualifications of that consultant in the areas of child and adolescent mental health. As far as I understand, he was an administrator of a hospital. In this important and sensitive area, we need people with knowledge of the problems involved if we are to achieve a solution. I can assure members of this House, that those of us concerned with the future of Hillview and the service it offers will be unrelenting in our campaign to make sure there is not one element of diminution in service to our youngsters who find themselves with psychiatric difficulties.

Another misguided policy direction in the mental health area is the closure of the multicultural health centre based on an unbelievable fallacy that if a service is broken up into small parts and spread through the community it will be the same service as we had before. Of course, it was the collection of those parts in the multicultural psychiatric centre in West Perth that provided the unique and creative nature of that service. Once it is broken up it is lost, so access is not improved; it is reduced. If one is a person with a non-English speaking background with mental illness and the only service available is around the corner in a public hospital where the whole environment is alien, where the people are not appreciative of one's concerns when one comes knocking on the door, that service might as well be in Kununurra. This Government seems to think that access is based on the concept of geography. It is not; it is based on a concept of culture and sensitivity to those from a non-English speaking background. This Budget confirms those misguided policy directions.

Thirdly, we are moving in the area of age care to a very dangerous scenario in Western Australia. The Government is hellbent on privatising nursing home care. That is fine; that is the Government's philosophy. It has a right to carry out its philosophy, but I have pointed out in this House before my concerns about the methods the Government is using to try to shift people out of Mt Henry Hospital and the way it has gone about the closure of Sunset Hospital. I will raise a different issue today; namely, where the health care system is going, as indicated in the 1994-95 Budget. We will finish up with a health care system where there is a gap in subacute care for elderly people.

In recent months, I have talked to people involved in the age care business, in particular to geriatricians; and they know something about it. They have told me that we need to have subacute facilities, slow stream rehabilitation facilities, nursing home provision that makes allowance for the fact that some elderly people need extra nursing care and support services, in particular, nursing homes. The non-government sector is doing an excellent job in respect of a range of people who require nursing home residency, and it is improving all the time under the Commonwealth system of monitoring, which was set up as a result of the work done by the former Western Australian senator, Pat Giles, a number of years ago. That is starting to bite now, and standards are improving, but there is a problem in this area.

Many elderly people have real dependency, and Mt Henry in particular offered a home for those people. Once that hospital is taken out of the system, we will experience difficulties as pressure is applied to the non-government system and it finds it difficult to cope. My fear is that those elderly people will drift back into our public hospitals and take beds away from people who need them, and that will place pressure on waiting lists and hospital beds. The irony is that in the last few years, Mt Henry has been able to alleviate some of the problems at Royal Perth Hospital by establishing a special unit so that people can be taken out of the acute setting of that hospital and placed into the subacute setting of Mt Henry. That has taken pressure off Royal Perth Hospital and allowed more people to be pushed through for operations. Therefore, I see a gap emerging. Every time I raise this issue, the response I receive is an ideological one. It is not a response from the Minister which says, "There is a problem here, and this is how we will address it". The response I receive is, "Privatisation is a good thing". The Government must bring pragmatic and practical considerations alongside its ideology or it will fall victim to that ideology.

Finally, we are finding in all our hospitals the existence of what I call a mixture of conflict and crisis. That varies from hospital to hospital according to the management and the budget, and according, to some extent, to the traditions and degree of hostility which may exist between staff and management. The scenario in our hospitals is not good, and as this year progresses I will raise specific examples in this Parliament of where the overall health allocation to hospitals is not sufficient to allow for the proper delivery of services. That is forcing the managers of those hospitals to enter into a conflict situation with their staff as they try to achieve the unrealistic budget targets that are given to them. Corners are being cut in our hospital system in a way that is not acceptable in 1994.

**DR WATSON (Kenwick) [4.43 pm]:** I will continue from where the member for Victoria Park finished and raise some issues of concern about the impact of the funder purchaser provider model for the provision of health care services that has been adopted by the Health Department and that is having adverse effects on individuals. Throughout the Budget debate and the Estimates Committee, I have taken up the issue of costs to people with disabilities. While I acknowledge that the Minister for Disability Services is present, at the moment the big question is whether it is right that the provision of aids and equipment for people with disabilities should come from the Health budget, because there is increasing evidence to demonstrate that that is having an adverse effect.

A letter from the Spina Bifida Association that was sent to the Director of the National Council Secretariat for the International Year of the Family states that most families of children with spina bifida - a congenital malformation of the spinal cord that is often associated with hydrocephalus - concur with the premise that there are added costs in caring for a child with a disability. They also have concerns, as do many people with disabilities and many advocates for people with disabilities, about respite care. The respite care that is required for children and young adults with spina bifida is very specialised, because one of the consequences of spina bifida is that these people will probably have to catheterise themselves, or be catheterised, every three hours for the remainder of their lives. Therefore, it is very difficult for parents to leave their child or young adult with someone who is not trained in that procedure. If unqualified people perform a catheterisation, there is a big risk of urinary tract infection, which may result in hospitalisation. Therefore, very skilled care is needed for the term of those persons' lives.

The letter states that the parents of children with spina bifida need to set up special bathroom and toilet areas in their homes. The letter also refers to sport. All children like to participate in sport, but if they are wheelchair bound, that may lead to a need for an extra wheelchair. We know that the Health Department is proposing to charge people \$100 a year for the maintenance of each wheelchair. Children with spina bifida need extra clothes and shoes because they are incontinent. They may also need elbow crutches, leg callipers and other aids, depending upon the extent of their disability. Their families often need to have a second car, particularly where more than one child has a disability. From the time that child is born, the family incurs enormous expenses for regular living and hospital costs. I bring that matter to the attention of the House because there is no doubt that the decisions which the Government has made in this Budget will have severe consequences for all people with disabilities.

I have previously brought to the attention of the House the incontinence problems faced by people who have quadriplegia, paraplegia and neurological illnesses. For a short time, I will focus on funding for the Continence Foundation, which is attached to the Independent Living Centre of Western Australia Inc in Shenton Park. When I was Minister for Seniors, we had a great deal of consultation with seniors, some of whom told us that incontinence for older men and women is an important health issue. Incontinence detracts from people's independence and dignity. Therefore, in late 1992 the Office of Seniors' Interests provided a grant to the Independent Living Centre to set up a hotline where people could get information and advice about continence and incontinence and referrals to medical practitioners where that was thought to be necessary.

It was never intended as anything more than that kind of service. Over the first year there were so many calls that it was clear that not only would this service have to continue but also some kind of health assistance would need to be provided. From year to year the foundation has struggled for its funding. Funding was due to run out in October this year. The foundation has only just found out that its funding will be continued in the next year, supplied not by the Health Department but through the Office of Seniors' Interests. It really limits the amount of service that can be provided. I am sure that all members will agree that this is a very personal issue for men and women of all ages, one that is also very costly both in terms of the equipment that is needed by people to keep dry and the social costs.

Through the Office of Seniors, the Government has agreed to pay the Help Line \$50 000

in two lots of \$25 000 each. Still the foundation has not received the first instalment which was due to be backdated from 1 July. I urge the Minister for Seniors and the Minister for Disability Services representing the Minister for Health to ensure that that first payment is made. That amount of \$25 000 twice a year will pay for only one worker. The foundation gets its administrative support from the Independent Living Centre and all the foundation can do is provide information, give referrals over the telephone but not participate in the extensive education programs that are necessary.

To date more than 1 900 health professionals, mostly general practitioners and nurses, pharmacists and others, have also made contact with the help line, and importantly 17 per cent of those people came from rural areas. Glenice Wilson won a Churchill fellowship for the work she was doing on incontinence and she has come back to Western Australia with tremendous expertise and knowledge. She wants to be an educator, but she is hampered because of the lack of funding. She does a lot of education in her spare time. She has prepared brochures, and has secured funding for those brochures and research booklets for both the members of the general community and health professionals.

It occurs to me that people should not have to fight for every dollar of funding for such an important service. Glenice told me that she recently calculated for one young man, who is only 26 years old and not eligible for any government support, that the cost of pads based on six changes a day for the year, will be \$5 426. The cost of 25 night pads is \$54.50; that is, it costs people \$2 every night just to keep dry and to have a good night's sleep. A pack of 10 continence pads to keep people dry during the day costs \$7. Some people use four pads a day. It is a very costly business to be incontinent. As government support for those sorts of aids has been withdrawn, people must make decisions about what they can actually afford. People are going back to using pieces of towelling, washing them out, or drying out the pads and then reusing them.

Mr Bradshaw: When was the free allocation for this cut? When I was in Opposition I had lots of letters of complaint about it.

Dr WATSON: Only recently. The only support provided by the Government is an annual grant of \$200 000 a year from the Lotteries Commission for children aged between three and 16 years, and through the Commonwealth service. The public hospitals send all of their eligible patients to the Commonwealth service until those people have used up \$450 worth of continence aids and appliances. We should not be doing this to people over something that is so sensitive so few of them can talk about it unless they do so anonymously on a telephone hotline. Glenice and her team of volunteers are able to provide only referrals to physiotherapists or to clinics. The continence services that exist are all due for review this year. As yet, there is absolutely no commitment to renew any of the funding. I do not think the State Health Department has committed itself to any amount for the continence service.

The Federal Government, through the Medicare incentive program, has provided a continence service from 1993 with funding in the first year of \$158 000 and \$139 000 in the second year. The incentive program - therefore, one assumes the service - will cease in February 1995. The south west health region funding has been partly provided by the federal Medicare incentive scheme and the Bunbury Rotary Club, which is to be commended. It provided \$55 000, but it cannot continue to fund this commitment from October 1994. The Osborne Park continence service provides a service basically for enuresis, or bed wetting, and that has been funded under the north metropolitan health region scheme which has responsibility for that region. That service will probably not continue past December 1994. The Princess Margaret Hospital enuresis clinic for children has been in operation since 1975 mainly, with grateful thanks, by moneys donated by the Rotary clubs. However, waiting times of up to three years apply for people to get into the clinic. The Department of Veterans' Affairs also funds a nurse continence adviser under a commonwealth program.

Most people in Western Australia simply do not have direct access to a clinic continence service. At the moment, people have access to the help line which is still funded by the Office of Seniors' Interests, in my view, totally inappropriately. Incontinence is a health

issue for those people who do not have any other disability than incontinence that is presumably due to some sort of pelvic or abdominal disorder, and it should be attended to by the Health Department.

The few services that exist are all due to be reviewed in the next 12 months with little or no guarantee of further funding. Any growth in the recognition of continence as a health issue over the past two years has been as a direct result of the Continence Foundation project coordinator.

I pay a tribute to the work of Glenice Wilson, a nurse who won a Churchill Fellowship, who has done no end of work with boundless energy to take away the sense of shame that too often exists for people who have a continence problem, to talk about it in a matter of fact way and to persuade them to seek assistance from an appropriate source of referral. It might not always be a medical doctor; it might be a physiotherapist or a nurse specialist. She has brought liberation to thousands of people. Well over 2 000 people have received information and support in the two years since we first opened that Help Line.

