

Legislative Assembly

Thursday, 6 August 1981

The SPEAKER (Mr Thompson) took the Chair at 10.45 a.m., and read prayers.

EDUCATION

Funding: Petition

MR BATEMAN (Canning) [10.46 a.m.]: I have a petition which reads as follows—

To:

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

We, the undersigned parents, support the teachers of Western Australia in their campaign to oppose the proposed cuts in the recommended education budget.

We also support them in their efforts to maintain staffing of schools and advisory and support services at their previous levels.

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

The petition bears 130 signatures and I certify that it conforms with 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. 59.)

ART GALLERY AMENDMENT BILL

Third Reading

MR GRAYDEN (South Perth—Minister for Cultural Affairs) [10.47 a.m.]: I move—

That the Bill be now read a third time.

MR PEARCE (Gosnells) [10.48 a.m.]: Members will appreciate the main objection of the Opposition to this legislation is that it deals with retrospectivity. The Minister gave what was more or less a retrospective speech on the legislation. I believe it was quite appropriate at the third reading stage that he should wait some moments before standing to move the motion. Everything the Minister does seems to be a little bit behind the times.

Mr Nanovich: Why don't you try being a little decent for a change?

Question put and passed.

Bill read a third time and transmitted to the Council.

TRADING STAMP BILL

Second Reading

MR O'CONNOR (Mt. Lawley—Minister for Labour and Industry) [10.50 a.m.]: I move—

That the Bill be now read a second time.

The Trading Stamp Act, 1948, was originally aimed at prohibiting the coupon system of trading whereby consumers receive a gift or benefit upon redemption of trading stamps collected with purchases.

The intention of the Act was to protect local manufacturers and retailers from what they perceived to be unfair competition from the Eastern States. The Government at the time of introduction of the Act argued that the coupon system of trading undermined local enterprise and encouraged monopoly because those manufacturers and retailers who were able to offer stamps and associated gifts at no extra cost—in many cases large interstate manufacturers whose stock included the lines offered as gifts—gained an unfair advantage over those who were not able to.

In the course of prohibiting coupon systems of trading, the Act also prohibits all trade promotion schemes where consumer participation is dependent upon the purchase of goods, except in the case of cash discounts offered at the point of sale. Thus, for example, promotions such as the cash rebates offered nationally by car manufacturers to purchasers of certain vehicles are illegal in Western Australia, as are the gift-based promotions run by other companies.

Where a promotion is being run nationally, suppression in Western Australia is a cost to consumers because they are being deprived of potential benefits for which they are paying. In recovering the cost of an Australia-wide promotion, companies will not charge a lower product price in Western Australia to reflect the foregone promotion.

The Trading Stamp Act has undoubtedly been successful in preventing the introduction of coupon systems of trading. In recent years, however, it has become increasingly apparent that the wide ambit of the Act is out of phase with modern market practices, and that the prohibition of many seemingly harmless promotions has imposed several costs upon the community.

Costs are incurred also by manufacturers and traders as a result of the Trading Stamp Act.

These include the costs associated with interpretation of the Act, with the need in some cases to prepare separate promotional campaigns for Western Australia and for other States, and with withdrawing campaigns found to contravene the Act.

Finally, it has been found impracticable to strictly enforce the Act. As a result, an increasing number of complaints has been received from firms who query why certain schemes are apparently allowed to continue when similar schemes proposed by them have been prohibited. Such ambiguity is not at all desirable.

It is considered desirable that third-party trading stamp schemes which are promoted by trading stamp companies continue to be prohibited. No interest has been shown by any party in changing the status quo with respect to such schemes. Also, these schemes have several undesirable features and, given the current difficult economic climate, which seems to have led to the appearance of some spurious business schemes, it is possible that repeal of the Trading Stamp Act would prompt the establishment of trading stamp companies.

As a result of these problems, the Trading Stamp Act is to be repealed and replaced by the Bill now before members.

In summary, the Bill provides that—

- (i) third-party trading stamp schemes—that is, trading stamp companies—are prohibited;
- (ii) all other promotions caught by the present Act are allowed.

This will bring Western Australia into line with other States, principally Victoria, New South Wales and South Australia and will obviate the exclusion of Western Australian consumers from genuine promotional offers.

The main point of this legislation is that it will clear up a lot of ambiguity. It is a pity to have an Act on the Statute books which is not as clear as we would like.

Mr Davies: Could you give us an example of what you are trying to overcome?

Mr O'CONNOR: At the moment, the Act is working against Western Australians in many cases. Promotions are organised in the Eastern States, with effect right throughout Australia. People in Western Australia are not allowed to obtain benefits from them because of the Stamp Trading Act. Motorcars are one example when certain benefits are derived with their sale. Obviously the cost of this is included in the vehicle price; and throughout the rest of Australia

people can participate and obtain some benefit. In Western Australia it is desirable from the point of view of the consumers to allow them to take part, rather than disadvantaging the consumers generally.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Davies (Leader of the Opposition).

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE AMENDMENT BILL

Second Reading

MR MENSAROS (Floreat—Minister for Water Resources) [10.56 a.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill now before the House is to enable increases in amounts payable for valuation-based water, sewerage, and metropolitan main drainage rates in 1981-82 to be limited to one-half of the amounts paid in 1980-81. Members will recall the Government's initiating action last year along similar lines to ease the rates burden on those businesses and other property owners the subject of substantial increases in their rates bills over the previous year, because of steep increases in the valuation of their properties for 1980-81.

The 1980-81 increases coincided with the application of adjusted property values following a triennial review of valuations by the Valuer General's office. Such annual valuations are the basis on which the Water Board, like many other State and local government authorities, assesses its charges. The new valuations, which reflected market conditions current at that time, applied as from 1 July 1980. The average increase in valuations resulting from the review was 140 per cent. Part of this increase was due to a change in basis from net annual valuations to gross annual valuations.

Increases for most properties fell within a reasonably limited range; nevertheless a small percentage—less than 10—was the subject of a large upward movement which directly resulted in an excessive increase in the rates bill for the year. This could not have been avoided by the board, which has to strike one general cent rate in the dollar value, and cannot apply different rates. Because this imposed a real financial strain on some of these ratepayers, the Government introduced legislation limiting the increase in rates to no more than 50 per cent of the amount paid the previous year.

Although the legislation proposed now is similar in effect to that of last year, the impetus centres on different circumstances. Last year the concern was for increased rates bills seen to result from large upward adjustments in annual valuations. These valuations, of course, still apply in the current year. Where these valuations resulted in more than a 50 per cent increase in rates in 1980-81 and were cut to the 50 per cent, this year's rates could still result in higher than a 50 per cent increase over 1980-81.

As such cases are considerably less than last year, this year a degree of public discontent being taken up by the media and voiced through public meetings is focusing less on the increased valuations that applied in 1980-81 and remain in force, but more on the need for a more equitable system to apply to commercial properties. An extension of the pay-for-use scheme is thought by some to be the answer.

However, to extend the present pay-for-use scheme immediately would mean greatly increased charges and a financial burden intolerable to the domestic sector of the community. This is not acceptable.

The only immediate remedy available to relieve the present heavy burden on those ratepayers most affected is to repeat last year's exercise. This is only an interim measure pending the outcome of a further close examination of the existing valuation-based rating system as it applies to non-residential rates—an examination which is going to be undertaken—to reduce the anomalies resulting from changing valuations. The Government aims to introduce a modified and more equitable system for the financial year 1982-83.

The extent of the problem this year must be seen in perspective. There are about 4 000 ratepayers whose value-based rates for 1981-82 are 50 per cent or more greater than the bills they paid last year after taking into account the benefit of the limited maximum increase fixed by last year's legislation. This number of ratepayers represents 1.1 per cent of a total of some 360 000.

It should be mentioned that the proposals now being considered will mean a cost to the Water Board of around \$700 000 out of its estimated revenue for the year.

Nevertheless, it is the Government's intention to give some relief to those ratepayers most affected by the inequities in part of the present system. This is the purpose of the Bill now before the House.

The provisions of the legislation proposed are similar in effect to those contained in the 1980

amendment and applied to the 1980-81 value-based rates assessments. However, there are two additions to the content. The first is aimed at avoiding any possible misinterpretation of intent with regard to cases where improvements were made to properties during 1981-81 and, as a consequence, the valuations of those properties increased accordingly. It is not appropriate that these receive the benefit, and the exclusion provisions ensure that the limited increase in rates does not apply in such cases. The objective of the other additional provision is to remove any doubt as to the board's power to refund or hold in credit moneys in such cases where the originally assessed rates are paid on a property that may subsequently qualify for the limited increase in rates.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Hodge.

WHEAT MARKETING (DELIVERY QUOTAS) AMENDMENT AND REPEAL BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [11.05 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to repeal the Wheat Delivery Quotas Act 1969-1974, and to amend the Wheat Marketing Act 1979 to delete reference to the Wheat Delivery Quotas Act.

The Wheat Delivery Quotas Act was enacted in 1969 to restrict deliveries of wheat to the Australian Wheat Board because of the large world wheat surplus and consequent low prices at that time.

However, the surplus was gradually reduced and following an improvement in world prices quotas were not enforced after 1974. Nevertheless, since 1974, growers have been required to register with the Wheat Quotas Committee each year to enable the committee to maintain its records for use if quotas were ever reintroduced. Growers were advised of their base quotas each year, but there was no restriction on the quantity a grower could deliver to the board.

In view of the likelihood that wheat quotas would not be reintroduced in the near future and the tight budgetary situation at the time, the Government decided in October last year not to continue Government financial support for the Wheat Quotas Committee beyond 31 March 1981.

The Government also decided to invite the Primary Industry Association to maintain the

Wheat Quotas Committee's records at farmers' cost if it considered them to be of sufficient value.

The Primary Industry Association resolved that growers should maintain and fund the Wheat Quotas Committee's records, but decided that the best approach would be for Co-operative Bulk Handling Ltd. to take over the recording function while retaining a committee to ensure grower control and scrutiny of the records. The Primary Industry Association and Co-operative Bulk Handling Ltd. have not yet agreed on a suitable arrangement to continue the recording function of the Wheat Quotas Committee. However, I understand negotiations are continuing.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Evans (Deputy Leader of the Opposition).

CATTLE INDUSTRY COMPENSATION AMENDMENT BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [11.08 a.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to amend the Cattle Industry Compensation Act 1965-1979 to permit compensation for cattle deaths because of a specified disease occurring in a specified area.

Under the provisions of the Cattle Industry Compensation Act a compensation fund was established and this has been used to finance substantially the costs of the tuberculosis and brucellosis campaigns. The fund is financed by equal contributions from the Government and the cattle industries by way of levy.

The diseases for which compensation may be paid are proclaimed from time to time. At present compensation may be paid only for three diseases; namely, tuberculosis, brucellosis, and actinomycosis.

Compensation under the Act is payable only if carcasses affected with these diseases are condemned as being unfit for human consumption or if the cattle are ordered to be destroyed because of one of these diseases. Compensation is not payable however if the animals die.

This does not matter very much in the case of TB or brucellosis because they are not diseases which normally kill. However, recently a case occurred where cattle died in the south-west of the State from a disease—cattle tick fever—which does not normally occur in this area. It is normally confined to the Kimberley.

Under these sorts of circumstances, it is necessary to impose control measures on affected herds to prevent the disease spreading. The costs of deaths are borne solely by the owner.

The amendment will permit compensation to be paid in these circumstances when the Minister proclaims the disease in question, if necessary in retrospect. The legislation allows for not only the particular disease to be specified, but also the particular area to which it applies.

The legislation provides for the Minister to consult with primary industries before proclaiming that compensation is payable for a particular disease. This is desirable as one-half of the compensation fund money is provided by the cattle industries.

The legislation provides also for compensation to be paid in cases where the chief inspector orders affected cattle to be destroyed—or agrees to their destruction—and where carcasses are condemned because they are affected with the disease.

Primary industries have been consulted in the preparation of this Bill and it has their support.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Evans (Deputy Leader of the Opposition).

MARKETING OF ONIONS REPEAL BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [11.12 a.m.]: This is another repeal Bill which I introduce with some trepidation after the length of time it took me to get a repeal through last night. I hope members of the Opposition will treat it with some sympathy.

I move—

That the Bill be now read a second time.

The Bill is to repeal the Marketing of Onions Act.

The WA Onion Marketing Board constituted under the Act was dissolved on 18 August 1967 following a poll of growers. There has been no approach to Government since that time for reintroduction of the board.

By arrangement with the producer organisations, money standing to the credit of the Onion Industry Trust Account has been transferred to a special account titled the "Special Vegetable Research Fund". This fund is to be applied to research at, or under the supervision of, the Medina Vegetable Research Station for the benefit of the industry.

Subsequently the Marketing of Onions (Dissolution of Board) Regulations 1967 were

amended to provide for transfer of these funds in accordance with the arrangements.

Onions have been marketed satisfactorily in Western Australia for the 14 years since the Onion Marketing Board ceased to operate. There has been no move to reconstitute the board and as the Act is no longer required it should be repealed.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Evans (Deputy Leader of the Opposition).

LITTER AMENDMENT BILL

Second Reading

MR YOUNG (Scarborough—Minister for Health) [11.15 a.m.]: I move—

That the Bill be now read a second time.

The appointment of the Keep Australia Beautiful Council and its staff and the recent promulgation of regulations completes the implementation of the Litter Act. It has become necessary to propose three minor changes to the Act. These changes relate to practical aspects of enforcement and do not in any way change the basic philosophy for litter control expressed in the Act. Two of the amendments proposed in this Bill relate to the service of infringement notices and the authority to withdraw infringement notices.

It is proposed that the requirement in section 30 that an infringement notice be served by registered post, be deleted. That requirement does not serve any significant purpose; it is not a requirement in other legislation of this Parliament permitting the issue of infringement notices, and only adds unnecessary cost to the process of enforcement of the Litter Act.

At present, the Act provides that a notice formally withdrawing a litter infringement notice must be signed by a "prescribed officer". As infringement notices are issued by authorised officers on behalf of the various public authorities which enforce the Act, the amendment provides that the right to withdraw an infringement notice also should reside with the public authority on behalf of which that notice has been issued, and that the documentation withdrawing the infringement notice be signed by an officer appointed for that purpose by the relevant public authority.

The third amendment proposes more clearly to specify the original intention in the Act, that any proceedings, whether by infringement notice or court action, taken against a litter offender are taken for and on behalf of the particular public authority by which the authorised officer is

employed or otherwise connected. This amendment complements the provision that any fines or penalties imposed on litter offenders are paid to the particular public authority concerned.

I commend this Bill to the House.

Debate adjourned, on motion by Mr Carr.

ROAD TRAFFIC AMENDMENT BILL

Second Reading

MR HASSELL (Cottesloe—Minister for Police and Traffic) [11.18 a.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Road Traffic Act 1974-80, to increase the annual fee payable for a motor driver's licence and to vary the concession on the fee which is granted to pensioners. The proposal is part of the Government's revenue-raising measures for the current fiscal year.

The reason for introducing the Bill at this stage is that although it is part of the revenue-raising measures and is relevant to the Budget, there is a need for the fees to be raised now to get the benefit of them for the Budget. Further, there is a need for the Road Traffic Authority to adjust its operation to make the collections.

The current annual fee for a driver's licence is \$7 and this has been operative since October 1977. Pensioner drivers are granted a reduction of \$4 on the licence, which means in effect that their licence costs \$3 per annum.

This Bill proposes that the annual fee be increased to \$10 per annum and that the flat concession of \$4 available to pensioners be changed to 50 per cent of the normal annual fee. Under the proposed new fees, a pensioner licence will cost \$5 per annum.

Since October 1977, which is the date from which the existing fees have applied, there has been a 38 per cent increase in the consumer price index. Applying this figure to the 1977 fee means that in real terms there is no significant change in the fee now proposed.

If no change is made to the existing provisions of the Road Traffic Act relating to the granting of the \$4 flat concession for pensioners, the result would be that the licence fee payable by a pensioner would rise to \$6, or 100 per cent above the current fee. This would be unfair and the proposed amendment will avoid this situation through the application of the 50 per cent concession.

Although this will mean that the rise in licence fee applicable to pensioners is a higher percentage increase than normal licences, it is the first rise in

the pensioner licence since 1974 and it is believed that the proposed increase of \$2 per annum is not unjust in all the circumstances.

The amendment to maintain the pensioner concession at 50 per cent of the normal fee will also mean that relativity will be retained in the event of any future increases in the driver's licence fee.

In practice that means that the 50 per cent will continue to apply with other increases and it will be accepted that we do not have to consider on each occasion the level of pensioner concessions; that is, by this amendment it is to be clearly established that the concession will be half of the regular fee.

Members will be aware of the severe financial problems facing this state in the current financial year and the need to maintain fees and charges at least to former levels. The proposed increase in the fee will increase the consolidated revenue fund by an estimated \$1.880 million in the current financial year and by \$2.507 million in a full year of operation.

It is proposed that the amendment come into operation with effect from 1 October, 1981. This is to allow sufficient time for the Road Traffic Authority to issue renewal notices at the new rates to licence holders whose licences expire on or after 30 September 1981.

All new licences issued and existing licences renewed on or after 1 October 1981 will become liable for the increased fees. No change is proposed in the option to allow a licence to be issued or renewed for a three-year term.

Although we gave some thought to whether that three-year term licence arrangement might be changed, the same considerations as had applied in the past were believed to apply here; namely, that the reduction in administrative costs in the provision of a three-year licence is not such as to justify a concession when a three-year licence fee is paid. Those people who have paid a three-year licence fee prior to the coming into operation of the increase will benefit from that because their licence will continue to be valid without the payment of any other fee.

Mr Evans: So there will be no increase for a person who has another two years to go?

Mr HASSELL: That is right. Those people get the benefit in that way, although they will not have had a concession on the payment of three years in advance that will apply to the three-year licence. It will cost three times the annual fee, although if there were a greater increase in the annual fee it may have been appropriate to bring

in a concession on the payment of the triennial fee.

In the events that happened, we decided we should not have a greater increase in the annual fee. We kept it to the minimum and we have also decided not to grant a concession on the triennial fee.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Evans (Deputy Leader of the Opposition).

BILLS (2): MESSAGES

Appropriations

Messages from the Governor received and read recommending appropriation for the purposes of the following Bills—

1. Rural Housing (Assistance) Amendment Bill.
2. Cattle Industry Compensation Amendment Bill.

MENTAL HEALTH BILL

Second Reading

Debate resumed from 5 August.

MR YOUNG (Scarborough—Minister for Health) [11.27 a.m.]: I was approximately two-thirds of the way through my reply to the debate on this particular Bill yesterday afternoon. I had reached the stage where I had pointed out to the House some of the safeguards contained in the Bill in respect of the protection of the rights of patients. I had almost concluded that and I should like to add to it simply the fact that not only has the benefit of one of the most important aspects of the safeguards for patients in mental health institutions been overlooked by the member for Melville, but he went even further and said he felt the boards of visitors to which I am now referring perhaps were not sufficiently independent of the Minister. By inference he suggested, therefore, they were not in a position to protect the rights of patients as they should.

I point out to the House that those boards of visitors have a tremendous amount of power under the Act and much more reference will be made to them during the Committee stage. Not the least of the powers they have under the Act is in fact the power to determine to discharge a patient if they think fit and, in that respect, they override the power of the Director of Mental Health Services and any of his officers.

There is another aspect of the protection of the rights of patients which is found in part V of the Bill to which I was referring.

Another area to which the member for Melville referred and which is not contained in the Bill, is his suggestion and recommendation for a separate department for the intellectually handicapped. This is a subject which drew widespread comment and, in the past, I have indicated a total preparedness to undertake at an appropriate time—the word “appropriate” is very significant—the removal altogether of intellectually handicapped persons from the auspices of the Mental Health Department which can then get on with the job of controlling and curing mental illness and looking after the people involved.

It is not the right time now to start talking in terms of separate departments. It would appear from the comments made by members opposite that they are trying to adopt a dualistic approach on this issue. However, they either believe in the comments they made in criticism of the Government's appointment of new Ministers and establishment of new departments or they do not; but that is not the reason I particularly believe this time is not appropriate.

Mr Hodge: I think it is just the new Minister.

Mr YOUNG: The member for Melville is almost paranoid in his desire to change the Minister for Health, but unfortunately he may have to wait some time for that.

Mr B. T. Burke: You were going along quite nicely until then. Why didn't you continue in the former vein, you nasty little piece of work?

Mr YOUNG: The time is not appropriate for the setting up of a department for the intellectually handicapped.

Mr Hodge: Appropriate for what?

Mr YOUNG: I thought the member for Melville suggested the setting up of a department for the intellectually handicapped.

Mr Hodge: Yes, and it is very appropriate for the intellectually handicapped.

Mr YOUNG: On a number of occasions I have made it very clear that the people from the intellectually handicapped section will be removed from the Swanbourne complex. I stated that as recently as the other day and, until such time as those people can be removed from the complex at Swanbourne, it is pointless to talk about setting up a department for the intellectually handicapped.

Quite frankly, it is doubtful anyway whether a department specifically for the intellectually handicapped could be created. What I would like to see at an appropriate time in the future would be the establishment of a department for the

general care and rehabilitation of the handicapped. I have stated that publicly also.

Another example of the member for Melville's predilection for what is not in the Bill is his reference during the course of his speech—I am still quoting from the uncorrected copy of his speech so I am subject to correction by him if this is not accurate—to the inclusion of a proviso in the definition of “mental illness” to the effect that “no person should be regarded as coming within the scope of the definition by reason alone of (a) an expression of any political or religious opinion; (b) sexual deviance or promiscuity; (c) immoral or illegal conduct; or (d) drug taking.”

I cannot see where the member would have got the idea those sorts of things fall within the ambit of the definition at the moment. I fail to comprehend how any reasonable man could perceive the proposed definition as encompassing factors such as he suggests. I could go so far as to say why limit the list at all? If we follow the member's recommendation to its logical conclusion we could say odd behaviour was barracking for West Perth or Subiaco or even supporting the Australian cricket team.

Mr Hodge: Are you saying there are no alcoholics or drug addicts in these mental institutions?

Mr YOUNG: The point I am making is that the condition of alcoholism is not the reason a person would be in a mental institution. The reason he is there would be because of mental illness which may have been caused by alcoholism. However, I have just made the point that one could be driven mad by barracking for Subiaco or West Perth football teams and the list could be added to by including many other things; therefore, the recommendation is not particularly valid.

The situation in regard to sexual behaviour or misbehaviour or homosexuality is not now, has not been in the past, and is not proposed in the future to be grounds for referring anyone to a specific hospital under this Act.

I have said before that the definition of “mental illness” in the New South Wales legislation referred to by the member for Melville is interesting, but it does not contain the definition of “mental illness” in any event. It contains a definition of “a mentally ill person”. It makes no attempt to define “illness”. It chooses to describe “a mentally ill person”.

Mr Hodge: I did not say that. I said it related to a mentally ill person.

Mr YOUNG: Perhaps I misunderstood the member. It certainly does not contain a definition of “mental illness”, but it describes a mentally ill

person as being one "who suffers from mental illness" and "mental illness" is not defined.

I would suggest the definition proposed in this Bill is no less specific than any other of which I am aware; and, certainly, it is no worse. I do not claim that it is any better; however, I refer members to the old saying about the invention of a mouse trap—that is, that if anyone can invent a better mouse trap the world will beat a path to his door.

I thought Sir Aubrey Lewis's definition of "psychiatric illness" was excellent, but upon close analysis it can be seen to be not much better, if at all. He states—

A clinically significant behavioural or psychological syndrome or pattern that occurs in an individual and that is typically associated with a painful symptom (distress) or impairment in one or more important areas of functioning (disability). There is a behavioural, psychological or biological dysfunction, and that the disturbance is "not only" in the relationship between the individual and society.

(When the disturbance is limited to a conflict between the individual and society this "may" represent social deviance, which may or may not be commendable, but is "not by itself" a psychiatric illness).

Mr Hodge: Who was the author of that?

Mr YOUNG: It was Sir Aubrey Lewis who I believe is an eminent British psychiatrist.

The member for Melville further referred to what he says is not in the Bill. He made a request for a preamble to the Bill or a statement of principles contained in it. I will not quote him exactly, but he referred to and used as an example the South Australian Mental Health Act which gives quite a number of aims and aspirations that legislation such as this would have. I asked him by interjection what purpose it would serve. Quite frankly, I do not believe such predatory insertions in legislation make legislation any better, any more than does the long title of a Bill describing what a Bill intends to do. The title of this Bill reads—

An Act to make provision for the care, treatment, and protection of mentally ill or intellectually handicapped persons and for connected purposes.

It may be brief, but it is wide enough to ensure when it is taken in its strictest sense an obligation is placed upon persons administering the Act to do just as it requires.

Other matters were raised by the member for Melville, but they probably will be raised again in Committee. I will dispense with some of them and go straight to his comments regarding the Saint committee.

He claimed the Bill should not progress at this stage because the Saint committee report when it is brought down ought to be considered; and then we could proceed with amending legislation. I point out that the report relates to electroconvulsive therapy and psychosurgery. The committee probably has a large amount of work to do, and when it comes down with recommendations acceptable to the Government those recommendations will be brought before the Parliament in the form of legislation and inserted as further safeguards for patients. In other words, we are considering now only one part of the Mental Health Act.

I do not believe the Bill before us should be held up waiting for the report, notwithstanding that I consider the committee to be of vital importance. If I did not so think I would not have set it up. The recommendations it may make, as I said, will be brought to this place for consideration at a later time. In the meantime the regulations will be altered so that at least we have something in writing to indicate clearly the obligations upon officers within the Department of Mental Health Services because, in any event, it exists now.

I made mention of the board of visitors. I do not think people understand the tremendous power such boards have or what they can do. The Act may say they are subject to the Minister, but quite clearly the very nature of the duties they may perform, and indeed must perform, give them a great deal of independence. They must attend the hospitals to which they are allocated at certain times, and must make themselves available to see patients who want to see them. They must hear the complaints of those patients. They are obliged to act in certain circumstances, and may act in others, to improve the lot of those patients.

As I said previously, a board has the power after consideration of a case within the scope of the Act to discharge a patient if it sees fit after sending the patient to a psychiatrist and receiving his report. That decision of the board overrides any previous decision of a hospital director or any of his officers and is immediately made known to the Minister.

Question put and a division taken with the following result—

Ayes 27

Mr Blaikie
Mr Clarko
Sir Charles Court
Mr Cowan
Mr Coyne
Mr Crane
Dr Dadour
Mr Grayden
Mr Grewar
Mr Hassell
Mr Herzfeld
Mr P. V. Jones
Mr Laurance
Mr MacKinnon

Mr McPharlin
Mr Mensaros
Mr Nanovich
Mr O'Connor
Mr Old
Mr Sibson
Mr Spriggs
Mr Stephens
Mr Trethowan
Mr Tubby
Mr Williams
Mr Young
Mr Shalders

(Teller)

Noes 19

Mr Barnett
Mr Bertram
Mr Bryce
Mr B. T. Burke
Mr T. J. Burke
Mr Carr
Mr Davies
Mr Evans
Mr Grill
Mr Harman

Mr Hodge
Mr Jamieson
Mr McIver
Mr Parker
Mr Pearce
Mr Skidmore
Mr I. F. Taylor
Mr Wilson
Mr Bateman

(Teller)

Pairs

Ayes
Mr Rushton
Mr Watt
Mrs Craig
Mr Sodeman

Noes
Mr Tonkin
Mr T. H. Jones
Mr A. D. Taylor
Mr Bridge

Question thus passed.