**MR RIPPER (Belmont) [5.02 pm]:** In the debate on the matter of public interest motion I referred to the case of two women who were wards of the State and placed in foster care, and who were the responsibility of the department for community services, which is now the Department for Community Development. I refer to Rosalie Ann Fraser and Chantelle Graham. Very unfortunately those two women in their childhoods, who were the responsibility of the Department for Community Development, suffered greatly while in foster care. The record of their suffering is evident from the files of the department of community services which have been made available for them to read.

These are tragic circumstances. The then children were removed from their natural parents because of the view of the then department that their welfare would be best served if they were placed in alternative care. That alternative care turned out to be not only neglectful but abusive, and thus occurred the very reverse of the intention that the department had at the time. From the evidence on the files the department regrettably knew that the children, as they were then, were experiencing this neglect and abuse. This is not just a case where a department with good intentions made a decision which turned out to be disastrous in practice, but a case where certainly the outcome was disastrous and, unfortunately, a case where there appears to be evidence that departmental officers had received warnings from time to time about the welfare of those children in substitute care. From the evidence in the files it would appear those warnings were ignored, and so the suffering continued. I remind the House that the children were the wards and the responsibility of the State, and the extreme step of removing them from their natural parents was taken in the interests of their welfare. Their welfare was not being met by the foster care placement - quite the reverse. It appears from the evidence in the files that departmental officials were made aware from time to time of what was happening and, unfortunately, failed to take any significant action to protect the welfare of Rosalie Ann Fraser and Chantelle Graham in their childhood.

In their adulthood these women approached the Department for Community Development and the Minister for Community Development seeking compensation for the suffering they experienced when they were the responsibility of the then department of community services. It is sometimes difficult once one is in Opposition to give a completely comprehensive and accurate picture of the progress of a case, because once in Opposition one does not have access to departmental files and records. Nevertheless, after speaking to Rosalie Ann Fraser and Chantelle Graham and consulting with others, I believe I can piece together some of the history of the progress of their claim.

Their first approach to the Department for Community Development and the Minister for Community Development during my tenure as Minister for Community Development was met with a rebuff. The acting Minister for Community Development at that time responded to a letter from Rosalie Ann Fraser and advised that an ex gratia payment would not be approved but there would be provision for free counselling provided by the Department for Community Development to assist her and her sister to overcome some

of the emotional consequences of the experience they had while wards of the State. This was not satisfactory to Rosalie Ann Fraser and Chantelle Graham so they and their legal representatives made further approaches to the department.

In response to those further approaches I sought advice from the Crown Law Department about the merits and legalities of the claim for compensation. That document has been uncovered despite the fact that Labor is now in Opposition, and certainly there is evidence that advice was sought from the Crown Law Department. As far as I am aware, without the ability to check the departmental files, the legal advice which I sought from the Crown Law Department had not been returned to the Minister for Community Development before the change of government. My impression is confirmed by a copy of a letter, which I have been given, from the now Minister for Community Development, the member for Mandurah, addressed to Ms Kathryn Shain, who was the solicitor for the Sussex Street Community Law Service Inc. That letter is in response to further representations on behalf of Rosalie Ann Fraser and Chantelle Graham. It is only a four paragraph letter, which I will read because it represents important evidence in this case. The letter states -

Dear Ms Shain

Thank you for your letter of 24 February 1993 regarding Rosalie Ann Fraser and Chantelle Graham and their claim against the Department for Community Development.

The Department for Community Development has recently received comprehensive advice concerning this claim from the Crown Law Department.

Given the complexity of the advice and my recent appointment to this office, I would prefer to take time to consider the advice and consult with officers of the Department before replying to you.

I shall, however, reply to you as soon as I am in a position to do so.

Yours sincerely

That is signed by the present Minister for Community Development. There are two interesting aspects to that letter, one of which is that it shows the Minister was in a different position from that of his Labor predecessors, because he had available comprehensive legal advice from the Crown Law Department which, in his own words in a letter dated 29 March 1993, had only recently been received by the Department for Community Development.

He indicated that comprehensive legal advice from the Crown Law Department was received before the end of March 1993, and he said he would like time to consider it. That would appear to be the legal advice that I had sought from Crown Law Department. The Minister received the advice shortly after assuming the position as Minister for Community Development. The problem is that he has claimed that he has legal advice, but he has been sitting on it ever since. Almost 18 months have elapsed since he wrote that letter to the solicitor for Rosalie Fraser and Chantelle Graham. That delay adds insult to injury. Nobody in this House could fail to be moved when listening to the experiences of Rosalie Fraser and Chantelle Graham when they were the responsibility of a department of this State. However, we have had this extraordinary delay.

Some delay is to be expected, especially when investigating events of 20 years ago. Some people may have died - as in this case - and people employed by the department may have retired or moved to other employment - also as in this case. However, it is unsatisfactory that the delay should continue after these matters have been investigated. Legal advice has been sought and the Minister has been sitting on that advice for 18 months. He must make a decision. In recent weeks the matter was raised in the media, yet the Minister still failed to respond.

I advised the Minister this afternoon that Rosalie Fraser and Chantelle Graham were in Parliament House and that it was possible for him to meet with them this afternoon. The Minister said no, it was not possible. As in the past 18 months, he will not give an

answer. If members had had an opportunity to examine the files of the people concerned and had spoken to them, the only conclusion that they could draw is that the delay in the Minister's response is adding insult to injury. The former Premier, the former member for Glendalough, took a close interest in this case, and her electorate office was continually seeking advice from my ministerial office about the progress of the case. The former Premier took a sympathetic attitude to the claims of Rosalie Fraser and Chantelle Graham. Most members, after discussing the circumstances with those involved would take a similar attitude. I do not know why the Minister for Community Development is taking so long to make a decision on this case. In his own words, the advice from the Crown Law Department is comprehensive.

I indicated that I do not recall seeing this advice before the change of Government. My recollection tends to be confirmed by the Minister's letter. However, I have seen a copy of a letter from legal representatives of the two ladies in which the impression is outlined that in informal discussions with the Crown Law Department the department indicated it would be recommending to the Minister that an *ex gratia* payment should not be made; certainly, that is the sort of information which the Minister has given to the media. However, the impression of the solicitor was that Crown Law would be recommending some payment similar to criminal injury compensation; that information was not given to the media by the Minister.

As often happens with this Government, we had selective releases of Crown Law advice rather than the full picture. He failed to mention advice that, in the view of the solicitor who had informal discussions with the Crown Law Department, would be a recommendation for criminal injury compensation. This amounts to misleading the public. I cannot say that that is a definite conclusion, as, to the best of my recollection, I have not seen the legal advice. However, on the basis of advice given informally to the solicitor to the people making the claim, it could be that the Minister for Community Development may well have sought to mislead the public.

If Crown Law recommended payment similar to criminal injury compensation, and if the Minister had delayed the matter for 18 months, he is fulfilling his obligations in a most unsatisfactory way. I appeal to the Minister to adopt a more compassionate attitude to resolve the matter quickly. These women had childhood experience of abuse and neglect and the Minister's behaviour only compounds the childhood experiences of Rosalie Fraser and Chantelle Graham.

I am very disappointed that the Minister is not in the Chamber. I indicated to him that the third reading debate in the Budget would provide an opportunity for him to make a statement to the House on this subject; he has chosen not to appear. He has denied himself, and more importantly, Rosalie Fraser and Chantelle Graham, the opportunity to make a statement on this matter. The ladies are sitting in the Public Gallery, and they would like to hear the Minister respond regarding their long outstanding claim for compensation. It would be a simple matter for the Minister to say to the House that he was doing this, that or the other and that he expected to make a decision by a certain time. He could make a statement to the House about the progress of the claim. It is a matter of great regret that my invitation for him to participate in this debate is declined. However, unless the Minister responds to my appeals, I can do little more.

Another matter of great concern is the way the health system has been dealing with some of my constituents. The hospitals allocation in this Budget has been cut by approximately 2 per cent, and that is likely to make the situation worse. Recently, I received a spate of complaints from people subjected to long waits to attend various clinics. Also, repeat cancellations have been the subject of complaint.

I am pleased to see the Minister for Community Development has returned to the House. The opportunity exists for him to hop to his feet to respond to my remarks regarding how he is handling the claim for compensation for Rosalie Fraser and Chantelle Graham. I would urge him to take five minutes to respond to the questions put to him. Why has it taken 18 months for him to make a decision on the comprehensive legal advice provided to him in late March 1993? I had intended to talk about some cases of concern to me and



the way in which the hospital system has dealt with some of my constituents who are patients. Time has run away from me and I will content myself by saying a spate of complaints have come to my office from people who have faced long waiting lists for surgery, repeated cancellations of their operations, and long waiting periods when they have had appointments for treatment at various clinics. I do not think the situation will improve with a 2 per cent cut in hospital budgets. I hope the Minister for Community Development will take the opportunity I have given him by sitting down a minute early, to answer the complaints I have received from Rosalie Fraser and Chantelle Graham.

**MR NICHOLLS** (Mandurah - Minister for Community Development) [5.21 pm]: The actions of the member for Belmont are deplorable. It is nothing short of a public stunt and he should be ashamed of himself. I wish to make a few comments to indicate what is happening. Some parties made a claim for compensation against the Department for Community Development because they believed they had due cause. The previous acting Minister wrote to the legal representative of those parties in January 1992 and, according to my reading of the letter, made it clear that no *ex gratia* payment would be made. The member for Belmont, the former Minister, wrote to the parties in June 1992 and offered counselling as an option if they needed it.

Since becoming Minister I have taken the view that the previous Government had not approved an *ex gratia* payment. I believed it was necessary to investigate the matters. I also believe that the first question to be asked is whether the previous Minister made the right decision, and whether there was clear evidence that the department had neglected its duty of care. The circumstances that have been made public are of concern, but I have been very careful not to draw conclusions. Some of the people concerned were constituents of the former Premier. They also at one stage were represented by the sister of that former Premier. I understand the former Premier - I have not heard her say it but it has been reported in the media - has said she recalls that the previous Government intended to make a payment. I cannot find any evidence of that. Nor can I find evidence that the previous Minister, who is now the member for Belmont, decided to authorise, or indicated he was considering, any compensation payment. The ex-Premier seems to recall one of her constituents would receive a payment. I understand some people were led to believe, either informally or third-hand, that a payment would be offered. I can find no record at all of any offer, or any record of action by the member for Belmont, as the former Minister, indicating that he intended to make an offer. I cannot find any record of the previous Premier formally authorising a payment or offer of payment. It is of real concern that the member for Belmont is jumping up and down in this House and asking why we are not doing something about this matter. I am doing something about it, but I do not plan to make a decision on an emotional basis. I have asked for an examination of the details on file.

**Mr Ripper**: When did you ask for that?

**Mr NICHOLLS**: The process has been going on since I became Minister.

**Mr Ripper**: For 18 months?

**Mr NICHOLLS**: Yes, it has taken 18 months.

**Mr Ripper**: That is unbelievable.

**Mr NICHOLLS**: The premise on which I am working is whether the acting Minister made a decision that an *ex gratia* payment would not be made.

**Mr Ripper**: Do you agree that a subsequent decision by a Labor Minister was to seek Crown Law advice? It was sought and made available to you but you have failed to act on it.

**Mr NICHOLLS**: Does the member for Belmont know what is in that Crown Law advice?

**Mr Ripper**: I have not seen it to the best of my recollection. However, I have seen a letter from a solicitor representing the people concerned, which stated that informally she was given to understand by Crown Law that its advice would be that a payment similar to

criminal injuries compensation would be made. Only the Minister knows what is in that advice. Perhaps he can confirm that.

Mr NICHOLLS: The member for Belmont will know that Crown Law does not decide what action will be taken. It is a gross distortion for the member to say when in opposition that his Government was going to do it. Quite frankly, as Minister, he did not do very much at all.

Mr Ripper: I sought Crown Law advice and you have failed to make a decision.

Mr NICHOLLS: The member for Belmont is now trying to promote an expectation that the parties will be paid, based on advice he has never seen. The ex-Premier seems to recall there was going to be a payment. I make the same challenge to the member for Belmont as I do to anybody else: If he has evidence to show that a formal offer was made, I would like to see it. If not, I will make sure I investigate whether the previous acting Minister made the wrong decision when he wrote that an ex gratia payment would not be made. Secondly, I want to know whether there has been a breach or neglect of duty of care. Once I determine whether that is the case, and I will do that as soon as I am physically able to -

Mr Ripper: Now you are under some pressure.

Mr NICHOLLS: It was already in train before the parties decided it was a good political issue.

Mr Ripper: They reluctantly went to the media because they were frustrated at your lack of action.

Mr NICHOLLS: The stunt of standing in this House and asking why the Government will not make a payment does not wash. The member for Belmont did nothing to help those people, apart from say that his Government would look at it. He is now attempting to make some political mileage out of the situation. Those people in the Public Gallery will hear as soon as I have an answer, after I have ascertained whether there was any neglect of duty of care. All the hollow comments about what the previous Government would do ring false. The "gunna do it" does not wash. The member for Belmont did nothing when he was Minister, and the comments he is making now are hollow. As soon as I have the information I will make a decision and I trust the member for Belmont will back it up, because the Opposition has a role to play in this.

Mr Ripper: I will back the right decision, not the wrong decision.

Mr NICHOLLS: The member will not do that. He is trying to give the impression that he is fighting on behalf of those people. Quite frankly, he did nothing apart from refer to it. If he believed that there were grounds -

Mr Ripper: If I had been there when the advice arrived and had been given the chance to examine it, like the Minister was, a decision would have been made by now.

Mr NICHOLLS: Again we come back to, "If I was, if I could and I was going to". The member has tried to raise the issue in this House to gain cheap political points through some publicity and it does him no credit.

MRS HENDERSON (Thornlie) [5.31 pm]: I will raise a couple of issues, one of which I raised in the Estimates Committees debate and I will progress that issue further. A large number of people in Perth are concerned at what they consider is a deterioration in the quality of our air. With the expectation that the population of Perth will double in the next 25 years, it is an ever increasing problem and deserves some action.

A three year study is currently under way to determine air quality in Perth. I understand that the study has been proceeding for two years and that some of its findings, which have been discussed in various public forums, indicate that action must be taken on them. Most people will have recognised that a haze over Perth is occurring more frequently. It is becoming more evident on days when there is very little sea breeze or easterly breeze in the morning. It is an indication of the levels of pollution within the city. During strong winds, which mask the true extent of the increase in pollution, that haze is often blown away.

The studies I have seen identify three major causes of air pollution. The first, and most significant, is vehicle emissions, the second is smoke from burning off and the third is smoke from solid fuel heaters in winter months. Western Australia has one of the highest levels of asthma, particularly among children, of the States in Australia. Indeed, it has one of the highest levels in the world and I think it is second only to New Zealand. Over the past 10 years there has been a rapid increase in the number of children suffering from asthma.

Some interesting facts emerge from the study of vehicle emissions. Of all the carbon monoxide that is measured in the atmosphere, 86 per cent is projected as coming from vehicle emissions; of all the hydrocarbons in the atmosphere, some 48 per cent comes from vehicles; of all the lead in the atmosphere, 97 per cent comes from vehicles; of all the nitrogen oxide in the atmosphere, 67 per cent comes from vehicles; and of all the sulphur dioxide in the atmosphere, 5 per cent comes from vehicles. It is clear that the vast majority of pollutants in the air, such as carbon monoxide, hydrocarbons and lead, come from vehicle emissions and that is the key area which must be tackled to reduce the level of pollutants in the atmosphere.

If one considers the levels of the individual pollutants, the ozone level in the atmosphere increases systematically, particularly in the summer months. A very clear relationship exists between the time of year, the amount of wind and the ozone level recorded both in the central city area and other areas around the metropolitan area. I found it interesting, because I was not aware of it, that monitors in the Swan Valley area clearly show that ozone and other pollutants from car exhaust fumes released into the city in the morning are blown up the Swan Valley by the afternoon sea breeze and high levels of those pollutants are experienced east of the city in the afternoon. Similarly, if easterly winds are blowing, those levels of pollutants are measurably higher at Rottnest. One can track the morning pollution according to the wind pattern and can measure the increased levels of those pollutants in different parts of the metropolitan area during the day.

Some people have drawn graphs which show the possible relationship between the levels of these pollutants in different parts of the metropolitan area and the levels of asthma among children. The highest level of asthma is around Kwinana, where a number of studies have shown the level of industrial pollutants to be quite high. That is the only area where there is a significant level of industrial pollutants. The other areas within the metropolitan area which show high levels of asthma among children are the Swan Valley and in the areas that are in the pathway of the afternoon sea breezes, particularly the south eastern region. The areas which record the lowest levels of asthma are in the northern suburbs, particularly the coastal areas, because there is very little likelihood of pollutants being blown into those areas unless there are unusual wind patterns.

The measurements which have been taken of the various pollutants show that the sulphur dioxide concentrations measured at Hope Valley and Wattleup sometimes exceed the World Health Organisation guidelines. The ozone levels in the Swan Valley, where the measuring devices are located, sometimes exceed the World Health Organisation guidelines. Lead concentrations in the atmosphere have dropped significantly and that is a pleasing result and reflects the decreased use of leaded petrol as the number of new vehicles on the road proportionately increases. Nitrogen dioxide levels are usually below the World Health Organisation guidelines and that has been found in all areas where it is measured. Carbon monoxide levels only ever exceed the World Health Organisation guidelines in the central business district and that occurs from time to time. Although there is no clear pattern, it can be related to prevailing winds. The hydrocarbon concentrations, which is the pollutant most closely linked to cars and exhaust fumes, at Hope Valley have exceeded the United States environmental standards.

The information that has come forward from the studies that have been done clearly indicate there is a problem. The problems of increased traffic and vehicle emissions in the metropolitan area, particularly around the city, are possibly causing health and environmental problems in suburbs which lie in the pathway of the prevailing winds. It is for that reason that action should be taken.

I raised a question in the Estimates Committees debate about smoky vehicles and the fact that the police no longer have a unit which stops the drivers of these vehicles and takes the necessary action. I acknowledge that everything I have heard supports the comments the Minister made; that is, as a proportion of the total amount of emissions, the amount of emissions which come from smoky vehicles is probably very small. However, there is another issue to consider. For so long as we take no action against people whose cars emit a lot of smoke, because it is considered not to be significant or worthy of action, there is a clear message that the public must be educated about the need to preserve the air quality. Elsewhere in the world it is accepted as a standard practice that if a person drives a car which emits clouds of smoke as he drives through the city, he will be stopped.

The fact that that does not happen in Perth any more is a signal to everyone in the community that we do not need to worry about the quality of our air. We need to encourage people with smoky vehicles to get their vehicles serviced, and we do not want to be punitive. In most cases that simple action would resolve the problem. That would be an indication that we want to raise the awareness of people to have less smoky exhausts.

People are concerned, not only about cars that travel along emitting clouds of smoke, but also about trucks. Everyone will have experience of being stopped at traffic lights behind a large old truck which spews out clouds of exhaust fumes, and alongside the traffic lights are children waiting to cross and mothers with small children in prams and pushers. In many cases, it is clear that it is the age and condition of the vehicle that is directly related to the smoke emission. Everyone takes the view that no matter the age of a vehicle, brakes must be in tip top condition. We should take that view in relation to clouds of black smoke being emitted by cars and trucks.

Mr Minson: The diesel engines of big trucks tend to put out solid carbon, so they are not so bad. I am concerned about the petrol vehicles that put out heaps of either blue or black smoke.

Mrs HENDERSON: It is certainly the case that most people would say, in terms of the toxicity or otherwise of the emission, that it is the dark black smoke rather than the blue smoke which is worse, but most people would suspect that it does not do a six month old baby's lungs any good to inhale any kind of smoke.

Mr Wiese: It would be like living in a house with someone who smokes.

Mrs HENDERSON: Many parents go outside to smoke. Attitudes to smoking have changed remarkably over the past 10 years. If anything, the situation with trucks and cars in Perth has become worse. About six weeks ago a city councillor from Toronto visited Perth; he was also the chairman of that city's transport commission. He gave some public lectures about what Toronto had done in seeking to improve the quality of its air. I was interested that Toronto tackled the problem with a multifaceted, lateral thinking approach. I found his talk extremely stimulating, because of the innovative way in which the transport commission had sought to get people out of their cars and into public transport. I was staggered by the results: Over 78 per cent of all journeys made to and from work in the mornings and evenings were by public transport. That is beyond what anyone would expect to achieve from a campaign to increase the attractiveness of public transport.