Bill read a second time.

In Committee

The Deputy Chairman of Committees (Mr Sibson) in the Chair; Mr Young (Minister for Health) in charge of the Bill.

Clause 1: Short title—

Mr HODGE: I am opposed to this clause and to proceeding any further with this Bill. There has been an important and significant development in connection with this Bill since this debate commenced and I believe the Government should not proceed any further with it. I understand the Law Society has this morning written to the Minister and advised him that he should not proceed with the Bill and that it should be withdrawn. The Law Society, I understand, has made some very serious criticisms of this legislation. They are so serious that I believe the Government should have the opportunity to reconsider and to withdraw this Bill and not proceed with it today. I hope when I resume my seat some member will report progress and seek leave to sit again to give the Government an opportunity to study the Law Society's very learned comments on this Bill and possibly withdraw it and redraft it.

Progress

Mr B. T. BURKE: I move—

That the Deputy Chairman do now report progress and ask leave to sit again.

Several members interjected.

Mr YOUNG: Mr Deputy Chairman, the member for Melville's suggestion that this Bill be withdrawn because of the submission of the Law Society is almost a discreet attempt to try to justify the fact that the Opposition has no care, sensitivity, or interest in the patients in institutions run by the Mental Health Services in this State. It wants to make this a political situation above all other things. Mr Deputy Chairman, it is sick.

Points of Order

Mr HODGE: I submit the Minister is out of order and a motion that progress be reported should not be open to debate. It should be immediately put.

Mr Davies: Look at the Premier smiling. He knew; big Daddy knew.

Mr B. T. Burke: You mean, Granddaddy.

The DEPUTY CHAIRMAN (Mr Sibson): Could the member provide me with a Standing Order?

Mr Davies: That is up to you. We were hoping you could supply it.

Mr Barnett: Turn it up!

The DEPUTY CHAIRMAN: Order! I made a perfectly sensible request to save the time of the Chamber. If the member has a particular Standing Order that he wishes to refer to, that is all right, but if he has not, then we will refer back.

Mr PEARCE: Is the Deputy Chairman telling the Chamber that he does not know whether or not the point made by the member for Melville is accurate; that he is unaware as to whether the motion may be debated.

The DEPUTY CHAIRMAN: There is no point of order. Does the Minister wish to continue?

Committee Resumed

Mr YOUNG: I simply wanted to make the point that the Opposition is quite sick when it moves motions like this to try to get a little bit of political upmanship when it is dealing with the rights and the privileges and the care of people who cannot look after themselves—the people that the member for Melville and the member for Mt. Hawthorn claim to champion. They are

constantly telling the public that they are in the know about the poor people who cannot look after themselves; but what do they want to do? They want to block this Bill, and attempted to do that by voting against it in the second reading. It is obvious that the Opposition wants to continue to block it clause by clause. We are quite happy to accommodate them clause by clause but we will not report progress.

Mr DAVIES: Mr Deputy Chairman (Mr Sibson) I want to express some concern about the submissions made by the Minister for Health. We can deduce from the way he has spoken that there has been some plot to get the Law Society to express opposition to this Bill. That is the trouble with this Government.

Mr Young: Did I say that? What on earth are you talking about?

Mr DAVIES: This Government does not believe that other people can be opposed to its legislation. It believes that only the Opposition will oppose it and, as far as everyone else is concerned, whatever the Government does is right. I understand that in this morning's mail there was distributed fairly widely a letter from the Law Society above the signature of the president, Mr Miller, expressing some serious concerns regarding the contents of a number of the clauses of the Bill. The letter asked the Minister if he would be good enough to hold the matter over until 12 August when there will be a further and more comprehensive report from the Law Society.

The Minister may not have got that letter yet. Can I ask the Minister to indicate by way of interjection whether it is in his possession?

Mr Young: I have not seen it.

Mr DAVIES: Perhaps under these circumstances that is all the more reason to adjourn this measure so that he can take into consideration the views of the Law Society.

Mr Young: By interjection, may I ask the Leader of the Opposition whether or not the Law Society gave those people who are privileged to this information a reason that although the Bill was introduced on 11 May, with copious detail—a fully rewritten new Act—the society should require until the day that the Committee stages were entered into before distributing a letter opposing it? Did they give the Leader of the Opposition any reason for that?

Mr DAVIES: I have seen only a copy of the letter that was distributed to some, but I do not know. This is the nasty, snide approach that the Government always adopts as a tactic when it is

in a corner; that is, to imply there has been some "deal" between the Opposition—

Mr Young: I did not say that.

Mr DAVIES: —and the Law Society. The Minister is implying that it is more than coincidental that the letter only just arrived.

Mr Young: I did not even infer that.

Mr DAVIES: The Minister did. He said "It seems to be coincidental".

Mr Young: I did not link the Opposition with it.

Mr DAVIES: We are saying only that the Law Society has a perfect right to act the way it did. Now another lawyer is sniggering—the Chief Secretary, Minister for Police and assorted other things—at the mention of the Law Society. Apparently that is not held in very high regard by him or any members of the Government.

Mr Hassell: It is you I am looking at. It sounds as though you have a guilty conscience.

Mr DAVIES: The Law Society has written, as I understand it, to all lawyer members of Parliament and has sent to the shadow Minister for Health a copy of a letter which it has directed to the Minister for Health; and the Minister says he has not seen it. He says it does not contain anything that would warrant the holding over of this Bill and he expresses some concern that at this twelfth hour the Law Society should bother to take an interest in this matter when in effect it has been on the benches of the Parliament since 13 or 14 May last. If we are going to start asking questions about delay we might also ask the Minister why it took him four years to bring the Bill to Parliament. I am in no position to make any excuses or to explain why the Law Society is now writing to members; what I am trying to do is to show that as a proper organisation within the community it is entitled to express its opinions.

The Law Society is expressing opinions on matters of such great concern as civil liberties which, incidentally, we know are of little concern to the Premier, his Cabinet Ministers, and any member of the Government.

Mr Hassell: What nonsense!

Mr DAVIES: Particularly the Minister for Police and Traffic. There is no great urgency about this matter which will cause any serious delay in the Parliament further considering this Bill.

Mr Young: When did you say the Law Society sent the letter?

Mr DAVIES: The letter arrived this morning.

Mr Young: Is that the document to which the member for Mt. Hawthorn referred last night?

Mr DAVIES: I have no idea.

Mr Bertram: As I understand it, you have a document already in your possession.

Mr Young: Were you referring last night to the one received this morning by the Leader of the Opposition?

Mr Bertram: I was referring to the document in your possession.

Mr Young: You knew about it last night.

Mr Hodge: I received the letter this morning.

Mr DAVIES: By way of interjection, the member for Melville has just told me he received this letter only this morning. It was as much a surprise to him as it was to me and, possibly, to the Minister for Health himself. I do not know what letter the member for Mt. Hawthorn referred to earlier but if the Minister has some knowledge of this matter he might be able to tell us about it.

The Minister for Health seems to see something sinister in a legal organisation trying to defend the rights of individuals. It is as simple as that. Nobody will be hurt by holding the matter over until 12 August, which is less than a week away. This Bill will not complete its passage through this place until next Tuesday, at the earliest. If we get through the Committee stage today the Opposition most certainly will not grant leave to proceed forthwith to the third reading.

All we are asking is that the Government do the decent thing—if it understands the meaning of decency—and listen to some of the professional people in Perth. These are not militant blue collar workers. These are not environmentalists or people who allegedly disrupt the community. They are respectable people who are members of a respectable profession. They are entitled to be heard.

If there has been some delay in their making a submission, I am not here to apologise or explain matters on their behalf. However, I am here to let the Minister know that in this morning's mail a letter arrived which he has not read and does not know about and he is not prepared even to consider the matter. This is a great shame because we should be prepared to listen to all sides.

We do not have to agree with what the Law Society has to say; we know we rarely agree on all matters. However, it is not unreasonable on an occasion like this that the Minister should adjourn the debate until after lunch so that he can contact his office and perhaps talk to the heads of his

department; that is, if the builders are not there putting in his new carpet and his new facilities.

Mr Young: To get you off that rather nasty personal situation that you like to spend so much time on, I ask: Do you believe that if some organisation writes a letter the day a Bill goes into Committee, the Bill should be held up every time?

Mr DAVIES: There are organisations and organisations. The Minister for Health does not even know what is in the letter.

Mr Young: So, you believe we should stop the Bill for the Law Society, but not for someone else?

Mr DAVIES: I believe the Law Society is a respectable enough body for which to adjourn the Bill on this occasion. If the Minister cares to give me other instances and quote other organisations, I will give him my opinion of those organisations. However, the least I would expect of the Minister is that he read the letter and know what it contains.

The Minister for Health suggests we are cruel and callous and that we have little concern for these poor people who have been languishing apparently under all kinds of terrible conditions which are instantly going to be improved 100 per cent once this legislation goes through. What nonsense! As the Minister knows only too well, once the legislation completes its passage through the Parliament, the lot of those persons will not change significantly before months have elapsed, at the very earliest. The Minister's accusation of a lack of concern on the part of the Opposition is simply emotive nonsense which he uses to try to cover his own inadequacies.

Mr Young: Let the Opposition argue the points in Committee.

Mr DAVIES: We are letting the Government know there is a letter around the building from a respectable organisation of professional people expressing concern about this legislation.

Mr Young: The ALP is a respectable organisation, or it used to be. Its members should be able to argue this matter in Committee.

Mr DAVIES: We do not say that the letter has any merit or any real meaning as it relates to the legislation. However, it is the Minister's job to familiarise himself with the contents of the letter.

Mr Young: Why don't you want to help the mentally handicapped? Why are you against the intellectually handicapped?

Mr DAVIES: Is it not a matter of great pity that whenever the Government is in a corner, the best it can do is say that the Opposition does not

care? Listen to the Minister for Health screaming that the Opposition does not care for the intellectually handicapped.

Mr Young: I was not screaming.

Mr DAVIES: The Minister was screaming at the top of his voice, hoping to divert the course of the debate. The Opposition does care; that is exactly the point. We care because we believe there are provisions in this Bill which will not be to the good of the patient.

Mr Young: Tell us about them in Committee.

Mr DAVIES: On top of that, as I have pointed out, a respectable professional organisation has asked the Minister to do the responsible thing and put the matter off for only one parliamentary day; that would have no effect on the progress of the Bill through this Chamber. The Minister should listen to the views of members of the Law Society and ascertain whether what they have to say has any relevance to the legislation. If there is substance to their representation, the Minister could then make the necessary adjustments to the legislation. It is as simple as that. It is a matter of great concern to the Opposition that the Government is not prepared to do the fair and decent thing.

Mr HODGE: I urge the Minister for Health to give serious consideration to supporting the motion to report progress. It is obvious the Minister has not yet received the letter. All lawyer members of Parliament have had a letter hand-delivered this morning.

Mr Young: Do you mean the lawyer members of Parliament or the lawyer members of the Opposition?

Mr HODGE: The lawyer members of Parliament.

Mr Young: The Chief Secretary is a lawyer. He has not had one.

Mr HODGE: The letter was hand delivered. It is probably on the Minister's table.

Mr Young: Where?

Mr HODGE: The letter was delivered only a few moments ago.

Mr Young: It is getting interesting—not into his hands?

Mr HODGE: It was not delivered into hands. It was put on people's desks.

Mr Young: What a piece of show acting! How incredible.

Mr HODGE: The letter is a copy—

Mr Young: Who was to deliver this?

Mr HODGE: The letter is a copy letter from the President of the Law Society addressed to the Minister for Health.

Mr Young: You have shown yourself up for what you are. Carry on.

Mr HODGE: The letter is written to the Minister, and signed by the President of the Law Society.

Mr Young: The Minister has not received it.

Mr HODGE: It is on the Minister's table.

Mr Young: It is not in my office. I have just had a message. It has never been received. It is not in my office. Nothing has been received in the past. It has not been delivered to the Minister for Health, but it has been delivered to all the Labor lawyers.

Mr HODGE: All the more reason to adjourn this matter.

Mr Young: It is a fascinating piece of Machiavellian stuff, and you have tripped up.

Mr HODGE: It had nothing to do with me.

Mr Young: Not much!

Mr HODGE: Is the Minister suggesting that the Law Society jumps when I snap my fingers?

Mr Young: And we have fairies at the bottom of our gardens, and we still believe in Father Christmas!

Mr Pearce: With a number of your colleagues, I would not talk about "fairies".

Mr Young: The member for Mt. Hawthorn was talking about it last night.

Mr HODGE: That is not this letter. The Minister said he would table another letter.

Mr Young: That is not true. He said "If I produce one, will you table it?" I said "Yes." Which one was he talking about?

Mr HODGE: The member for Mt. Hawthorn was talking about the letter that the Minister had.

Mr Young: And you have not got one. Which one was he talking about? You had it yesterday.

Mr Pearce: Have you got this one?

Mr Bertram: You had it years ago!

Mr HODGE: The behaviour of the Minister for Health this morning backs up my assertion that there should be a very strong definition of "mental health" under the Mental Health Act.

Mr Young: When chicanery like this is cooked up, you cannot blame the Government for getting a bit crooked.

Mr HODGE: The Law Society has expressed grave concern about this matter.

Mr Young: Oh ho!

The DEPUTY CHAIRMAN (Mr Sibson): Order!

Mr Davies: I think the Minister is going mental. I really do.

Mr Young: Very strange!

The DEPUTY CHAIRMAN: Will the member resume his seat? I have allowed a fair bit of cross-Chamber discussion, and the debate is not proceeding. I suggest very strongly that the member for Melville be allowed to proceed.