What was interesting about their approach was that it was multifaceted. It was a combination of fast, efficient, clean public transport that was attractive, reliable and predictable. There were a range of different transport methods, from light rail to bus, all of which came at very short intervals, and were fast and efficient. There was a combination of those forms of transport plus a deliberate policy of building medium density houses in clusters around railway stations. The medium density houses of which he showed us photographs and slides were extremely innovative and attractive. They were not multistorey blocks of flats. In many cases they were clusters of very interesting two and three storey buildings often built around a town square where the emphasis was on walking, gardens, and providing space where people would find it pleasant to be with

their children and neighbours. The entry for cars into a lot of these clusters was through the back way, so the cars were parked underneath these units and the main focus in the town square was on people walking. The spaces that were so attractive to people, and in which children were able to ride their bikes, were not accessible to cars. Interestingly, off the sides of these squares, around which these units were built, were escalators to get to railway stations. The result was that it was easy and quick to go out of their units through this paved square straight onto an escalator and catch a train to work. There is no doubt that the very attractive nature of these housing projects, and the fact that in designing them, one of the key elements was a regard for the form of transport for the people who lived there, meant that they were highly successful. The overall look of these areas was of a European type environment; that is, a smaller scale, a walking scale, type environment. Instead of the kind of housing estates we are used to developing, where the first things that go in are the roads to provide for the cars and then the blocks around the roads, they had the opposite starting point, where the central space for people to meet, walk and play was put in first. The units are built around those central spaces, and access to the vehicles in many cases was underground and did not interrupt these very attractive spaces.

This multifaceted approach, in a city not much larger than Perth, has worked extremely well. We cannot tell people that they must give up a form of transport that they enjoy and find convenient, and most people in Perth find the car to be the most convenient form of transport. Even if they have to sit in a traffic queue for five or 10 minutes, it is still the easiest way to get to work. For a city the size Perth to have 80 per cent of residents using public transport is an outstanding achievement. We need the kind of approach where we draw together all those people with different skills to try to design a system that will be attractive and will encourage people to use public transport. I believe we can do as well as Toronto has done.

There has been a lot of discussion that all State Governments are finding it increasingly difficult to allocate large budgets for the provision of new schools, knowing that the pattern will be that the population peaks, it falls off, and then at some stage, which can now usually be projected, many of the rooms and buildings will stand empty. Because of that there is now a trend towards building smaller schools with the expectation that, during its peak period, the school will have a significant number of demountable buildings on the grounds. Eventually those buildings will be taken away and the school will then be an optimum size for the community. I am thinking particularly of some schools in my electorate. This means that too many children will spend a significant number of their years at the primary school or high school sitting in demountable classrooms. The other issue that goes hand in hand with the issue of demountable classrooms is that we can increase the capacity of the school by adding more classrooms, but we do not increase the number of other facilities that go with the schools. In most cases there is no extra provision of library resources, wet areas, specialised areas for children to do art, craft and music, or extra playing areas. Children who happen to attend those schools at a time when the population is at its peak do not enjoy the same environment as children who happen to attend during the period the school is building up or after it has reached its peak and numbers are falling off.

It is time we looked towards erecting on school grounds buildings which can be later used for other purposes, such as family centres, aged person's activities centres or community houses, so that those buildings will be properly constructed with all the necessary facilities. They should be built within the grounds of the school to cater for the largest number of students who will attend there, with the aim in mind that later in the cycle they can be used for other purposes. I make that plea because every summer I see children who sit for six hours a day in extremely hot demountable classrooms and in my view that colours their whole experience of life at school. It can make the difference between a child for whom school is a pleasant experience and a child who develops a very negative attitude towards going to school. Although some improvement has been made by the installation of air-conditioning in those units, there is no doubt that it is second-rate accommodation and we need to think more innovatively to resolve that problem.

**MR GRAHAM (Pilbara) [5.51 pm]:** I am sure you will recall, Mr Acting Speaker (Mr Day), that on 23 August in the Estimates Committee a series of questions was put to the Premier and Treasurer regarding the use of his staff, the budgeting for those staff and how those staff were used in a political context. I want to discuss that in light of the events of the last day and a half. It is interesting to note that I am probably the last speaker in the Budget debate. It is also interesting that the Premier and Treasurer has not blessed us with his presence at any stage of the proceedings today, nor has the person whom I will target for a large part of my speech; that is, the member for Applecross and Minister for Planning; he is not here either. Neither is the Leader of the House, the Minister for Labour Relations, nor anyone other than the Minister for Police and the Minister for the Environment. It is interesting to note that the Treasury benches are vacant as we deal with the Appropriation Bills.

This afternoon members of this House were privileged to listen to one of the most dignified speeches that has been delivered in this Parliament. I have heard nothing like it in my adult life and in the period I have been part of the proceedings of the Parliament. The member for Mitchell acted with great dignity under extraordinary duress.

A government member: Hear, hear!

**Mr GRAHAM:** I am glad to hear a government member say that, but he might not agree with me as I proceed. The "Hear, hear!" probably demands that I make this point early in my speech: I am gratified by the amount of support that the member for Mitchell has received from both sides of the House. There are some exceptions, and it is those exceptions to which I will address myself. The member for Mitchell's unfortunate situation was made public as a political smokescreen. The man, his life and his future were destroyed for no other purpose than to create a diversion that would get the Attorney General out of the public eye for a day or two.

Several members interjected.

**Mr GRAHAM:** Members should just cast their minds back to last night. The Opposition was attacking the Attorney General on the basis of two government funded reports, one conducted by Mr Kyle and the other by the Director of Public Prosecutions. Both of those reports were the subject of debate in the Estimates Committee and the subject of Budget allocations, as they should have been. The government smokescreen was put in place by the staff of the Premier's office. As I said, it destroyed a man's life.

Let us go back to last night. I take on board the points made by members opposite.

**Mr Minson:** I hope you do not live to regret this speech.

**The ACTING SPEAKER (Mr Day):** Order! Member for Pilbara, resume your seat. A ruling was given earlier this afternoon by an occupant of this Chair, which I believe is correct, that any debate on the third reading of a Budget Bill must be directed either to the Budget or to matters contained within the Budget or within the discussions held during the Estimates Committee. I ask you to direct your remarks -

**Mr GRAHAM:** Are you saying that I have not?

**The ACTING SPEAKER:** I am asking you to direct your remarks in some context relating to the Budget.

**Mr GRAHAM:** I make this point to you, Mr Acting Speaker: I started my speech by pointing out that I was referring to, and would continue throughout my speech to refer to, matters raised in the Estimates Committee on 23 August about the appropriate use of the Premier's staff. I will continue to do that. I also make this point: The other hub of my argument concerns the Kyle report and the DPP report, both of which, as I have already made you aware, are the subject of Budget allocations and have been the subject of debate in these proceedings. I accept your point, and I will remain on that line.

I want to talk about last night because that is where the story started in this Parliament about the unfortunate events leading to the member for Mitchell. We had the speech by the member for Melville aimed at the member for Victoria Park. We might disagree, but I must say that the member for Melville knows what it is like to be on the receiving end

of goodwill in public life, as I do. It is a great feeling of satisfaction. I do not agree with what the member for Melville said about the member for Victoria Park or the member for Mitchell, but his comments were reasonably moderate and what one would expect in a political debate. We then come to the cowardly comments of the member for Applecross, who described the member for Mitchell as the "sanctimonious member for Mitchell" and said that today he got his comeuppance. Members will recall the way he slobbered when he spoke, the red face, the pointing fingers and the hurled accusations. The accusation by the member for Applecross was that the member for Mitchell was a thief and unfortunately it took two points of orders for the Chair to get that accusation withdrawn.

Mr Lewis: You were not even here; you were in the bar.

Mr GRAHAM: I was. It took two points of order before the member for Applecross withdrew an accusation that was both false and unparliamentary. I am glad the member for Applecross is back. I make this point about the cowardly member for Applecross: He was quite prepared to stand here - and the Minister can look at the *Hansard* - and state, "Where is the member for Pilbara? I will have a go at the member for Pilbara." I was right behind him talking to his colleagues. When I slipped over to my seat, he shut up. The Minister can check the *Hansard*. He is a coward and a gutless little germ.

*Withdrawal of Remark*

The ACTING SPEAKER (Mr Day): Order! That is clearly unparliamentary and I ask for it to be withdrawn.

Mr GRAHAM: I withdraw that remark.

*Debate Resumed*

Mr GRAHAM: Last night the member for Applecross gave one of the most gutless speeches that I have heard in this place. A guy who was down -

Mr Lewis: You read the *Hansard*. I did not reflect on the member for Mitchell at all.

Mr GRAHAM: The Minister certainly did. I will tell him what he said.

Several members interjected.

The ACTING SPEAKER: Order! The member for Pilbara has the call and I am not prepared to tolerate any interjections.

Mr GRAHAM: I will tell members what the member for Applecross said. He said that David Parker was a thief. That is okay. He said that members opposite could not help themselves, that one of them unfortunately had a gambling problem and he got into the money in the same way as Parker. That is what he said.

Mr Lewis: No, I did not.

Mr GRAHAM: You gutless little germ, you are a coward.

*Withdrawal of Remark*

Mr LEWIS: I ask the member for Pilbara to withdraw that remark.

The ACTING SPEAKER: That remark is clearly unparliamentary and you should withdraw it.

Mr GRAHAM: I withdraw, Mr Acting Speaker.

*Points of Order*

Mr MINSON: The member for Pilbara is making accusations regarding what a member said. Is the member commenting on what he remembers or is he quoting from *Hansard*? These comments are going into *Hansard* and I seek a ruling. If they are going in as being attributed to a member of Parliament, I want to be sure, as a member of Parliament, that it is what the member said.

Mr GRAHAM: On the same point of order, I am quoting from my notes. That is all there is to it.

Mr Lewis: So you cannot guarantee that they are from *Hansard*?

The ACTING SPEAKER (Mr Day): It is my understanding that the member is quoting from notes and is, therefore, relying on his recollection.

Mr GRAHAM: It is not an understanding, Mr Acting Speaker. I am quoting from my notes.

*Debate Resumed*

Mr GRAHAM: Let me deal with how events unfolded in this House last night. Unfortunately, the member for Riverton is not here; I wish he would come back. I have been on the receiving end of this and I can tell members now I will never get caught again. What the Chair is either unable or unwilling to understand is that the member for Riverton sat there and called out things that if I were to stand up now and say I would be immediately, and quite properly, asked to withdraw. The member for Riverton sat there and said, in a voice that could not be heard by the Chair, "You are a liar and a thief." He said that across the Chamber last night to the member for Mitchell. That does not show up in *Hansard*, unfortunately. People like Ernie Bridge, one of the most distinguished politicians in this State, were angry at what was coming across the Chamber from two people - the member for Riverton and the member for Applecross - in a cowardly attack on a man who was down. Where did we go then for some support? The point I have made is that it was a smokescreen to get the Attorney General off the hook, and what happened? During the speech of the member for Melville, the Premier interjected with, "Well, that will teach you not to have a go at the Attorney General". After that comment, which is reported in *Hansard*, there can be no doubt what yesterday was about.

Mr Lewis: You are living in a glass castle.

Mr GRAHAM: I can handle all the political garbage that the member for Applecross wants to go on with - anything that he would like, anywhere, any time, any place, and under any circumstances that that little germ -

*Withdrawal of Remark*

The ACTING SPEAKER (Mr Day): Order! You have used that sort of terminology on three occasions. If you continue to use it, I will take stronger action. You should withdraw and certainly cease to use such terminology.

Mr GRAHAM: I withdraw.

*Debate Resumed*

Mr GRAHAM: I have been dealing with people like that all my life, and I will deal with the member for Applecross anywhere, any time and any place. He is not a worry to me. What the member for Applecross did was climb down into the gutter and wreck a man's personal life in order to get the Attorney General off the hook. People knew of the problems that the member for Mitchell had.

Mr Lewis: I have known of them for years.

Mr GRAHAM: That is right, and no-one sought to take advantage of it until the Premier's Office, through Richard Elliott, fed information into the federal scene, as that same office and that same man fed information that came through the Attorney General's Office about the member for Fremantle and the Heritage Committee out to the media and had to cancel it when one Government member had some principles. That same man did the same trick with the member for Mitchell's life, and there was no aim or purpose in it other than to get -

Mr Minson: I do not believe what you are saying.

Mr GRAHAM: I believe it absolutely. The most disgusting part of the event occurred after the member for Mitchell had made one of the most dignified speeches that has been heard in contemporary politics. I believed, and I still believe, members opposite came across spontaneously to wish the man well, and each of them, with one exception, is to be applauded for that. The gutter rat had to come across, stand there with his head down, and shake his hand and say, "I wish you well."



*Withdrawal of Remark*

Mr C.J. BARNETT: I think the point of order is obvious. I am not sure to which member the member for Pilbara was referring, but it was clearly unparliamentary.

Mr GRAHAM: I was referring to the member for Applecross.

The ACTING SPEAKER (Mr Day): That is unparliamentary, and you should withdraw.

Mr GRAHAM: I withdraw.

*Debate Resumed*

Mr GRAHAM: I will finish on this point, without the language. The member for Applecross - and I watched him from two feet away - when he shook hands with the member for Mitchell and wished him well could not look him in the eye.

Mr Lewis: That is a load of rubbish.

Mr GRAHAM: He was like a little kid with his hand in the lolly bag. He knew that what he did last night was the improper thing to do and was not what we expect from this Parliament. When he shook the member for Mitchell's hand, he could not look him in the eye. It was crass hypocrisy of the highest order.

MR C.J. BARNETT (Cottesloe - Leader of the House) [6.05 pm]: I thank members for their contribution to the third reading debate.

Question put and passed.

Bill read a third time and transmitted to the Council.

*House adjourned at 6.06 pm*

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## QUESTIONS ON NOTICE

## ORGANOCHLORINE INSECTICIDES - TERMITE CONTROL

678. Mrs HENDERSON to the Minister for Primary Industry:

- (1) Has the National Registration Authority for Agricultural and Veterinary Chemicals (NRA) recently conducted a public inquiry into the use of the organochlorine insecticides for termite control and produced a report to the Agricultural Resource Management Council of Australia and New Zealand (ARMCANZ) on 20 January 1994, which concludes -
  - (a) that termite control methods that do not use organochlorines are now at a sufficient stage of development and use to have confidence in their performance;
  - (b) that the possible modest increase in termite control costs is not an argument in favour of continued organochlorine insecticide use or a significant financial burden for consumers in their purchase of new homes;
  - (c) that an immediate ban on the use of organochlorine insecticides for termite control is practical and desirable?
- (2) Did the NRA reach those conclusions after a process which allowed opposing sides to put their case, after it obtained the advice of Australia's most experienced experts in termite control and termite entomology in the CSIRO, and after consulting with a range of other experts?
- (3) If yes to questions (1) and (2), did the Minister, at the April meeting of the Agricultural Resource Management Council of Australia and New Zealand, support the NRA recommendations -
  - (a) that chlordane and heptachlor use for the control of termites should cease as from 30 June 1995;
  - (b) to expand the ARMCANZ decision to prohibit heptachlor importation from 30 September 1994 to include chlordane; and
  - (c) to reduce the level of imports before 30 September 1994 so that little or no stocks will remain by June 1995?

Mr HOUSE replied:

- (1) (a)-(b) These are accurate paraphrasings of the view of the NRA in its report of 20 January 1994.
  - (c) This is an inaccurate quote from the report. The NRA expressed the view that "the most practical approach to limiting the use of organochlorines is via a total prohibition on their use". No mention was made in the report of the practicality or desirability of the ban being immediate.
- (2) The report of 20 January 1994 was published following extensive discussions with scientific experts of all relevant disciplines, the receipt of formal written submissions from many organisations and members of the community, and a public inquiry on 8 September 1993, in Canberra.
- (3) At the last ARMCANZ meeting all States - with the exception of the Northern Territory - agreed to implement a program for banning the use of all organochlorines, including heptachlor. An exception was made for the NT because it had particular problems to address which required further investigation. In the case of WA, by the end of June 1995 all organochlorines and heptachlor will be withdrawn from sale, and the NT is to withdraw them from sale 12 months later.

To specifically answer questions (3)(b) and (c), neither the NRA recommendations nor the ARMCANZ decision specified 30 September 1994 as the date from which heptachlor and chlordane importation would be reduced. The decision of ARMCANZ was that "the DPIE, in consultation with chemical manufacturers, advise on a reduced level of imports of organochlorines consistent with the ARMCANZ decision".

**MENTAL HEALTH - COMMONWEALTH FUNDING**  
*C & A Residential Units, Bentley Project*

1051. Dr GALLOP to the Minister representing the Minister for Health:

- (1) With reference to the Minister's answer to question on notice 908 of 1994, is the project "C and A Residential Units, Bentley" referred to, the proposed replacement for Hillview Hospital and the Robinson unit?
- (2) Is the request for \$400 000 considered adequate to construct and furnish the units?
- (3) If not, does the State Government also intend to spend money on the project?
- (4) Where does the Health Department intend to locate the units?
- (5) How will the two units referred to be differentiated in terms of accommodation, service delivery and clients?

Mr MINSON replied:

The Minister for Health has provided the following reply -

- (1) Yes. This was a contingency allocation to be held against the possible relocation of Hillview Hospital and the Robinson unit, which will now depend upon the outcome of a recently initiated external consultancy.
- (2) The sum of \$400 000 was the "best guess" estimate and will be further refined if the decision to relocate is the final recommendation.
- (3)-(5) Answers to these questions will now depend upon the consultants' recommendations.

**GOVERNMENT PURCHASING - AUSTRALIAN RECYCLED PRODUCTS POLICY**

1063. Mrs ROBERTS to the Minister for Primary Industry; Fisheries:

- (1) Which departments within the Minister's portfolios have adopted purchasing policies which have a degree of preference for Australian recycled products?
- (2) When was each such purchasing policy adopted?
- (3) What are the key elements of each such purchasing policy?

Mr HOUSE replied:

(1)-(3)

Each of the departments under my control - the Department of Agriculture, the APB, the Fisheries Department and RAFCOR - have adopted purchasing policies which have a degree of preference for Australian recycled products. This has occurred formally since February 1993; however, the Fisheries Department has been purchasing "environmentally friendly" products since the late 1980s.

**STATUTORY AUTHORITIES, BOARDS, ADVISORY COMMITTEES,  
GOVERNMENT INSTRUMENTALITIES - LIST**

**1174. Mr GRAHAM to the Minister for Labour Relations:**

Will the Minister provide a list of all statutory authorities, boards, advisory committees and government instrumentalities in all portfolios under his control?

**Mr KIERATH replied:**

**Statutory authorities -**

Commissioner of Workplace Agreements  
WorkCover Western Australia  
Construction Industry Long Service Leave Payments Board  
Western Australian Industrial Relations Commission

**Boards -**

Workers' Compensation and Rehabilitation Commission  
Occupational Health, Safety and Welfare Commission

**Advisory committees -**

Western Australian Labour Relations Advisory Council  
Education and Training Advisory Committee  
Regulation Review Advisory Committee  
Research Advisory Committee  
Premium Rates Committee  
Insurers Advisory Committee  
Workplace Health and Safety Committee  
Ministerial Planning Group on Building and Construction Industry Reform  
Ministerial Policy Advisory Group

**Government instrumentalities -**

Department of Productivity and Labour Relations  
Department of Occupational Health, Safety and Welfare  
WorkCover Western Australia  
Department of the Registrar, Western Australian Industrial Relations Commission

**STATUTORY AUTHORITIES, BOARDS, ADVISORY COMMITTEES,  
GOVERNMENT INSTRUMENTALITIES - LIST**

**1175. Mr GRAHAM to the Minister for Services:**

Will the Minister provide a list of all statutory authorities, boards, advisory committees and government instrumentalities in all portfolios under his control?

**Mr KIERATH replied:**

**Statutory authority - State Supply Commission.**

**Boards - Nil.**

**Advisory committees -**

Motor Vehicle Policy Committee  
Communications Advisory Committee  
State Supply Commission Tenders Committee  
Supply Managers Advisory Group  
Supply Skills Training Committee  
Electronic Trading Directions Advisory Group  
Electronic Trading Implementation Advisory Group

Government instrumentalities -

Department of State Services, which incorporates the following units -

- Mail West
- Perth Observatory
- State Microfilm
- State Government Bookshop
- State Print
- State Supply
- FleetWest
- State Information Technology
- Bureau Services

**STATUTORY AUTHORITIES, BOARDS, ADVISORY COMMITTEES,  
GOVERNMENT INSTRUMENTALITIES - LIST**

1176. Mr GRAHAM to the Minister for Works:

Will the Minister provide a list of all statutory authorities, boards, advisory committees and government instrumentalities in all portfolios under his control?

Mr KIERATH replied:

Statutory authority - Western Australian Building Authority.

Board - Architects Board of Western Australia.

Advisory committees -

- Fremantle Prison Trust Committee
- Research and Development Task Force
- Building Management Authority Client Council

Government instrumentality - WA Building Task Force.

**STATUTORY AUTHORITIES, BOARDS, ADVISORY COMMITTEES,  
GOVERNMENT INSTRUMENTALITIES - LIST**

1177. Mr GRAHAM to the Minister for Multicultural and Ethnic Affairs:

Will the Minister provide a list of all statutory authorities, boards, advisory committees and government instrumentalities in all portfolios under his control?

Mr KIERATH replied:

Statutory authorities - Nil.

Boards - Nil.

Advisory committees -

- Multicultural Week Committee
- Ethnic Communities Council

Government instrumentality - Office of Multicultural Interests.

**GOVERNMENT REPORTS - COMMISSIONED BY DEPARTMENTS,  
AGENCIES, STATUTORY AUTHORITIES**

1185. Mr RIPPER to the Minister for Planning:

- (1) What reports have been commissioned by departments, agencies and/or statutory authorities under the Minister's control since the state election in February 1993?
- (2) Which reports are available to the public?
- (3) What was the cost of each report?
- (4) Who undertook each report?

Mr LEWIS replied:

- (1)-(4) The information sought would require considerable research and I am not prepared to allocate resources for this purpose. There are currently in excess of 150 reports available through the Department of Planning and Urban Development, for which information is listed in the appendixes of the annual report. If the member has a specific question concerning a particular report then I will be pleased to respond.