Mr HODGE: I have almost finished. I suggest to the Minister, in all seriousness, that it is certainly worth his while to support the motion "That progress be reported" so he can find out where his copy of the letter has gone, and read it. Then, if he still is not convinced by what the Law Society says, he can proceed with this matter after lunch. He is showing sheer stubbornness in not agreeing to defer this matter for a short while.

Mr Young: Are you sure they will give me one?

Mr HODGE: I urge the Minister to reconsider. He should track the letter down. I will arrange for him to have a copy, if he needs it.

Mr Young: Are you sure they will give me one?

Mr HODGE: The letter is addressed to the Minister. I have a copy only.

Mr Young: It is strange we did not get it.

Mr HODGE: I happened to come into possession of a copy of the letter sent to a lawyer member of the Opposition. That is how I came across it. There is no great mystery.

Mr Young: All very believable, like your speech last night.

Mr HODGE: The Minister should stop being stubborn about this letter. He should have some common sense, obtain the letter, read it, and then decide what he wants to do.

The DEPUTY CHAIRMAN (Mr Sibson): The member for Mt. Hawthorn.

Government members interjected.

Point of Order

Mr PEARCE: On a point of order; one normally ignores the inane remarks of the member for Whitford, but he has used the expression "compost heap" four times now. It should be withdrawn.

The DEPUTY CHAIRMAN: I did not hear any remark.

Mr PEARCE: I am sorry, Mr Deputy Chairman, but that is not enough. You did that last night. If you did not hear the remark, I suggest that you ask the member for Whitford

whether he said it; and if he denies it, you should consult *Hansard*.

The DEPUTY CHAIRMAN: That is exactly what happened last evening. I will give the member the opportunity once again to do just that.

Mr NANOVIICH: I want to know whether "compost" is an unparliamentary word.

Mr Pearce: The question is whether he said it or not.

The DEPUTY CHAIRMAN: The word is unparliamentary if directed at a member. I ask the member for Whitford whether he directed it at the member as a comment.

Mr NANOVIICH: To the member for Mt. Hawthorn—yes, I did. I asked you whether "compost" was unparliamentary, because that is what the member for Gosnells asked to be withdrawn.

The DEPUTY CHAIRMAN: I rule it is unparliamentary if it is referring to the fact that the member is of that calibre.

Mr NANOVIICH: Are you asking me to withdraw it?

The DEPUTY CHAIRMAN: I would suggest that you withdraw it.

Mr NANOVIICH: I withdraw it.

Committee Resumed

Mr BERTRAM: I personally would not worry very much about that comment.

The DEPUTY CHAIRMAN: I did not think you would.

Mr BERTRAM: The member is a market gardener. There is nothing wrong with market gardeners. I have the greatest admiration for them and for their vegetables.

Mr Nanovich: At least I am not a coward like you.

Mr Bryce: Mr Acting Chairman, are you going to cop that?

Mr BERTRAM: Did he call me a coward?

Opposition members: Yes.

Point of Order

Mr PEARCE: I seek the withdrawal of the term "coward" which has been ruled unparliamentary in this Parliament before.

Mr Blaikie: Don't be so stupid!

The DEPUTY CHAIRMAN (Mr Sibson): I ask that you withdraw that word.

Mr Evans: Throw him out so we have no more of it.

Mr NANOVIICH: To allow the debate to proceed, I withdraw the remark.

Mr Davies: It should be unconditional.

The DEPUTY CHAIRMAN: I suggest that if any unparliamentary words are uttered, it would be best left to the member concerned to decide whether or not he wants the word withdrawn.

Mr Pearce: We are only protecting the dignity of the Parliament.

Mr Young: You are doing a good job!

The DEPUTY CHAIRMAN: Order!

Committee Resumed

Mr BERTRAM: Earlier this week, 4 August was a remarkable day. It was the Queen Mother's birthday; it was the anniversary of the outbreak of the First World War—the Great War. It was also the anniversary of the day that I enlisted—volunteered—so that gentlemen like the member for Whitford might have the opportunity to live in a decent environment and, incidentally, so that we might have a Parliament worthy of the name.

Mr Bryce: And we did not lose a battle the day after you enlisted.

Mr BERTRAM: Precisely.

Mr Williams: He has been suffering from shell shock ever since.

Mr BERTRAM: It seems that the member for Melville has done a good job on the Bill and on the members of the Government, because we can hear them squealing.

The DEPUTY CHAIRMAN (Mr Sibson): I suggest that the member proceeds with the debate.

Mr BERTRAM: I have in my possession a letter bearing the date 6 August, which happens to be today. The Minister is trying to put up a proposition, based on evidence that only the good Lord would comprehend, that I had this letter yesterday! Presumably it was typed today, 6 August; and it was received by me a few moments ago, not yesterday.

Mr Hodge: The Minister should apologise to the Committee.

Mr Young: Which one was he referring to? When he told us he had one, what was he referring to yesterday?

Mr Hodge: The one you said you had.

Mr Young: I said if I had one I would table it.

Mr Hodge: That is the one he was referring to yesterday.

Mr Young: But that is a different one. You raised the question, you dope!

Mr BERTRAM: It is unfortunate that the Minister does not have possession of this letter. I have what I believe to be a true copy of the letter which will shortly be in his possession, if it is not at the moment. After all, it was addressed to the Minister—

Mr Young: It arrived two minutes ago.

Mr BERTRAM: —and for the Minister's benefit I am going to read it. It is addressed to Mr. R. Young, The Hon. Minister for Health, Parliament House, Perth, and reads as follows—

A sub-committee of the Law Society is preparing a comprehensive report on the Mental Health Bill 1981 which is expected to be completed within the next few days. Already, however, the Committee sees grave anomalies, deficiencies, inconsistencies, and obscurities in the drafting of the Bill.

Precisely what the member for Melville said, if I may interpolate; and it is precisely what I introduced during the course of the second reading speech. To proceed with the letter—

For example the definition of "mental illness" is broad enough to encompass those normally regarded as intellectually handicapped and the expression "or other illness or condition" would include:—

- (i) Jetlag.
- (ii) High fever.
- (iii) Drunkenness.

Mr Young: Exactly the same words used by the member for Melville; that is interesting.

Mr BERTRAM: Great minds think alike.

Mr Young: Are you saying that the member for Melville and the Law Society have great minds?

Mr BERTRAM: I am giving hard facts and nothing else.

Mr Pearce: Do you realise you are showing a lot of the symptoms of paranoid schizophrenia?

Mr Young: Not only has he a bionic mouth, he is a doctor as well!

Mr Pearce: As soon as this Bill is passed the Minister is likely to be inside and the Law Society is not likely to get him out.

Mr BERTRAM: The letter continues—

- (iv) Extreme fatigue.
- (v) Stroke.

- (vi) Side effects of certain drug treatment for example antihistamine.

Further the Bill fails to remove doubts which exist under the present Act as to the powers of State Psychiatrists to enforce treatment.

The power to detain patients is still vaguely expressed.

The Committee is concerned that there is no provision in the Bill giving patients the right to be heard before being detained and that one of the important provisions in the present Act for procuring the discharge of patients is absent from the Bill.

I proceed to page 2 of the letter which reads as follows—

The Bill does not remove the present doubts as to the right of a patient to instruct legal advisers and to use his own money for that purpose.

The report of the Sub-Committee examining this Bill should be completed and forwarded to you by August 12. I urge reconsideration of the entire Bill in detail with a view to a complete redrafting.

I think it is desirable to repeat that sentence—

I urge reconsideration of the entire Bill in detail with a view to a complete redrafting.

Precisely what has been urged by the Opposition and is still being urged by the Opposition. To continue—

Copies of this letter have been forwarded to all members of Parliament who are lawyers.

Yours faithfully,
GEOFFREY MILLER
PRESIDENT

Mr Evans: Rise for that apology now.

Mr Young: What for?

Mr Evans: For what you said earlier.

Mr Williams: What was the date of that letter please? The Minister is a lawyer and he has not received one.

Mr Young: What about?

Mr Evans: For the disparaging remarks you made in this Chamber.

The DEPUTY CHAIRMAN (Mr Sibson): Order!

Mr BERTRAM: As we all very well know this move by the Law Society is quite unique and that fact—

Mr Young: You can say that again.

Mr BERTRAM: —alone should be sufficient even in this Parliament—because that is what it is called, it is merely a talking machine and little else—to cause this Government to pause for a moment and have a better look at what it is doing. It is a quite unique and extraordinary move. The Minister asked: How come this Bill was introduced on 14 May and there has been all this delay? That is very easily answered. The Bill is a mess. It is difficult to understand. The matter is a complex and an extraordinarily important one and I advance this as the reason the Law Society has taken so long to take this action. Otherwise, of course, we would have to assume that the Law Society is an irresponsible society.

Mr Blaikie: No, that is not right.

Mr BERTRAM: Something which the Minister tried to get in the other day and then recanted from—

Mr Bryce: The Member for “gas” should set a good example by not interjecting.

Mr Pearce: Here come the bush lawyers now.

Mr Blaikie: If the letter was sent on the day it was how is it possible that the member for Mt. Hawthorn has a copy and yet the Minister, who is all important, has not?

Mr Young: A copy was delivered to my office a few minutes ago.

Mr Bryce: He does have a copy of it.

The DEPUTY CHAIRMAN (Mr Sibson): Order!

Mr Bryce: What a department! You spend thousands of dollars on a bathroom and you do not have a decent courier service.

Mr BERTRAM: How come members of Parliament have a copy and the Minister has not?

Mr Blaikie: When did you get your copy?

Mr BERTRAM: Firstly, the question is how come some members of the Parliament have a copy and the Minister has not? I would have thought one would not really have to be a wizard to work that out—as a general rule it is impossible for all correspondence and documents to be served on different parts of the city simultaneously. However, on this occasion it appears I received my copy some time before the Minister as he says he has just received his a few moments ago.

Mr Skidmore: What does it matter? The content of the letter is the important thing.

The DEPUTY CHAIRMAN (Mr Sibson): Order!

Mr BERTRAM: On this occasion the Minister takes the view that even when the member for Melville delivered his speech with such extraordinary detail it makes it an inexcusable thing for the Bill not to be thrown out that I think other members should repeat the case and add a few things to it. I am not prepared at this stage, or in the future, to follow that pattern. I am wary of deceiving the populace of the State that the Government is one thing and the Parliament another. We all know the Parliament is not legitimate.

Mr Bryce: It is crooked and corrupt.

Mr BERTRAM: It is one thing for the Parliament to be malfunctioning; it is a far greater and reprehensible thing for the people within it to mislead the public. The people think it is a legitimate forum. They do not know that this is not so. I am not going to waste time except when it suits me and when I believe it is an extraordinary circumstance—such as this case since it could lead to the deception of people outside who believe they are being represented here. This type of move by the Law Society is one which we will see more of in the future.

There are people with some perception from not only the Law Society, but other organisations who know that all is not well in this State and its Parliament. If I know it, why should people outside not know it? They can see that extraordinary measures will have to be taken to move this Government. We saw yesterday that a debate went on for six and a half hours, but the Government did not have to be concerned with it. And why should it be concerned when it can bring in laws which in its judgment render the Opposition impotent? A person has only to be able to count to 55 to understand the situation. The public are becoming aware of this and are becoming aware that they will have to take desperate measures such as are being taken here to rectify things. I am telling this Parliament and the Committee that this is just the forerunner of what is to come.

Mr Young: Is that all there is; is that the limit of the letter? I see nothing contained in that letter which would justify our reporting progress on the Bill.

Mr BERTRAM: I have reason to believe that some members of the Law Society have had smart tricks played on them by at least one other Minister in the handling of Bills. I know people have wanted to see a Minister about a particular Bill and that Minister, having seen to it that the legislation had gone through this Parliament like a Bondi tram, was then able to inform the people

when they arrived that the Bill had already passed through Parliament, well knowing the purpose the people had in coming to see him. That is what is happening here. Lawyers, like other members of the community, are very restive with the oppressive way this Government handles its business and the way it rides roughshod over everyone.

This is just a forerunner of what is to come, because if this Government is allowed to crash on in the way it is we will be in an even worse mess than we are now.

Mr Young: The Bill has been in Parliament for two and a half months, with a break in between.

Mr BERTRAM: This is the case made out in this extraordinary and unique way. Most lawyers would be conservative, I should have thought, and would not be on this side of the political fence. When I first sought to enter Parliament I was told by lawyer colleagues that I should not do it because it would do me no good. The pendulum has shifted and it is becoming popular for members of the legal profession to speak up and even to join the Labor Party. Members of a committee of this mostly conservative organisation, with their own livelihoods to attend to besides their other obligations, have gone to work for weeks and months, and they are concerned that their labours might be frustrated. They should be given an opportunity to be heard on matters of civil rights and on matters of legal rights.

Mr Young: Have they informed you how far they have gone?

Mr BERTRAM: As I have said and as the Leader of the Opposition pointed out just a short time ago, the report of this special committee which has examined this Bill should be completed by 12 August. We have been waiting for this Bill for three or four years.

Mr Young: And the lawyers want one more week when they have already had 10. They could not do it in 10 weeks, but they can do it in one week.

Mr Skidmore: Does it really matter?

The DEPUTY CHAIRMAN (Mr Sibson): Order! It is impossible to hear the member's speech and for him to proceed. I suggest there be no cross-Chamber talk.

Mr BERTRAM: There is also another report from, I think, the Royal Australian and New Zealand College of Psychiatrists, a group of experts in this area. That is another report which the Minister, apparently, in his lack of wisdom and his desire not to let the full light of

information come upon this question, will not permit the Opposition to see. It is a rather lopsided arrangement. There is a suppression of facts so that the Minister's ineptitude will not be so very apparent.

It is obvious the Minister now has the letter.

Mr Young: The last person in Western Australia to get it—a very ethical procedure.