#### **TUNA FISHERIES - QUOTAS, GERALDTON FISHERMEN'S COOPERATIVE FORMER DIRECTORS**

1198. Mr McGINTY to the Minister for Fisheries:

- (1) Have any former directors of the Geraldton Fishermen's Co-Operative been granted tuna concessions this year?
- (2) If yes, who are those former directors?
- (3) If yes, have any of those concession holders been granted access to data from foreign tuna fishing activity?
- (4) What quotas have been placed on each concession issued?

Mr HOUSE replied:

- (1)-(4) Tuna quotas do not fall within the jurisdiction of the Western Australian Government.

#### **EAST PERTH REDEVELOPMENT PROJECT - AFFORDABLE HOUSING**

1232. Ms WARNOCK to the Minister for Planning:

- (1) What is the Government doing about the "Affordable Housing" component - mentioned in the Better Cities agreement with the Commonwealth - in the East Perth Redevelopment Authority project?
- (2) Will there be any Homeswest housing in the EPRA project?
- (3) Will there be any community or not-for-profit housing in the project?

Mr LEWIS replied:

- (1)-(3) There is a commitment to a component of affordable housing in the East Perth redevelopment project. The specific projects are currently being finalised. The role of Homeswest and other public housing providers is still being formulated.

#### **SILICONE BREAST IMPLANTS - EXPENDITURE**

1235. Dr WATSON to the Minister representing the Minister for Health:

- (1) How much has been expended on issues related to silicone breast implants in -
  - (a) 1993-94;
  - (b) or budgeted for 1994-95?
- (2) On what issues has the expenditure been made?
- (3) Was the money provided by state or commonwealth Budgets?
- (4) How much of each?
- (5) How much other money has been expended in -
  - (a) 1993-94;
  - (b) or budgeted for 1994-95?

Mr MINSON replied:

The Minister for Health has provided the following reply -

- (1) (a) In 1993-94, \$50 300 was expended on issues associated with silicone breast implantation.
- (b) No particular budget has been set aside for these issues in 1994-95; however, the services referred to in (2) below will be available throughout 1994-95.
- (2) Expenditure on this issue in 1993-94 was for the purchase of services from the WA Women's Implant Support and Advocacy Project. The project will provide both health services to women affected by silicone breast implants and the collection of relevant data on the WA population.
- (3) The funds for this service were provided from a special state Budget allocation for women's health.
- (4) No commonwealth funds have been used for provision of services in this area.
- (5) See (1) above.

#### HOMESWEST - WATER CONSUMPTION CHARGES

1240. Dr WATSON to the Minister for Housing:

- (1) On what basis has a water consumption ratio for a bedsitter been calculated at 0.75 and for a one bedroom unit at 1.10?
- (2) How will water consumption on common gardens of Homeswest complexes be calculated and charged?
- (3) Will each rental unit be provided with individual water meters?
- (4) If so, by what date?
- (5) If not, why not?

Mr PRINCE replied:

- (1) The consumption ratios for bedsitter and one bedroom units have been established to reflect the occupancy of such accommodation.
- (2) Complexes with sizeable common garden areas have had separate water meters installed to record usage. Homeswest will pay that cost.
- (3) Homeswest is currently investigating the feasibility and cost of installing individual water meters to density accommodation units.
- (4)-(5) Not applicable.

#### DOMESTIC VIOLENCE - BUDGETS

1246. Dr WATSON to the Minister representing the Minister for Health:

- (1) What budgets were allocated and spent on issues related to domestic violence (wife assault) in 1993-94?
- (2) What budget has been allocated for 1994-95?
- (3) What training/education/conference participation has been arranged for officers of the department in -
  - (a) 1993-94;
  - (b) 1994-95?
- (4) What information has been/will be compiled for public distribution in -
  - (a) 1993-94;
  - (b) 1994-95?
- (5) Have any reports related to the issue been prepared in 1993-94?

- (6) Is there any estimate of the costs associated with domestic violence (wife assault) as they impact on the Minister's portfolio?

Mr MINSON replied:

The Minister for Health has provided the following reply -

- (1) Although no specific budget allocation was made in 1993-94 for spouse abuse (domestic violence) issues, the effects of spouse abuse on health were addressed through -
  - Accident and emergency services of public hospitals statewide
  - Community health services
  - Women's health centres
  - Targeted programs; for example, in the East Metropolitan Health Region, a seminar for 65 general practitioners on stress and depression issues, including specific presentations from private consultants on the impact of spouse abuse.
- (2) No specific budget allocation has been made for 1994-95. However, services continue to be provided, as indicated in (1).
- (3)
  - (a) Women's health coordinators from all metropolitan regions attended the domestic violence action group state conference in 1993. A range of staff training initiatives on spouse abuse has been undertaken in hospital, community health, community nursing and women's health services, utilising both private consultants and health professionals. Health service staff in the south metropolitan region, south west region and central wheatbelt have participated in pilot schemes for intersectoral management of spouse abuse. Individual health professionals have attended workshops and seminars arranged by other agencies such as Princess Margaret Hospital and the sexual assault referral centre.
  - (b) Training on special health needs, including issues related to spouse abuse, is continuing to be organised at a regional and health service level. A workshop for staff is scheduled for the Rockingham area in 1994-95 and all community nurses will have access to a spouse abuse manual.
- (4)
  - (a) Pamphlets on spouse abuse have been distributed to some regional hospitals, and spouse abuse kits have been provided to general practitioners. In the goldfields region a domestic violence committee conducted domestic violence awareness week.
  - (b) Material prepared by the Department for Community Development is made available through many health services. In the south metropolitan region an interdepartmental spouse abuse network will be producing a public information pamphlet.
- (5) The state women's health plan includes initiatives to address spouse abuse issues in each of the health regions. Women's health coordinators for all health regions reviewed spouse abuse policies and services as part of their women's health needs assessments. These have contributed to Health's overall spouse abuse policy development.
- (6) A study estimating the costs associated with spouse abuse has been carried out. The report of this study is being considered in the preparation of a Health Department policy paper on spouse abuse



and the development of the purchasing framework for health services in this area.

**DOMESTIC VIOLENCE - BUDGETS**

1247. Dr WATSON to the Minister for Community Development:

- (1) What budgets were allocated and spent on issues related to domestic violence (wife assault) in 1993-94?
- (2) What budget has been allocated for 1994-95?
- (3) What training/education/conference participation has been arranged for officers of the department in -
  - (a) 1993-94;
  - (b) 1994-95?
- (4) What information has been/will be compiled for public distribution in -
  - (a) 1993-94;
  - (b) 1994-95?
- (5) Have any reports related to the issue been prepared in 1993-94?
- (6) Is there any estimate of the costs associated with domestic violence (wife assault) as they impact on the Minister's portfolio?

Mr NICHOLLS replied:

- (1) \$5 285 194 was allocated for programs to respond to spouse abuse, which does not necessarily only include "wife assault".
- (2)-(5) If the member could be more specific I will attempt to provide the information sought.
- (6) No. However, it is my desire to obtain greater factual information regarding abuse or maltreatment within the family or domestic environment. This would then allow for better policy development and service delivery within our community. As the member is aware the current Abuse in Families campaign is focusing on raising awareness of violence and abuse within the home and promoting the Family Helpline to the Western Australian community. An evaluation of the Break the Silence campaign is currently being undertaken.

**ROOF TILING INDUSTRY - WORKPLACE AGREEMENTS**

1278. Mr BROWN to the Minister for Labour Relations:

- (1) How many workplace agreements have been registered in the roof tiling industry?
- (2) How many workplace agreements described in (1) above are -
  - (a) individual workplace agreements;
  - (b) collective workplace agreements?
- (3) Has the Workplace Commissioner satisfied himself that each party to the workplace agreement appears to understand his or her rights and obligations?
- (4) How many employee parties to workplace agreements described in (1) above have been interviewed by -
  - (a) the Workplace Commissioner;
  - (b) a member of the Workplace Commissioner's staff?
- (5) Do some of the registered workplace agreements contain a clause which

states no other provisions or penalties of any Act of Parliament or industrial award, state or federal, apply?

- (6) If so, has the Workplace Commissioner advised parties to those workplace agreements if such a provision is -
- (a) in accordance with the Workplace Agreements Act;
  - (b) ultra vires the Workplace Agreement Act or any other Act?
- (7) Where workplace agreements in the roof tiling industry provide for casual employment, has the Workplace Commissioner satisfied himself that the work is genuinely of a casual nature?
- (8) If so -
- (a) what tests did the Workplace Commissioner apply to arrive at that conclusion;
  - (b) did the Workplace Commissioner check that employee parties to the workplace agreements understood that they would not be entitled to any paid leave?
- (9) Do all or some workplace agreements in the roof tiling industry have a life of three years?
- (10) Is there a wage escalator clause in any such agreements?

Mr KIERATH replied:

- (1) 46.
- (2) (a) 37  
(b) 9
- (3) Yes.
- (4) (a) 6  
(b) 81

(5)-(10)

The effect of sections 39 and 88 of the Workplace Agreements Act means that the commissioner cannot disclose details of any agreement.

#### CROWN SOLICITOR'S OFFICE - FUTURE

1285. Mr McGINTY to the Attorney General:

- (1) Has the Director General provided the Attorney General with a copy of his recommendations regarding the future of the Crown Solicitor's Office?
- (2) What mechanisms have been suggested which would ensure that any legal advice received from other than the Crown Solicitor's Office would -
  - (a) be of a standard equivalent to that Office;
  - (b) be impartial and confidential?
- (3) On what occasion has legal advice been sought from private law firms by the -
  - (a) Attorney General;
  - (b) Ministry of Justice?

Mrs EDWARDES replied:

- (1) No.
- (2) All issues will be fully considered after the report has been referred to the Attorney General.
- (3) (a) Nil.

- (b) From the following firms for the period 1 July 1993 to 15 September 1994 -

Birman & Ride	R.W. Reading
Unmack & Unmack	Formy & Garvey
McSweeney & Co	Haynes Robinson
Benari & Co	Ratigan Kearney & Bochat
Young & Young	Chilvers Marshall
Christopher J. Baker	Mayberry Hammond
Glynn & Gray	A. Cummins
F. Sammut & Co	Mungar Mettam & Melville
E.M. Heenan QC	McKenzie Lalor
D.M. Watt	Nicholson & Clement
C.R. Humphrey	Hudson Henning & Goodman
J. Gilmore	G. Hancy
C.L. Zelestis QC	M. McCusker QC
M.J. Buss	R.J. Nash
P.J. Jopling	P. Nichols
D.F. Jackson QC	Altorfer & Stow
Freehill Hollingdale & Page	Corrs Chambers Westgarth
Allan Robertson	L.W. Roberts-Smith QC
B. Martin QC	P.M. Hogan
H.J. Dixon	G.C. Thornton QC
R.E. Birmingham	M.L. Barker
C.J.L. Pullen QC	Corser & Corser
L.A. Warnick	Jackson McDonald
C.A. Wheeler	T. Lampropoulos
N. Johnson	J.D. Allanson
M.D.F. O'Sullivan QC	

#### JUSTICES OF THE PEACE - COMMISSIONERS FOR DECLARATIONS, APPOINTMENTS

1301. Mr D.L. SMITH to the Attorney General:

- (1) How many justices of the peace, other than honorary, were appointed in each year from 1989 to 1993 inclusive?
- (2) How many justices of the peace, other than honorary, were appointed between 6 February 1993 and 31 December 1993?
- (3) How many justices of the peace, other than honorary, have been appointed in 1994?
- (4) What is the total number of commissioners for declarations appointed during each of the above times?

Mrs EDWARDES replied:

No distinction is drawn between actual appointments and honorary appointments. There is no classification level for Justices of the Peace referred to as "honorary".

- (1)
 

1989	72
1990	99
1991	173
1992	104
1993	103
- (2) 89
- (3) 126

(4)	1989	47
	1990	27
	1991	53
	1992	60
	1993	30
	1994	45

#### SCHOOL DENTAL SERVICES - NEWMAN AND CARNARVON

1307. Mr LEAHY to the Minister representing the Minister for Health:

- (1) Can the Minister confirm that school dental clinics will be provided in Newman and Carnarvon in 1995?
- (2) If so, will they be staffed full time for the whole of the year, full time for part of the year or part time for the whole of the year?

Mr MINSON replied:

The Minister for Health has provided the following reply -

- (1) School dental services will be provided in Newman and Carnarvon in 1995.
- (2) Depending on staff availability, the clinic will be staffed either full time for part of the year or part time for the full year. This situation will not be known until the end of this year.

#### PLANNING - SUBDIVISIONS, METROPOLITAN AREA AND SOUTH WEST

1317. Mr D.L. SMITH to the Minister for Planning:

For each of the metropolitan area and the south west region for each of the months in the years 30th June 1991 to 30th June 1994, what were the numbers of -

- (a) single residential lots;
- (b) multi residential lots;
- (c) special rural lots;
- (d) special residential lots;
- (e) rural lots;

created by subdivisional approvals on which were given -

- (i) preliminary approval;
- (ii) final approval?

The answer was tabled.

[See paper No 323.]

#### HEALTH DEPARTMENT OF WESTERN AUSTRALIA - CONSULTANTS

1331. Dr GALLOP to the Minister representing the Minister for Health:

- (1) How many consultants were engaged by the Health Department in 1993-94?
- (2) How many of these were engaged as a result of the tender process?
- (3) How many were engaged without a tender process being employed?
- (4) What was the total value of consultancy work provided to the Health Department in 1993-94?
- (5) What portion of that total was not provided on the basis of a tender process?

Mr MINSON replied:

The Minister for Health has provided the following reply -

Consultancy services are utilised in all areas of health provision in Western Australia and in many disciplines ranging from gardening to highly specialised medical procedures. The costs involved in seeking answers to the member's questions from all Health Department facilities and health care units in Western Australia would be extensive and I am not prepared to allocate resources for this purpose. However, I am more than happy to answer any specific question the member may have concerning a particular consultancy or involving a dedicated health care facility.

#### COUNCIL HOUSE - FUTURE

1332. Ms WARNOCK to the Minister for Heritage:

- (1) What are the Government's plans for Council House?
- (2) Is it a fact that the furniture in Council House - which was and is an integral part of the design of the building - is being sold in anticipation of Council House being demolished?
- (3) If not, is it being taken out and stored?

Mr LEWIS replied:

- (1) Council House is a building privately owned by the City of Perth, therefore any information regarding plans for Council House should be directed to the City of Perth.
- (2)-(3) See answer to (1).

#### QUESTIONS WITHOUT NOTICE

##### HOMESWEST - DEVELOPMENT OPPORTUNITY PROGRAM

*Buckeridge, Len; Gardenvale Nominees, Caversham Land Sale*

434. Mr KOBELKE to the Minister for Housing:

- (1) Did Mr Len Buckeridge or interests associated with him obtain three-quarters, or over 1 000, of the potential metropolitan housing lots under the Homeswest development opportunity program?
- (2) How did Gardenvale Nominees, a company that was not even registered until after the tenders had closed, still manage to win the Caversham tender despite not tendering the highest price?

Mr PRINCE replied:

- (1) I cannot answer this part of the question. I do not know the numbers. However, I am aware the member has a question on notice which is being worked on at the moment by Homeswest to enable it to establish the numbers for sales of different pieces of land.
- (2) The Caversham land was offered for sale by public tender late last year. A number of tenders were received. Homeswest, as it should, had valuations done of the land. Negotiations on the price that should be paid were concluded on 24 December. Some legal complications about whether there had been a contract or a counter offer arose between then and 24 February. As was said this week, when two lawyers come together they will disagree.

Mr Kobelke: I think you are confusing that with another lot of land.

Mr PRINCE: No, this was in respect of Caversham. The result was that a

contract was agreed to exist. That contract is due for settlement in early November.

Mr Kobelke: You are talking about Port Kennedy. I asked you about the Caversham land, where the company was not registered when the tenders closed and was chosen even though it was not the highest bidder.

Mr PRINCE: I have received only general information concerning the land. As far as I am concerned, there is nothing improper about the way the sale was carried out. However, I am more than happy to have inquiries carried out into the details and respond to the member.

#### ROADS - ORANGE ROUTE

435. Mrs van de KLASHORST to the Minister representing the Minister for Transport:

I refer to the statement by the member of the House of Representatives for Perth, Mr Stephen Smith, to the State Planning Commission which was published in the Midland *Community* newspaper on 20 September 1994. He was reported to have said to the State Planning Commission -

For safety sake, get on with the job of building the proposed Perth to Adelaide highway.

In view of Mr Smith's seeming support for the orange route, will the Minister advise whether the Federal Government has actually committed the necessary funds to build this east-west highway or was Mr Stephen Smith only making a political gesture?

Mr LEWIS replied:

Stephen Smith was posturing in a political way. He wanted to be seen as having some influence on getting some money for the construction of the orange route.

Mr Brown: Is this the new Liberal tactic of attacking people who are not in this Parliament?

Mr LEWIS: Does the member for Morley support the construction of the orange route?

Mr Brown interjected.

The SPEAKER: Order!

Mr LEWIS: Does he.

Mr Graham: Your federal colleagues will -

The SPEAKER: Order! The member for Pilbara will come to order.

Mr Graham: - dump you mob.

The SPEAKER: Order! The Minister will resume his seat. I am tempted to formally call to order the member for Pilbara. However, I will not, but I ask him to cooperate with the calls to order.

Mr LEWIS: Is it not incredible? The member for Pilbara said that our federal colleagues are going to dump us! Keating said on Tuesday that he had to do something about the rabble opposite. He is going to come over here and show them how to do it! What an incredible statement for the member for Pilbara to make! Members opposite still have not learnt to keep their heads down.

The fact is that no money has been made available by the Federal Government for the construction of that vital road known as the orange route that will remove the traffic hazards that exist currently on Greenmount. For obvious safety reasons and with the increasing heavy

traffic that is building up with the Western Australian economy booming, the time has come -

Mr Brown: Come on!

Mr LEWIS: Is our economy not booming?

Mr Brown: Get on with answering the question.

Mr LEWIS: Members opposite cannot even admit that.

The orange route must be constructed and a commitment from the Federal Government needs to be forthcoming if Stephen Smith is to be seen to have any credibility in this matter.

**HOMESWEST - DEVELOPMENT OPPORTUNITY PROGRAM**  
*Port Kennedy Land Sale Contract; Buckeridge, Len*

436. Mr KOBELKE to the Minister for Housing:

I draw the Minister's attention to two answers he gave to questions dated 9 August and 15 September relating to the contract for the sale of land at Port Kennedy under the Homeswest development opportunity program. In the first answer, the Minister agreed that the contract was dated 24 December 1993 which effectively meant that that contract became void on 24 June 1994 due to the time constraints of the tender. In the second answer, the Minister changed his story and stated that the contract date was two months later thereby saving the land from again being put to tender. I ask -

- (1) Will the Minister confirm that the company at the centre of this deal is associated with or controlled by Mr Len Buckeridge?
- (2) Will the Minister provide a full and frank disclosure on all details relating to this tendering process, or is this going to be another cover-up of the Liberal deals with Len Buckeridge?

Mr PRINCE replied:

(1)-(2)

If the member is suggesting that, at any time since this Government came to power, Homeswest or I have been involved in a cover-up, he is totally and completely wrong. As I said in answer to the previous question - obviously I had the wrong piece of land - negotiations occurred after 24 December 1993.

Mr Kobelke: Your first answer told me there weren't any.

The SPEAKER: Order!

Mr PRINCE: The lawyers concerned agreed to differ and agreed that the contract would continue as of 24 February. Since then, the contract has been processed. Settlement is due -

Mr Kobelke: Your first answer -

The SPEAKER: Order! The member for Nollamara will come to order.

Mr PRINCE: Your question on notice asked what is the date on the document; the date is 24 September.

Mr Kobelke: It referred to no variations except in Bibra Lake.

Mr PRINCE: There were no variations; there was a difference of opinion between two sets of private lawyers. The result was that they agreed - as they properly should - that it was a commercial decision and that the deal should go ahead based on valuations by Homeswest and on the price tendered. The contract is on foot; settlement is in November and it will take place on time.

**WORKPLACE AGREEMENTS - TRADE UNION LEADER'S COMMENTS**

437. Dr HAMES to the Minister representing the Minister for Transport:

The Minister will have heard comments yesterday by a prominent union leader attacking workplace agreements and alleging they had failed to attract public interest. Are these claims correct?

Mr KIERATH replied:

I cannot believe the tripe and rubbish that comes from not only the Opposition but also the trade union movement. Keith Peckham claimed on radio yesterday that workplace agreements were a failure. He said that the Geraldton scenario was some kind of victory. Some of those people have nothing on Goebbels. Their ability to give misinformation and make outrageous statements and the length to which their imagination will go, leaves me dumbfounded. I can understand the fear of people such as Mr Peckham because we have given people choice. He, of all people, and his union have always relied on compelling people rather than giving them choice.

It is interesting that when given a choice people are opting for workplace agreements. I am happy to make the latest figures available.

Mr Marlborough interjected.

The SPEAKER: Order! Member for Peel.