Mr BERTRAM: I hope the Minister can read and digest the contents of the letter. I support the proposition that progress be reported.

Mr SHALDERS: I would like to join in this debate because I believe a slur has been cast on the integrity of the Minister for Health.

Several members interjected.

The DEPUTY CHAIRMAN: Order! The member for Ascot will stop talking from other than his own seat.

Point of Order

Mr PEARCE: I take a point of order because the discussion on this motion is out of order. If you refer to Standing Order No. 167 you will see a list of matters on which discussion is not allowed. The list includes the adjournment of debate or leave granted to a member to continue his speech. If you then refer back to Standing Order No. 164 you will see that the adjournment motion in Committee is in fact "That the Chairman report progress and ask leave to sit again." By taking those Standing Orders together you will see it is not permissible for you to allow debate on this motion.

I drew this matter to your attention at the outset of the debate but you took no action, although you should have done so under the Standing Orders. Although you have now mistakenly allowed debate to continue, I believe it is not within your competence to allow it to continue any further.

The DEPUTY CHAIRMAN: I will leave the Chair until the ringing of the bells in order to give this matter consideration.

Sitting suspended from 12.33 to 12.38 p.m.

The Deputy Chairman's Ruling

The DEPUTY CHAIRMAN (Mr Sibson): I have considered clauses 164 and 167 and I do not find anything substantial in them to indicate the debate was out of order. However, there is a precedent which appears at page 3786 of *Hansard* of 18 October 1979. The Deputy Chairman (Mr Crane) at that stage said—

Mr Bryce: What a precedent!

The DEPUTY CHAIRMAN: Deputy Chairman Crane said—

It is not permissible for a member to debate a motion to report progress. Therefore I cannot accept the honourable member's motion. I regard the speech he has just completed as being his first speech on this clause. However, it is competent for any other member to move that we do now report progress.

This is a matter which perhaps the Standing Orders Committee could look at in the future. However, on this occasion I intend to rule that the debate is out of order and I shall put the motion.

Motion put and a division taken with the following result—

Ayes 18

Mr Barnett	Mr Harman
Mr Bertram	Mr Hodge
Mr Bryce	Mr Jamieson
Mr B. T. Burke	Mr Parker
Mr T. J. Burke	Mr Pearce
Mr Carr	Mr Skidmore
Mr Davies	Mr I. F. Taylor
Mr H. D. Evans	Mr Wilson
Mr Grill	Mr Bateman

(Teller)

Noes 25

Mr Blaikie	Mr Mensaros
Sir Charles Court	Mr Nanovich
Mr Cowan	Mr O'Connor
Mr Coyne	Mr Old
Mr Crane	Mr Sodeman
Mr Grayden	Mr Spriggs
Mr Grewar	Mr Stephens
Mr Hassell	Mr Trethowan
Mr Herzfeld	Mr Tubby
Mr P. V. Jones	Mr Williams
Mr Laurance	Mr Young
Mr MacKinnon	Mr Shalders
McPharlin	

(Teller)

Pairs

<i>Ayes</i>	<i>Noes</i>
Mr Tonkin	Mr Rushton
Mr T. H. Jones	Mr Watt
Mr A. D. Taylor	Dr Dadour
Mr Bridge	Mrs Craig
Mr McIver	Mr Clarko

Motion thus negatived.

Committee Resumed

Mr Pearce: Mr Deputy Chairman—

The DEPUTY CHAIRMAN (Mr Sibson): The Minister—

Mr Pearce: It is normal to give the call to someone who stands up.

The DEPUTY CHAIRMAN: I did not see the member. The member for Gosnells.

Mr Young: I had tried to catch the Deputy Chairman's eye.

Mr PEARCE: The Minister has a remarkable way of trying to catch the Deputy Chairman's eye. He sits in his place and looks towards the back door.

Several members interjected.

The DEPUTY CHAIRMAN: Order! The member will proceed.

Mr PEARCE: Idiot cards of the "Sit down and shut up" variety must be being passed around—

The DEPUTY CHAIRMAN: Order!

Point of Order

Mr SHALDERS: Is it parliamentary for the member for Gosnells to make remarks to the effect that members should sit down and shut up?

Mr McIver: Get on with the job. You are like a school kid.

Mr Sodeman: It is certainly par for the course.

The DEPUTY CHAIRMAN: There is no point of order. Would the member for Gosnells proceed?

Committee Resumed

Mr PEARCE: The remark "Sit down and shut up" was directed at me by the Honorary Minister for whatever he is Honorary Minister for. We have seen a remarkable demonstration of pettiness here today by the Minister, because four minutes before the lunch suspension he would not agree to report progress until after lunch so that he could read the letter which has been delivered at great expense in a time of Government cutbacks.

Mr Young: There is nothing in it.

Mr PEARCE: Two top, highly-paid civil servants have brought this letter to Parliament in lieu of the Australia Post personnel who should have done this. The Honorary Minister Assisting the Minister for Housing carried it the last 20 yards and the State has probably paid \$200 in the last few minutes to get that letter for the Minister for Health.

Mr Young: The Opposition has wasted about \$2 000 of taxpayers' money with this rubbish.

Mr PEARCE: The Minister for Health has not had the courtesy to suspend the sitting for four minutes in order that he might read the letter over the lunch break and take into consideration its contents.

Mr Young: You have made it! You can sit down.

Mr PEARCE: The Minister has attempted to suggest that somehow the Law Society is one of these Marxist organisations the Minister for

Education is so fond of discussing here and elsewhere. The Law Society is not a Labor Party front. It is one of the most conservative bodies in this State.

Sitting suspended from 12.45 to 2.15 p.m.

The DEPUTY CHAIRMAN (Mr Sibson): Before proceeding further I will make this point: This morning I was rather lenient in allowing the range of matters into which the debate entered. I remind members we are debating clause 1 which is the title of the Bill. I indicate now that I will insist the debate be confined to that clause.

Mr Young: I would like to—

The DEPUTY CHAIRMAN: The member for Gosnells was on his feet when the Chamber was suspended.

Mr PEARCE: If the Minister is to do anything useful I am quite willing to give way to him.

Mr B. T. Burke: Don't bother.

The DEPUTY CHAIRMAN: I am sure he will do something useful.

Mr B. T. Burke: That is bias on the part of the Deputy Chairman.

Mr Bryce: It is bias.

Mr PEARCE: I can speak again on the clause so I will give way to the Minister.

Mr YOUNG: Mr Deputy Chairman, you were quite right in saying that there was a fairly wide-ranging debate on the first clause of this Bill. I have noticed that in the past it became somewhat of a tradition that the Chairman or Deputy Chairman allowed speakers on the Opposition side to make such wide-ranging comments on clause 1 of the Bill, which is usually its title, for the purpose of protesting against the carrying on with the legislation. That practice was followed by you this morning and the Opposition took fairly good advantage of the opportunity.

Mr Deputy Chairman, I take it you will allow me some latitude. I am not suggesting that all the Opposition's comments were made around this clause, but objection to this clause by the Opposition obviously was an endeavour to substantiate its objection to the entire Bill. I would like to take the opportunity to make some comment, brief though it may be, in respect of the matters raised against this legislation.

Mr B. T. Burke: The Deputy Chairman said you can't do that. He said he was lenient this morning, but would restrict the debate now.

Mr YOUNG: I am making the point that the leniency given to the Opposition this morning and on other occasions to make philosophical objections during the Committee stage to the

totality of legislation ought to be extended to a reply, so I indicate—

Mr Parker: It was not on the Bill this morning, it was on the motion that progress be reported.

Mr B. T. Burke: Send that to the Standing Orders Committee.

The DEPUTY CHAIRMAN (Mr Sibson): I ask the Minister to proceed.

Mr YOUNG: The objection to proceeding with the Bill raised by the member for Melville and supported vociferously by his colleague was based on the fact that allegedly I had received, and all the lawyers in the Parliament had received, a letter from the Law Society of Western Australia. That letter did not relate to what one might call a Committee dispute in respect of a Bill, but a general dispute in which, in this case, the Opposition raised a number of objections.

I record in *Hansard* that although the letter was addressed to me it was in the hands of the Opposition before I received it.

Points of Order

Mr PARKER: Mr Deputy Chairman (Mr Sibson), you made the comment that the leniency you extended this morning in regard to debate on clause 1 would not be extended to the present debate. However, the Minister in replying to clause 1 is in fact attempting to reply to the debate on whether progress was to be reported before the luncheon suspension. That motion already has been dispensed with. The argument the Minister is now putting relates to nothing advanced by any speaker on this side of the Committee when speaking on clause 1, but rather by speakers on the motion just completed—that progress be reported.

Mr B. T. BURKE: I raise a point of order.

Mr Young: Would you like me to deal with the first one first?

The DEPUTY CHAIRMAN (Mr Sibson): Order! The member for Balcatta will resume his seat.

Mr B. T. BURKE: I raise a further point of order. Is it not acceptable for me to raise a concurrent point of order?

The DEPUTY CHAIRMAN: It is acceptable.

Mr B. T. BURKE: I fail to see how any of the matters raised by the Minister relate to the title of the Bill. Unless I heard amiss when you, Sir, arrived, you indicated you had been lenient this morning, but would now restrict debate quite properly to the title of the Bill. That is now not occurring and I ask you to restrict the Minister to the clause.

Progress

Mr EVANS: I move—

That the Deputy Chairman do now report progress and ask leave to sit again.

Motion put and a division taken with the following result—

Ayes 18

Mr Barnett	Mr Harman
Mr Bertram	Mr Hodge
Mr Bridge	Mr Jamieson
Mr Bryce	Mr Parker
Mr B. T. Burke	Mr Pearce
Mr T. J. Burke	Mr Skidmore
Mr Carr	Mr I. F. Taylor
Mr Davies	Mr Wilson
Mr Evans	Mr Bateman

(Teller)

Noes 25

Mr Blaikie	Mr MacKinnon
Mr Clarko	Mr McPharlin
Sir Charles Court	Mr Mensaros
Mr Cowan	Mr Nanovich
Mr Coyne	Mr O'Connor
Mr Crane	Mr Old
Dr Dadour	Mr Spriggs
Mr Grayden	Mr Stephens
Mr Grewar	Mr Tubby
Mr Hassell	Mr Williams
Mr Herzfeld	Mr Young
Mr P. V. Jones	Mr Shalders
Mr Laurance	

(Teller)

Pairs

<i>Ayes</i>	<i>Noes</i>
Mr Tonkin	Mr Rushton
Mr T. H. Jones	Mr Watt
Mr A. D. Taylor	Mrs Craig
Mr McIver	Mr Trethowan
Mr Grill	Mr Sodeman

Motion thus negatived.

Committee Resumed

Mr PARKER: Are you intending to rule on my point of order and that of the member for Balcatta?

Deputy Chairman's Ruling

The DEPUTY CHAIRMAN (Mr Sibson): I rule there is no point of order.

Mr B. T. Burke: On both of them?

The DEPUTY CHAIRMAN: They were both raised simultaneously.

Mr Parker: They were not put simultaneously. They were put consecutively and they were both on different points.

Mr B. T. Burke: I have got a few words I want to say about housing. Is it all right to go ahead now?

Committee Resumed

Mr YOUNG: Mr Deputy Chairman, it becomes a little more obvious what the Opposition is trying to do in regard to the legislation in Committee, and that is clearly to try to embarrass you. However, what we should be attempting to do is to proceed with clause 1 of the Bill. Clause 1 of the Bill says, "This Act may be cited as the Mental Health Act 1981". It is not an amendment to the existing Statute in the sense that certain parts of the existing Statute are being amended. It is the Mental Health Bill 1981 and it will entirely replace the existing mental health laws of this State. It is a very important piece of legislation, and therefore it is essential we say why it has come into existence and why the Opposition does not want to proceed with it. Before the members of the Opposition rise to their feet in a cacophony of sound about whether I have the right to proceed on clause 1 to question the Opposition in respect of why they obviously do not want to proceed with the Bill, I would like to give you, Sir, time to perhaps cogitate on whether I might proceed along those lines, not to answer the debate that was made in respect of the motion this morning to report progress, but on the basis that the Opposition has by its attitudes in this Chamber, indicated quite clearly by actions and words, the reasons it does not want to proceed with this Bill.

Mr Bryce: How long has your Government been in office, six years?

Mr YOUNG: I would like to take the opportunity to answer the major thrust of that objection which is quite clearly based on the fact that a body in this community has written a letter which members received. This fact is well known to every member of this Chamber; the letter was received by me after they had received it.

Mr Parker: That was because your office was inefficient.

Mr YOUNG: And the thrust of their suggestion in respect of the opposition to this clause—

Mr Bryce: The Minister for Education hides his invitations under files.

Mr YOUNG:—is that the Bill that is entitled "the Mental Health Bill 1981" should not proceed because of the receipt of that letter. Consequent to that fiasco, that farce, and the absurdity of the members of the Opposition having the temerity to think that the other members of this community would believe them, I had the greater farce this afternoon at lunch time of the member for Melville presenting me with another letter.

Mr Pearce: Contrary to the Australian Postal Act.

The DEPUTY CHAIRMAN (Mr Sibson): Order, please! The member for Gosnells must desist from continually interjecting whilst I am speaking. The member must have some respect for the Chair. To save the time of the Chamber, I would be pleased to agree for you to discuss that letter briefly because that is the direct request that you have made as you did not have the letter before and did not have the opportunity to look at it. Providing it is done briefly and we continue with the debate on clause 1, then you may proceed.

Mr YOUNG: Thank you, I will be as brief as I can.

The suggestion that members of the Opposition would want this Parliament and this community to believe that this Parliament ought to withdraw an important piece of legislation—by their own admission, important—because one body in the community is against it—

Mr Bryce: Two.

Mr YOUNG: At that time one body in the community had suggested, without any detailed explanation in real terms, that the Government should withdraw it 12 weeks after it was introduced into this Chamber. On the day we go into Committee, an organisation which has the legal expertise and ability to examine that Bill, suggests we should withdraw it. Their ability to examine the measure is beyond doubt, and yet that letter was delivered to all of those members and finally delivered to me at noon or thereabouts this afternoon. There was another letter.

The CHAIRMAN: Order! The Minister will resume his seat. In the time that I have been here I noticed that the Deputy Chairman began by saying he had given a great deal of tolerance before the luncheon recess and I noticed that he pointed out that he did not intend to do so after that. My understanding of how one can change a short title clause such as clause 1 may be quite different from that of my predecessor. I do not think what the Minister is now talking about is appropriate and it is my view also that the opportunity to debate a clause such as this is extremely minimal and I intend to act in that particular way. Unless the Minister or any other person is going to talk on the appropriateness or otherwise of those very few short words that are there, then I will not allow him to speak.

Mr B. T. Burke: A Daniel come to judgment!

Mr SKIDMORE: I have a question on the title of clause 1 and I think that when we are to be stilled in debate in this House, Standing Orders

should not be used to achieve that objective, neither would it be my considered opinion that I should try to circumvent those circumstances that you have told the Chamber about, that you believe the question of the title is a minimal issue for debate. I think it must be patently clear to all concerned that, as one is able to debate the title, we have to be sure that the title reflects truly the character and the intention of the legislation as it affects the health and mental health of people. If one wants to look at the ambit in which one might range to show and establish that the title is fair and equitable to mental patients, then one should surely be allowed a degree of flexibility to develop the argument and I am most surprised that the Chairman ruled virtually against the Minister for Health and did not allow him to advance his reason for feeling the title was appropriate.

I believe the title is inappropriate as it appears to me to connote that it would refer to the Mental Health Act with a view to overcoming some of the disabilities that could or will come within the confines of that Act. Having accepted that assumption, one must then look at how the Bill will not achieve that objective, so that the title will then be completely and utterly irrelevant to the question of the welfare of mental patients. I believe then that it is necessary to roam a little wider to show that the title is inconsequential and that it is not relevant to those matters. How does one do that in the narrow ambit that you have established, Sir? I hope that with a little tolerance you will allow me to show that the title seems to me to be incorrect for the type of legislation that is being put forward.

The Opposition has come forward with a proposition that shows that the Bill should not be proceeded with because it has certain deficiencies and those deficiencies are so opposed to the proposed title that the measure is not a Mental Health Bill at all. We believe that it will propound the problems in this State because of the very restrictive nature of the legislation. I do not believe the title bestows upon the legislation the right to say it is involved with the cure of mentally afflicted persons.

Mr Chairman, that is all I am allowed to say within the very narrow ambit of debate you have allowed. I should add that because of the restrictions you have placed upon me and, indeed, upon the Minister for Health, you have stultified free and unfettered debate in this Chamber which may have arrived at a consensus of opinion in the best interests of mentally handicapped persons.

I oppose clause 1.

The CHAIRMAN: Order! I thank the member for Swan for the way he restrained himself to the subject matter of the clause before the Committee. Members have many opportunities to discuss issues as a whole during the second reading and third reading stages.

Mr PEARCE: It does not seem to me that this clause actually reflects the nature of the Bill. It is a "Mental Ill Health Bill".

Clause put and passed.

Clause 2 put and passed.

Clause 3: Interpretation—

Mr HODGE: This is a very wide and all-embracing clause because it attempts to define a number of terms used throughout the Mental Health Bill. Mr Chairman, I hope you will give me some latitude to debate a fairly wide area when speaking to this clause.

The CHAIRMAN: Order! As you will appreciate, we are dealing specifically with the clause before the Committee. I have not experienced trouble with you before in roaming from the clause before the Chair. If you follow that course on this occasion, there will be no problem. However, if you seek to move from clause 3 to a general debate—and it is easy to do—I will not accept it.

Points of Order

Mr BRYCE: Mr Chairman, could I ask you to reconsider your ruling in the context of the breadth of clause 3? The clause deals with definitions and interpretations and covers four or five pages and relates, subsequently to 50 more pages.

The CHAIRMAN: Order! I have not made a ruling; I simply discussed the question of latitude with the member for Melville. However, I will make a ruling if the honourable member strays from the subject matter before the Chair.

Mr BRYCE: If you want the co-operation of both sides of the Committee it had better be a decent ruling.

The CHAIRMAN: Order! You will have every opportunity to make your point when I make a ruling, and I will make one if the member for Melville strays from the clause.

Mr SKIDMORE: On a further point of order, Mr Chairman, I direct your attention to clause 3, page 5. The last definition on that page states as follows—

"rules" means the rules of court made under section 98;

Do you intend to restrict debate to such an extent that clause 98 of the Bill may not be discussed?

The CHAIRMAN: Order! If a member was debating the rules or definitions, he could debate only whether there was a weakness, an error, or an area of impreciseness in the rules or definitions. It is not the place for one to debate clause 98; the time to do that is when we reach clause 98. I ask members to relate their remarks strictly to the clause; that has been the situation in the seven years I have been a member of this place.

Committee Resumed

Mr HODGE: The point I was trying to make in my opening remarks was that the definitions in this Bill are a very important part of the legislation. If a person does not come within the scope of the definition of "mental illness" or "intellectually handicapped person" the provisions of the Bill do not apply to that person. Mr Chairman, if you rule in such a limited way, it will be very difficult for the Opposition to discuss this matter because the whole crux of the remainder of the Bill revolves around the appropriateness or otherwise of the definitions contained in this clause.

In this context, I wish to refer members to a letter I received only an hour or so ago from the Royal Australian and New Zealand College of Psychiatrists, because I believe what that organisation has to say bears directly on this Bill and quite specifically on the definitions contained in clause 3. I have given a copy of the letter to the Minister for Health so that he has had the benefit of studying it for about the same length of time as I.

Mr Shalders: Why do you think the college did not send the Minister a copy of the letter?

Mr HODGE: I have no idea; in fact, I do not know whether the college did send him a letter.

Mr Young: I did receive a copy, once again after the member for Melville received his letter. It is dated 6 August, and is from the same organisation. I wanted to explain that to the Committee but the Opposition would not let me.

Mr Parker: It was a decision of the Chairman of Committees which did not allow you to refer to it.

Mr HODGE: The letter states as follows—

Dear Mr. Hodge:

Re: Mental Health Bill 1981

The Western Australian Branch of the Royal Australian and New Zealand College of Psychiatrists wish to convey to you our

concern over the Mental Health Bill 1981 now being considered in Parliament. It is the opinion of the Branch that this Bill should not proceed in its current form.

A sub-committee of the Branch have considered the Bill in detail and have concluded that:

"It was the opinion of this sub-committee, appointed by general meeting of the West Australian Branch, Royal Australian and New Zealand College of Psychiatrists that the interests of mental health in Western Australia would be better served if the Mental Health Bill, 1981, were not to proceed at all in its present form which was felt not to differ in essence from the Mental Health Act, 1962.

The CHAIRMAN: Order! As I understand it, the contents of the letter refer to an earlier item of discussion. I do not see any direct relevance to clause 3. In the Committee stage, debate must be directly relevant to the clause before the Chair. I ask the member for Melville to relate the letter to clause 3.

Mr HODGE: I am about half way through the letter, Mr Chairman; I have another two paragraphs to read. If you bear with me, you will find those two paragraphs tie in with the point I am trying to make. The letter continues—

"Instead a complete rethinking of the principles of legislative regulation of mental health as a part of general health is suggested, to produce a completely new bill. The Branch would be glad to participate in such deliberations.

Point of Order

Mr SHALDERS: The member for Melville has indicated he will tie in this letter with the provisions of clause 3. However, if in the event he does not and subsequently it is proved the letter has no relevance to this clause, will the Minister for Health be prevented from answering the points contained in the letter? I ask you to determine whether the Minister will be able to reply to this letter, even in the event that you decide the letter is not relevant to the clause.

The CHAIRMAN: I have already indicated to the member for Melville that he must confine his remarks to this clause. I was prepared to allow him to finish reading the letter because he assured me it was relevant to the clause. I have made it quite clear—as I am sure the member for Melville understands—that I expect all members to be strictly relevant to the clause under discussion,

and I expect the member for Melville to follow my direction.

Committee Resumed

Mr Parker: It is extraordinary that the Minister should leave the Chamber—

The CHAIRMAN: Order! I must point out to the member for Fremantle that when the Chairman, Speaker, or whoever is in the Chair has made a ruling, it is never appropriate for a member to start making a series of comments on that ruling, particularly—

Mr Parker: I was not commenting—

The CHAIRMAN: Order! It is particularly inappropriate before the person who is speaking has resumed his seat. I ask you not to make those comments. It is becoming a habit for people to do so, and it is inappropriate.

Mr HODGE: The letter continues—

The Branch would be glad to participate in such deliberations. In such a bill careful separation of several issues would be suggested, e.g.

- (a) Administration of the Mental Health Services.
- (b) Provisions for compulsory detention for reasons of mental illness.
- (c) Administration of compulsory treatment of mental or physical illness.
- (d) The treatment of patients found mentally ill by the courts.
- (e) Management of estates of incapable persons."

I enclose a copy of the full report.

Members of the sub-committee and the Executive of the Branch would be very happy to meet with you and discuss these recommendations further.

Yours faithfully,
D. JACOBS

That ties in with these definitions. The Royal Australian and New Zealand College of Psychiatrists believes this Bill is inappropriate so far as it defines "mental illness" and "mental health", the treatment of the mentally ill, and the procedures for dealing with mentally ill people before the courts.

The two most important definitions are the ones dealing with mental illness and intellectually handicapped persons. The "mental illness" one is most important. It is quite clear that that definition is not appropriate. It is not accepted by the Law Society; it is not accepted by the Royal

Australian and New Zealand College of Psychiatrists; and it is not accepted by the Opposition.

I made very lengthy comments the other evening in my second reading speech about the defects in the definition of "mental illness". If those comments are not good enough for the Minister, I refer him also to a document called *Review of Mental Health Care: A Discussion Paper* produced by the policy and planning division of the Commonwealth Department of Health, Canberra, in May 1978. That document sets out in some great detail the views of the Commonwealth Department of Health about definitions of "mental illness", and it is fairly critical about the type of definition we have in our clause.

The definition in the Bill is substantially the same. In fact, apart from the reference to the intellectually handicapped, it is precisely the same as the definition in the 1962 Act. In all the years that have elapsed since 1962, the Government and all the experts at its disposal have not been able to come up with a better definition of "mental illness" than that developed in 1962.

The Minister ridiculed me for suggesting that a definition of "mental health" should be included. I cannot understand why he is so scathing about that suggestion. I maintain that "mental health" should be defined. It is important that "mental health" be included in the Bill. The title of the Bill is "Mental Health Bill", and yet we do not know precisely what the Government considers is mental health, or when people do not have mental health, or do have mental health.

It is very confusing to talk about mental illness and not define "mental health". It really means one goes around not knowing—

Mr Young: Have you ever seen a definition of it?

Mr HODGE: No, I have not. I do not claim to be a—

Mr Young: Has anyone ever produced one to you?

Mr HODGE: No-one has produced one to me.

Mr Young: Have you ever attempted to have one defined by anyone?

Mr HODGE: I am not the Minister. I do not have access to all the experts that he has. I do not have a department at my disposal.

Mr Laurance: Long may it be thus.

Mr HODGE: The only definition of "mental health" I have seen was one put forward by Freud. Freud defined "mental health" rather narrowly as "the ability to love and to work". It

probably says more about Freud than it does about mental health. I am not suggesting necessarily that that should be the definition in this Bill.

The definition of "mental illness" is far too vague. It includes the words—

"mental illness" means a psychiatric or other illness or condition that substantially impairs mental health.

As the Law Society has pointed out, and as I have pointed out, "other illness or condition" may include a vast array, a multitude of other conditions affecting people's mental health; but that may not mean that they are mentally ill, as this Bill is attempting to show.

The definition of "intellectually handicapped person" was one I criticised at some length in my second reading speech. I am pleased that the Government has finally made the break and put in a separate definition for "intellectually handicapped person", but again the definition is poor. It is not good enough; but it is in the Government's favour that it has recognised, at least, that the people who are intellectually handicapped are not necessarily physically or mentally ill.

Mr BRYCE: I share the concern of the shadow Minister for Health with regard to the Minister's attitude to the letter received from the Law Society as it relates specifically to the definition of "mental illness". The Minister said only a few moments ago that there was nothing of substance in that letter which we received this morning. I will talk about that letter in one or two sentences to respect your ruling, Mr Chairman. The Minister was deliberately setting himself about the task of misleading this Chamber by suggesting that the shadow Minister and the Labor members of Parliament received that letter before himself or his colleagues. That was simply because his office is geographically separated from this building.

Mr Young: I was half way to my feet when you took the call. I was going to explain those matters. It will be the fourth time; but I will answer them fully.

Mr BRYCE: As a Legislature, we should be concerned. It was outrageous for members opposite this morning to suggest that the Law Society of Western Australia would do the bidding of the Australian Labor Party or the members of the Opposition. That was the intimation quite clearly and unequivocally of the members who sit with the Minister, because the Minister has said that there is nothing of substance in this letter, and that it arrived too late

and too conveniently. He could not be bothered holding up the progress of this Bill, despite what was said by the subcommittee of the Law Society about this definition.

The letter has been read into the record by the member for Mt. Hawthorn. An early sentence reads—

Committee sees grave anomalies, deficiencies, inconsistencies, and obscurities in the drafting of the Bill.

Then it goes on to point quite specifically to the definition of "mental illness". As my colleague the shadow Minister has said, that is the very essence of this piece of legislation before the Chamber. The definition of "mental illness" is the key part of the whole measure.