Mr KIERATH: Last month was the second biggest month on record, in which 1 300 people opted out of the award into workplace agreements. All the trade union movement could do was to prevent five people out of 1 300 from opting to sign workplace agreements. The five workers involved in the issue between the Returned Services League and the Miscellaneous Workers Union told the union to nick off because they did not want it to represent them. Despite its having no authority to represent those workers, the union went into the federal Industrial Relations Commission and tried to claim an interim federal award. I will read for the benefit of members of this House what the State President of the RSL had to say about all of that -

The League membership has a history of fighting for the rights of individuals and this applies to age veterans and those who care for them.

Our members would not countenance exploitation of War Veterans' Homes employees under any guise, nor would I.

As President I do not intend to stand by and see the name of the Returned Services League and its War Veterans Homes sullied by an organisation which to date has blatantly lied -

This is in a press release. To continue -

- issued unsubstantiated statements and continue to contest the rights of individuals to decide for themselves.

We have had to embark on an information campaign because of the lies and innuendo -

Mr Marlborough interjected.

The SPEAKER: Order! I formally call to order the member for Peel.

Mr KIERATH: These sorts of innuendos and unsubstantiated allegations are the very reason we must provide all Western Australians with information about their choices in the workplace. The TLC spent \$500 000 before the last state election. That pales into insignificance compared with Brereton's \$27m. As long as people in the community are scared of



offering workers a choice, I will continue to ensure they have the information needed to make decisions.

**BOOGIE BOARDS - WESTRAIL CHARGE**

438. Mr OSBORNE to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that Westrail has recently introduced an \$8 charge for boogie boards on the *Australind* train service in spite of the fact that general luggage and sporting goods up to a weight of 50 kilograms may be carried free of charge?
- (2) In view of the insignificant demand that boogie boards make on the luggage capacity of the *Australind* and that those affected are principally young people travelling to and from Bunbury for sporting and recreational purposes, will the Minister instruct Westrail to reverse the decision to impose this charge?

Mr LEWIS replied:

I thank the member for some notice of the question.

Mr Taylor interjected.

Mr LEWIS: Yes; I do as a matter of fact.

(1)-(2)

I am advised by the Minister for Transport that boogie boards will travel free on the *Australind* service. Some confusion arose among Westrail staff in identifying the difference between boogie boards and surf boards. The matter has been resolved because Westrail staff have been asked to urgently sort out the matter.

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT  
AND OTHER MATTERS - APPENDIX 1**

439. Mr MARLBOROUGH to the Attorney General:

As the Director of Public Prosecutions advised in writing on 10 February 1994 that he took an early view that appendix 1 was of little assistance in identifying evidence or matters which required further investigation, what prompted the Attorney General and her Cabinet colleagues to reject his advice?

Mrs EDWARDES replied:

I thought this had all been explained on Tuesday afternoon. The letter from the Director of Public Prosecutions is appendix b to the annual report of the DPP. Members opposite should have carefully read that report and listened to the public statements made by the DPP and the Official Corruption Commission.

Several members interjected.

The SPEAKER: Order! I ask those two members who are continuing to interject after I call order to desist.

Mrs EDWARDES: In addition if they had heard the Premier's statements in this House, they would know there was a legitimate request from the Official Corruption Commission to assist him with his further inquiries. There was nothing wrong with that action. The DPP himself said there was nothing wrong in giving a copy of appendix 1 to the Official Corruption Commission.

**POLICE - DIRECTOR OF PUBLIC PROSECUTIONS' ANNUAL REPORT**

440. Mr CATANIA to the Minister for Police:

I refer to the DPP's remarks in his annual report which read -

... decisions have been made by the internal investigations branch of the Police Department to write matters off in an unacceptable way.

At times a brief has been structured in such a way as to lead to the result that no charges are laid.

I ask -

- (1) Has the Minister acted to address this damning indictment of the internal investigation procedures.
- (2) If so how?
- (3) Why does the Minister not act on the stated view of the Police Union that an independent investigative tribunal be established to restore the public's confidence in the Police Force?

Mr WIESE replied:

- (1) I believe that the rest of the DPP report explains some of the matters that have been put in hand since that report was made.

Mr Catania interjected.

Mr WIESE: Yes; it also deals with that. I believe those matters have been addressed. I have also had discussions with Commissioner Falconer about matters concerning the internal investigations branch. There is an agreement that more changes should be made in that area. That will be ongoing as we progress the reform agenda that is taking place. To a large degree we have addressed those matters and ongoing changes will be made in that area to ensure that those sorts of comments can never be made again.

- (2) It is my personal belief - I have said this time and again in this Parliament - that the measures we have already put in place giving the Ombudsman a much greater role in the investigation of the complaints against police have, to a large degree, dealt with the complaints -

Mr Catania: The DPP states in his report that you have not given them any resources.

Mr WIESE: If the member were to ask the Premier that question he would find that the resources given to the Ombudsman have very nearly doubled. Another 10 persons have gone into the Ombudsman's office to enable him to carry out his role of dealing with complaints against police. The comments which have been made are not a reflection on the Ombudsman's opinion and certainly not on the Ombudsman's ability to carry out his role.

- (3) The reality is that the Ombudsman is effectively carrying out his role of reviewing complaints against police. To the best of my knowledge nowhere in the world are investigations of complaints against police handled by an outside body that is not staffed by police officers. The Government does not need to consider changing the process to bring in an outside body. It must address the problems within the internal investigations area and the way in which complaints against police are handled. If the changes can be made internally, there will not be a need for an external body to look in over the top of the Police Department.

#### PRIME MINISTER - VISITS TO WESTERN AUSTRALIA

441. Mr McNEE to the Premier:

Will the Premier comment on the possibility raised over recent days, that the Prime Minister may be seeing more of Western Australia in the near future?

Mr COURT replied:

A number of reports have been made of Labor members urging the Prime Minister to spend more time in Western Australia to try to help lift the popularity of the party.

Mr Marlborough: Is it true that you are seen as a strong arm of the Liberal Party?

The SPEAKER: Order!

Mr COURT: Not at all. It is a bit tough when members opposite have to rely on Paul Keating to come here to try to lift the stakes of the Labor Party. The Opposition has been hiding behind parliamentary privilege by coming into this place over the past 18 months and making a lot of unsubstantiated allegations. Yesterday it was hiding behind the media. Yesterday, after the word had gone out around the corridors that there would be a bombshell in question time, members opposite came in here and some of them asked a couple of questions and then went outside and pumped the innuendo around that it was all related to one of the members opposite. They would not put anyone up front.

Mr Taylor: What about the scumbag tactics of the Liberal Party? You are the last one who should stand up and talk about that sort of stuff. You leave your members to do the dirty work.

The SPEAKER: Order! I formally call to order the Leader of the Opposition.

Mr COURT: What was that?

Mr Taylor: You know exactly what I mean.

Mr COURT: The Leader of the Opposition should tell me; he should not be hypocritical. Yesterday members opposite tried to set up something and it did not work. They did not have the courage to go on camera and repeat what they were saying in the corridors.

Several members interjected.

The SPEAKER: Order! There are far too many interjections and I call on the members interjecting to cease or I will take some action against them.

Mr COURT: Now they are going to try to hide behind Mr Keating.

Mr Catania interjected.

The SPEAKER: Order! I formally call to order the member for Balcatta.

Mr COURT: Mr Keating will not save the Labor Party in this State because it will not be until members opposite are prepared to come out -

Several members interjected.

The SPEAKER: Order!

Mr Marlborough: You issued the instructions.

The SPEAKER: Order! I formally call to order for the second time the member for Peel.

Mr COURT: I totally deny that.

Mr Taylor: You have been shown up for what you are.

The SPEAKER: Order! I tried as softly as I could to call members to order. It seems some members choose to deliberately ignore my call. If they continue, I will take action.

Mr COURT: Members opposite know only too well that that information has been known for years and no member on this side of the House has released it.

Mr Marlborough: You pulled the trigger.

Mr COURT: The trigger was pulled by a Labor member of Parliament when he gave evidence in a trial. Members opposite will not save the Labor Party.

Several members interjected.

Mr Taylor interjected.

The SPEAKER: Order! I formally call to order for the second time the Leader of the Opposition.

Mr COURT: One can hardly name Mike Beahan as doing the dirty work. The Labor Party will not be saved until its leader is prepared to come out and condemn the actions taken by people like Mr Burke and Mr Parker. So long as it ignores that the Labor Party will continue to have those problems.

#### **POLICE - DIRECTOR OF PUBLIC PROSECUTIONS ANNUAL REPORT**

442. Mr CATANIA to the Minister for Police:

I refer to the annual report of the Director of Public Prosecutions. Under the section headed "Alleged Police Corruption" it states that results of its internal investigation of the Criminal Investigation Bureau were disturbing.

- (1) Can the Minister advise if he has discussed this finding with the DPP?
- (2) Has the DPP identified corrupt police officers within the force and what action has been taken against those officers?
- (3) What new procedures have been put in place to prevent further corruption?

Mr WIESE replied:

(1)-(3) I am not sure whether the question refers to discussions with the DPP prior to or since his report was issued.

Mr Catania: Prior to and after.

Mr WIESE: I have had no discussions with the DPP since the report was released. Prior to his report and after the Sinatra's incident police investigations were carried out which gave indications of corruption. Following those allegations being made and the investigations revealing some evidence of corruption, the Attorney General, the Premier and I had a substantial meeting with the DPP and the Commissioner of Police. We set in place a procedure whereby the DPP would oversee the operations of a special task force which was put in place to investigate those allegations. Those investigations have resulted in some charges and the investigations are ongoing. I do not intend to go further than that.

Some substantial changes have been made within the organisation of the CIB and some members have been moved out. A totally new leadership team has been put in place in the CIB. The measures that have been put in place in conjunction with the DPP have addressed, and will continue to address, the problems that were identified.

#### **WATER RESTRICTIONS - NORTH DANDALUP DAM**

443. Mr MARSHALL to the Minister for Water Resources:

With the possibility of water restrictions being imposed will the Minister advise -

- (1) When the North Dandalup Dam in the Murray electorate will be opened.
- (2) How much water is it presently holding?

- (3) Has this water been considered in the mathematics of water restrictions?

Mr OMODEI replied:

- (1)-(2) I know the member for Murray is very interested in the North Dandalup Dam, and the recreation areas that surround the dam, as he has been down there on a number of occasions. The North Dandalup Dam will be opened by the Premier on 28 October. It is the biggest embankment dam in Western Australia with a total capacity of 75 000 ML, and with the 10 dams in the hills will bring the total metropolitan storage capacity to 700 000 ML. The current volume of water held in the dam is 15 900 ML.
- (3) In relation to the mathematics, the dam when it is fully operational will supply an additional 11 200 ML to the metropolitan system. I will table a Water Authority paper put together in April 1992; the topic is still current today. The paper shows clearly that water restrictions were imposed in the 1950s, 1960s, and 1970s. Strangely there were no water restrictions in the 1980s. The graphs indicate where water restrictions were imposed and their impact on water consumption in those years. The dam will be opened and it will be included in the overall strategy for water supply.

[See paper No 324.]

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