Whilst the great majority of us in this Chamber are laymen in the sense of legal experience, we could pick up the Bill and read for ourselves the definition of "mental illness". The Bill says—

"mental illness" means a psychiatric or other illness or condition that substantially impairs mental health, but does not include a handicap whereby a person is an intellectually handicapped person;

I want to emphasise part of that definition. In the simplest words, the definition in the Minister's Bill reads—

"mental illness" does not include a handicap whereby a person is an intellectually handicapped person.

Now the letter we have received in this place from the Law Society of Western Australia points the bone at that definition and raises a query about it and this is worded to the effect that, in the opinion of the members of the subcommittee of the society, the definition of "mental illness" is broad enough to encompass those normally regarded as intellectually handicapped. The definition contained in the Statute, as my colleague the shadow Minister has already pointed out, is the same as the definition in the 1962 Statute which says that people normally classified as intellectually handicapped are not classified as mentally ill. There is an eminent group of lawyers who presumably have the knowledge and understanding of legal nuances that most of the members of this House do not have, but are in a position to say we should not proceed with this Bill until this report is received as it will deal in more detail with the definition of "mental illness".

I must admit that when I, as a layman, read the Minister's definition of "mental illness" as defined on page 3 of the Bill, I considered that it

excluded a person who was intellectually handicapped. I am left wondering why an eminent group of lawyers in this community will articulate in this form that in the lawyers' opinion that definition contained there is broad enough to encompass the person described as intellectually handicapped. If the Law Society says that—and it does in fact in the same letter—there is a significant or substantial report which will be ready in a few days' time, how can the Minister in good conscience—considering this Government has been in office for the past seven years and the Bill is now just before us—deny this Committee the opportunity to see the substance of the report which I, as a legislator, would hope would back up their concern about this definition? This is probably the most important definition in the Bill.

Sir Charles Court: Aren't you intrigued, as we are, as to why it has taken 12 weeks?

Mr YOUNG: The two members of the Opposition who have just spoken have now given me the opportunity to say what I want to about the particular question, and I am grateful for that. The member for Ascot in his discussion of the definition of "mental illness" in this Bill is suggesting that this Government should have held up the legislation and reported progress on the basis of the letter just quoted. The letter which was delivered to other members was not passed to me until after midday today when it was delivered to this Chamber. It is 12 weeks today since the Bill was introduced and I would have thought the Committee's suggestions and comments on the Bill would be made before now.

Mr Bryce: Have you ever tried to get speedy action out of lawyers?

Mr YOUNG: The member is asking whether I have ever tried to get speedy action out of lawyers, and I have found that they, like most other busy professional people, are tardy. This society is interested in the law and lawyers, and it seeks to protect the law of Western Australia. The society commented on a matter of great importance 12 weeks after the Bill was introduced to the Legislature of Western Australia—and I received the letter last of all.

Mr Bryce: Probably it was delivered at the same time, but left on your desk.

Mr YOUNG: Having made that point, I would like to say a few more things. The letter contains not only the words to which the member for Ascot referred, and to which I will return, but also some other references to the Bill.

Several members interjected.

The CHAIRMAN: Order!

Mr YOUNG: There are some very interesting words in the letter which have not been quoted by anyone on the other side of the Chamber. I am going to quote them in addition to what the member for Ascot has said. It reads as follows—

—and the expression "or other illness or condition" would include:—

- (i) Jetlag.
- (ii) High fever.
- (iii) Drunkenness.
- (iv) Extreme fatigue.
- (v) Stroke.
- (vi) Side effects of certain drug treatment for example antihistamine.

If members cannot remember those words let me tell them that it has been claimed by Opposition members that they had no knowledge of this letter until they received it today. I accept it as the truth because they have said it across the floor of this Chamber, but I want to say to the people of Western Australia and to the members of this Chamber something which will go down in history. If we accept the truth of what members opposite have said, it is a most remarkable thing that on Tuesday night the member for Melville, in talking about mental illness, used these words—

What does it really mean? If one contracts a high fever this could substantially impair mental health. Does this mean that a person is mentally ill? If a person was affected by drugs or alcohol, it could be argued that his mental health was impaired—

Point of Order

Mr PARKER: I understand that there is a Standing Order which prohibits a member from quoting from *Hansard* reports of the current session.

The CHAIRMAN: Order!

Mr YOUNG: I will put the paper down. It was an uncorrected proof I referred to anyway, and I would like to point out that the member for Melville used the word "jetlag". Imagine the incredible coincidence of using a word such as "jetlag" when we are talking about a definition of mental illness! The member for Melville, who had not seen this letter, and who had not discussed it with the Law Society—he said that to us all today—funnily enough uses the most extreme example one could imagine could contribute to mental illness. I believe him; I am not suggesting in any way he has been untruthful to the Chamber.

Mr B. T. Burke: You are implying it aren't you? Come on!

Mr YOUNG: I suggest his use of the word "jetlag" is one of the most incredible coincidences I have ever experienced; but there is an even bigger coincidence than that one, an even more incredible coincidence.

Mr B. T. Burke: The implication is quite clear.

Mr YOUNG: I am not going to quote from *Hansard*.

Chairman's Ruling

The CHAIRMAN: Order! The Minister will resume his seat. When the member for Fremantle raised the point of order the Minister immediately put down the document he was quoting from and then continued with his speech. He did not give me an opportunity to give a ruling on what the member for Fremantle said. Members are entitled to use *Hansard* debates of the same session if it relates to a question or Bill under discussion. This is covered by Standing Order No. 125.

Committee Resumed

Mr YOUNG: Thank you Mr Chairman. In that case it will help me in quoting the words used by the member for Mt. Hawthorn which will show the second most incredible coincidence which has occurred in this Chamber.

During the member for Mt. Hawthorn's speech I interjected and said to him "Name two". He answered as follows—

I understand—perhaps the Minister will put me right on this if in fact my information is incorrect—that even the Law Society has put forward some objections to this Bill. Is that so?

I replied "Not the Law Society! Good heavens." The member for Mt. Hawthorn continued—

The Law Society has objected on this occasion. The Minister asks the question of me "Does not the Law Society raise objections about nearly every Bill, or many of them?" My answer to that is: No, it does not. The fact that emerges from all that is fair enough:

The member for Mt. Hawthorn then said that the Law Society is unimpressed with this Bill, and so is the Opposition.

I said "Can you tell us in what respect the Law Society is unimpressed?" and he said "No, the Minister can tell us." I then said "No, you tell us. You are making the speech." He did not say whether or not he was referring to this particular correspondence, but is it not a remarkable

coincidence that on Tuesday night the member for Melville very remarkably and coincidentally used the exact words of the Law Society, and the member for Mt. Hawthorn knew of an objection to this legislation that he thought had been communicated to me? But, of course, it had not been, and everyone saw that.

Mr B. T. Burke: The implication is clear.

Mr YOUNG: I am not trying to implicate anyone; I am allowing the House to draw its own implications. I want to go on to what the member for Ascot referred to in the Law Society letter.

The CHAIRMAN: I ask the Minister to ensure he relates his comments to the definition of "mental illness".

Mr YOUNG: In reference to mental illness, the member for Ascot said that the Law Society of Western Australia, in its letter—which I received today—asked the Government to withdraw its legislation so the society could consider the matter further, and this 12 weeks after it had received a copy of the Bill. The Law Society said—

For example the definition of "mental illness" is broad enough to encompass those normally regarded as intellectually handicapped...

The member for Ascot then quoted the definition of "mental illness", and for the edification of members I will read it again—

"mental illness" means a psychiatric or other illness or condition that substantially impairs mental health, but does not include a handicap whereby a person is an intellectually handicapped person;

The member for Ascot said that as a layman he would accept that that sounded pretty clear to him and that in reading the definition he would accept the fact that those words clearly precluded intellectually handicapped persons from coming within the ambit of mental illness, and so do I.

The point being made by the Opposition is that notwithstanding something that would be clear to every person in this Chamber, and even to the lawyers here, the Law Society has thrown doubt on it. I would not mind if it had done it 12, 11, 10, or nine weeks ago or even two or three days ago—but when did it bring doubt upon those words, a doubt which members of the Opposition want me to use as the basis for withdrawing the Bill at this time? The society did it today, the first time that the Minister responsible for handling the Bill knew anything of it. The members of the Opposition are denigrating the definition of "mental illness" based on what is contained in the

letter and they are asking us not to proceed any further.

I will not be stupid enough to say the Law Society is wrong. If it was right, one would think it might have made this submission to me a little before midday today, the day this Bill was to go before the Committee, and after the Bill had been introduced to Parliament 12 weeks earlier and when a six-page news release was made by me a year ago outlining all the things to be contained in the Bill. I cannot recall the Law Society saying it would be interested in the matter and that it would like to discuss it with me before we drafted the Bill, yet it comes along 12 weeks later when we are discussing it in the Chamber.

I say quite clearly that I will stick by the definition of "mental illness" in the Bill and that I have no intention of altering it whatsoever, because if anyone had been dinkum about altering that definition I would have heard about it a long time before this.

Mr Parker: You are saying petty pride is more important.

Mr YOUNG: That is an important interjection, even though it might be rude. No justification has been advanced for us not to proceed with the passage of this important legislation. I put it to the Committee that on past performances in another place by the friends of the Opposition, there is no question but that this particular legislation will be given a thorough going over. But in this place, where I am responsible for the legislation, no-one has advanced to me anything that would indicate that in this Bill the definition of "mental illness" is a bad one. I have not seen a better one and on the surface it appears the suggestion that it is broad enough to encompass those people normally regarded as intellectually handicapped would involve a fairly remote possibility, so remote as not to prevent my continuing with this legislation.

Mr Parker: Remote possibilities are likely to take place under this Government.

Mr YOUNG: I have no doubt many remote possibilities occur within the law and, indeed, if they did not we would not have a Parliament, because we would have got it all right at the signing of the Magna Carta or, at the State level, we would have introduced legislation in 1890 of such a nature that we would not need law courts, because our laws would never have had to be changed. That is not the case and I accept there are going to be different interpretations and there will be people who thought they were right but were wrong and there will be judges who thought

they were right but were wrong and then found they were right again—

Several members interjected.

The CHAIRMAN: Order! The Minister will resume his seat. Could I try to make the point to the member for Fremantle that I allow interjections to a speaker if that speaker is prepared to field those interjections, but if the speaker is not doing that I must call the interjector to order.

Mr Parker: Despite what—

The CHAIRMAN: If the member wishes to take a point of order he can do so, but I am saying that interjections cannot be accepted when they are lengthy and not being fielded by the person to whom they are directed; nor can multiple-interjections be accepted. We have not had them before today and I hope that will continue.

Mr YOUNG: I will conclude by asking a question in respect of the words used by the member for Melville. I want him to think carefully about this, because I have had certain discussions on the matter. I would like him to indicate whether the definition and the questions raised by the member in his second reading speech arose from his own words or whether at any time he had any consultation with any member of the Law Society that would have given him an indication this letter was going to come forward today. Would he care to answer by interjection?

Mr SKIDMORE: I take up this question of the definition of "mental illness" because in my electorate I have numerous homes that cater for these patients so called and so designated and considered to have a mental illness.

I know that the incarceration of some of these people in these institutions has been brought about by vindictive relatives and by doctors who desire to get rid of a patient who has been a darned nuisance to them or at the behest of relatives who are sick and tired of looking after them. All sorts of devices are used to ensure that these people are incarcerated against their will. There is very little that can be said for this sort of person, but they are known to me. I have had them reported to me. I have investigated them.

It is difficult to enter a home which caters for mentally ill people under the auspices of this sort of legislation. As a member of Parliament I find it hard to get through the door to see these people. When I do see them, as a layman I am unable to understand exactly what it is all about. They cannot understand me in most cases as they are heavily sedated and are unable to comprehend

what I am trying to get through to them in an endeavour to ascertain whether they are rightly or wrongly considered to have a mental illness in accordance with the proposition before us.

What disturbs me most is the reluctance of the Minister to accept the fact that time is unimportant and I am concerned about the patients who will be subjected to this sort of legislation.

The Minister has displayed a very petty attitude to the well-being of people in this position and has suggested that time is an important factor. However, I believe we should wait a little longer until we receive the considered opinions of the people who are in a better position than I to evaluate whether the Bill is worded correctly and whether it could be used against somebody who, for argument's sake, may have jetlag. Indeed, that suggestion is not as outlandish as it might at first appear. If someone wanted to get hold of a possible drug runner as he passed through the turnstile at the airport, it might be feasible to use this legislation to have him declared mentally deficient.

Let us examine the other argument put forward by the Minister when he said protection was provided for intellectually handicapped people when in fact no such protection exists in this legislation. The definition of "mental illness" refers to the fact that an intellectually handicapped person is involved, but the definition of such a person is not examined. If the definition of an "intellectually handicapped" person is deficient, the whole situation is suspect.

Indeed, that is what is suggested by the Law Society. I have had calls from people who live across the road from a hospital for elderly people in Guildford saying "I cannot sleep at night because of what takes place there." I am concerned for these people, but the Minister does not seem to have any feeling for people afflicted in this way.

If members carried out investigations I am sure they would be able to find people incarcerated in these homes who in fact should not be there. Let us examine what the Bill says about intellectually handicapped persons. It reads as follows—

"intellectually handicapped person" means a person who has a general intellectual functioning which is significantly below average . . .

That appears to be a definite statement and one with which a layman would not argue. However, when viewed in the medical sense, difficulties arise. The view of a psychiatrist or general

practitioner would possibly be different from the view of a layman. The definition continues—

. . . and concurrently has deficits in his adaptive behaviour, such conditions having become manifest during the developmental period;

The last part of the definition gives cause for concern and the Law Society has referred to this. What is the "developmental period"? Does it mean the development of the new-born child or does it refer to the fact that, at seven years of age, someone is struck down by a mental illness? Does it mean that suddenly I become an alcoholic and am mentally ill as a result? When is the "developmental period"? I can imagine psychiatrists and other people have taken advantage of that definition in the past and have thereby incarcerated people in institutions.

Many members have received advice of instances such as this and when one examines case histories, one finds my contention is borne out. The Minister suggested also there is no way a general practitioner, psychiatrist, or specialist could use that definition in that manner. It would be of service to people who are mentally ill at the present time, and who may become mentally ill in the future, if the Minister had a little compassion for these people and allowed the matter to receive further consideration.

Not only have the legal eagles in our society questioned the legality of the interpretations which could be placed on these matters, but also the member for Melville has received a letter from the Royal Australian and New Zealand College of Psychiatrists expressing doubts on this same question. The Opposition is concerned about the matter and it is disappointed that the Minister does not show compassion for these people. It should be recognised that problems exist in the legislation and something should be done about them. The member for Melville mentioned that the definition of "mental illness", as it appears in the Bill, is the same as that which has been in existence for many years. Therefore, it is clear we have made little progress.

When it was suggested to the Minister that a little more time should be given to enable the matter to receive further consideration, the Minister said "You have had three months. Why do you want more time?" I suggest if we have to wait another three, six, or 12 months to obtain legislation which will be in the interests of the mentally ill, that is immaterial and we should grasp the opportunity to report progress so the Minister can deliberate further and all the facts can be obtained.

Mr PARKER: This Chamber is currently placed in an extraordinary position. We are faced with the situation in which a Bill is before us in the Committee stage and, as the Minister said during the course of the proceedings, letters relating to the legislation have been delivered to the Government and the Opposition. We have been informed of a letter from members of the legal profession who have the potential to represent people who fall into this category or who may seek to protect the rights of such people. Reference has been made also to a letter from the Royal Australian and New Zealand College of Psychiatrists which represents those who are treating people committed to mental institutions and attempts to cure people presently residing in mental institutions which come under the scope of the Bill as well as those who may ultimately find themselves there.

The Minister is saying to this Chamber that because he received the documents only today—in the last few hours—he is not prepared to consider them. That is what he is saying, yet this Bill cannot begin to be considered in the legal sense of the word “considered”—in the traditional sense of the word—until it comes before this Chamber.

The Minister is concerned about the large amount of time he spent preparing the Bill. We all acknowledge that is a realistic position, but it is the Parliament which enacts legislation. It is the Parliament which must decide whether this Bill becomes law, and it is the Parliament, surely, which should have before it submissions from organisations such as those made up of psychiatrists and lawyers who want to say that the legislation should not proceed. The psychiatrists have said that it should not proceed at all, and the lawyers have said that it should not proceed in its current form. Surely, the position ought to be that the Minister should realise that this is an important enough reason to have this Bill held over.

He is allowing his petty pride to take over because he took some time to prepare the legislation. He should overrule that pride because he has received most significant advice from what one might call the industry involved in this matter.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! I have been listening most intently to the member's remarks, and as best I am able, I have been trying to relate them to the provisions contained within clause 3. I find it fairly difficult on the line the member is taking to relate his remarks to the clause. I ask him to give some indication to the Chair that his remarks are relevant so that the Chamber can make progress. I ask him to indicate that he will relate his

remarks to the contents of clause 3. I call the member.

Mr PARKER: Firstly, your predecessor made it clear in discussions with people from the floor that clause 3 is an all-embracing one and that one would need to take a broad view of what is contained in it. Secondly, I intend to move at the conclusion of my remarks that progress be reported, because it seems to me that this occasion is extraordinary. It is an occasion which provides this Chamber with yet another opportunity to determine what it ought to be doing.

The Minister refused to allow progress to be reported when such a motion was moved earlier in the day. He based that refusal on the point that he would not be hoodwinked into withdrawing this legislation because of a letter from the Law Society of Western Australia which drew attention to certain problems in the legislation. Since that time, since the last motion to report progress, the Minister has received, as has the Opposition, a letter which indicates that the Royal Australian and New Zealand College of Psychiatrists believes, firstly, that the Bill should not proceed in its present form and, secondly, in any event, the Bill being debated is substantially the same as the present Act.

The Minister is saying the Opposition is uncaring in its not wanting the Bill to proceed because, as he believes, it provides so many benefits. However, the psychiatrists say the Bill is just about the same as the present Act.

All that is being asked by the lawyers is that the Bill be delayed until 12 August, or thereabouts; the college is asking that it not proceed in its present form at all. At the very least it would seem to me that the Minister ought to take cognizance of these two reputable organisations, and allow their views to overrule his addiction to his vanity and pride and his desire to make sure his Bill—even though it is universally opposed as is becoming clearer by the hour—is passed purely because it is his Bill.

The Minister ought to allow this Chamber to report progress so that he can do what is appropriate for any Minister of the Crown to do, and that is to ensure that the Legislation he wants put through this place and another place is the best possible legislation for all concerned.

Obviously the Minister is not concerned that the best possible legislation is passed. He is concerned only with getting the legislation through, apparently, because it is his legislation. What is the point of having a Parliament if we cannot debate these issues, and submissions

cannot be made at the time legislation comes before the Parliament, so that the Parliament as a whole can consider the views of the Committee? We are supposed to be here representing the views of the community, and all we are asking is that the Minister allow you, Sir, to report progress, allow himself time to further consider the Bill, and allow the Parliament to further consider the Bill, when it comes back next week.

Mr Young: Before you move that progress be reported, I wonder whether I can answer you and the member for Swan. You can then rise and move what you were going to move anyway.

Mr PARKER: I will do that. Perhaps the Minister might do what he refused to do in response to the member for Melville, and that is comment on the letter he received from the Royal Australian and New Zealand College of Psychiatrists.

Mr YOUNG: I intend to do so. I thank the member for Fremantle and the member for Swan for giving me the opportunity to do so.

Mr Skidmore: I don't want to deny you any right.

Mr YOUNG: That is what I said.

Mr B. T. Burke: We are dinkum on this side of the Chamber.

Mr YOUNG: I will not pay the member for Swan any more compliments! I will refer to what the member for Swan and the member for Fremantle said about definitions contained in this Bill, tied in with the comments of the Royal Australian and New Zealand College of Psychiatrists. They and the member for Melville are under a misapprehension.

The letters received today arrived just prior to and during the luncheon suspension. It seems as though there is a tremendous spate of letters on the day we deal with a Bill. However, I want to say to the Royal Australian and New Zealand College of Psychiatrists, the member for Swan, the member for Fremantle, and the member for Melville, that they are incorrect when they say the definition of the term "mental illness" contained in this Bill is the same as appears in the existing legislation. It was quite interesting that the member for Melville when he quoted the definition appearing in the Bill stopped short at the word "health". He did not go on with the words the member for Ascot quoted and I quoted in respect of handicapped people. He may have been just cutting short what he had to say without any intent to mislead. The definition in the existing Act states—

"Mental illness" means a psychiatric or other illness that substantially impairs mental health;

The definition in the Bill states—

"mental illness" means a psychiatric or other illness or condition that substantially impairs mental health, but does not include a handicap whereby a person is an intellectually handicapped person;

I understood the members to whom I have referred as saying they thought the psychiatrists were suggesting there was no need to proceed with this legislation at this time because it would do no harm to hold it up, there being no change in the definition.

Mr Parker: The psychiatrists said the Bill is not substantially different from the Act.

Mr YOUNG: I did understand that the college said there was no substantial difference.

Mr Skidmore: You will not accept the fact that there is a problem.

Mr YOUNG: We are talking about the definition of the term "mental illness". The member for Swan is now referring to generalities. I say the definitions are significantly different. We are talking about the definition which the member for Melville and the member for Fremantle have said is the same as contained in the Act. I have pointed out to them that that is incorrect. In the letter from the college—a report, a summary, or whatever—dated 6 August, it is stated that the definition is substantially the same as that appearing in the Act, but that is incorrect.

Mr Parker: It said the two pieces of legislation are substantially the same.

Mr YOUNG: The member for Fremantle said that the definition of the term "mental illness" in this Bill was the same as that in the Act.

He suggested that my pride determines that I go ahead with the Bill in the face of good evidence that we should not go ahead with it. He also said that I should be persuaded by the letters I received today. Mr Deputy Chairman, one would have to draw a long bow when referring to a hypothetical situation in which the present Opposition became the Government, but be that as it may, if members opposite were in Government and had legislation similar to this before the Parliament for 12 weeks, I doubt whether they would accede to a request based on the flimsiest of information delivered at the 11th hour. I say once again that this was delivered to me at the 11th hour.

Mr Parker: It is not the 12th hour—that is the whole point.

Mr YOUNG: The suggestion is being made on the basis that the Government ought to say "That is fair enough; we will stop because the Royal Australian and New Zealand College of Psychiatrists has said we should." What if the advice had been received from the scientologists or from the Citizens Community for Human Rights? These organisations have shown a much greater interest than has the Law Society, albeit an interest completely foreign to me, in mental health in this State over many years. These organisations have undertaken more research into mental health legislation than any other bodies, not only in Western Australia, but also throughout the rest of the world.

Mr Parker: They are not psychiatrists.

Mr YOUNG: They have a right to express an opinion.

Mr Parker: Of course they have.

Mr YOUNG: If they have undertaken research and done their homework, they are perfectly entitled to put forward their propositions. They have done so over a long period of time, and so have other organisations. I was a little disappointed that submissions from GROW and MIND came in so late. However, I am still giving consideration to those submissions.

It is patently ludicrous, however, for an organisation of professional people to put forward its views an hour after the legislation has entered the Committee stage, and members of the Opposition know that to be so. What we ought to be doing is proceeding with the Committee stage of this Bill rather than listening to the nonsense that we have heard from members opposite.

Is the community of Western Australia going to believe that we ought to have accepted the submission at this late stage? I do not believe the Royal Australian and New Zealand College of Psychiatrists has the right to come in so late yet, like the Law Society, they profess to be tremendously interested in this legislation.

Mr Parker: They may have a point.

Mr YOUNG: I would have loved to receive it 12 weeks ago. I have indicated the matter is going to be very thoroughly thought over this weekend because now there are serious doubts as to whether we are going to finish this legislation this afternoon. If there is anything in there that I think is pertinent, as there was in some of the things that the member for Melville said to me, then I will consider the situation over this weekend, I hope, without this sort of carry-on of today.

Mr Skidmore: That is hardly fair on those who have carried on.

The DEPUTY CHAIRMAN (Mr Blaikie): Order!

Mr YOUNG: I want to make the point that if professional bodies want to take part seriously in the production of modified and better legislation by the Government of the day, they must do better than to have the item of legislation sitting at the Table of this House for 12 weeks and then come in, in one case, a couple of hours after the debate of the Committee has commenced. It cannot even be seen to be serious, but I will consider the situation. I will not report progress on this Bill as we go through the clauses, but I will have a look at it.

Progress

Mr PARKER: I move—

That the Chairman do now report progress and ask leave to sit again.

Motion put and a division taken with the following result—

Ayes 19

Mr Barnett	Mr Hodge
Mr Bertram	Mr Jamieson
Mr Bryce	Mr Parker
Mr B. T. Burke	Mr Pearce
Mr T. J. Burke	Mr Skidmore
Mr Carr	Mr A. D. Taylor
Mr Davies	Mr I. F. Taylor
Mr Evans	Mr Wilson
Mr Grill	Mr Bateman
Mr Harman	

(Teller)

Noes 26

Mr Clarko	Mr McPharlin
Sir Charles Court	Mr Mensaros
Mr Cowan	Mr Nanovich
Mr Coyne	Mr O'Connor
Mr Crane	Mr Old
Dr Dadour	Mr Sibson
Mr Grayden	Mr Sodeman
Mr Grewar	Mr Spriggs
Mr Hassell	Mr Stephens
Mr Herzfeld	Mr Tubby
Mr P. V. Jones	Mr Williams
Mr Laurance	Mr Young
Mr MacKinnon	Mr Shalders

(Teller)

Pairs

<i>Ayes</i>	<i>Noes</i>
Mr Tonkin	Mr Rushton
Mr T. H. Jones	Mr Watt
Mr Bridge	Mrs Craig
Mr Melver	Mr Trethowan

Motion thus negatived.

Committee Resumed

Mr SHALDERS: Discussing mental illness—

Mr Pearce: Here comes an expert!

The DEPUTY CHAIRMAN (Mr Blaikie): The member for Murray will resume his seat. No

sooner did the member for Murray utter two words than the member for Gosnells decided to join the debate. I would ask the member for Gosnells to assist the decorum of the Chamber and this good conduct will be of great benefit, otherwise I will take action.

Mr SHALDERS: Thank you, Mr Deputy Chairman, although I am not particularly concerned about the antics of members of the Opposition, such as the member for Gosnells, who are an embarrassment to their own party. The Opposition has suggested that in considering the definition of "mental illness" in this clause the letter which the Minister received from the Law Society this morning should be taken into account. Mr Chairman, we have heard the Minister say that it was after 11.00 a.m. when he received the copy of that letter and he was asked to make a judgment at that time when this Chamber was in session. I believe that it was an insult to the Minister that the Opposition should have that letter prior to the Minister receiving it, and I want to say—

Points of Order

Mr HODGE: On a point of order, when I rose to speak on clause 3 the Chairman, not you, Mr Deputy Chairman (Mr Blaikie), made me be very specific in my comments and relate them very tightly to clause 3 of the definition and in fact he pulled me up two or three times in order to do that. I fail to see how any of the comments so far expressed by the member have in any way touched on clause 3.

The DEPUTY CHAIRMAN (Mr Blaikie): What is your point of order?

Mr HODGE: I ask you to ask the member to resume his seat or confine his remarks to clause 3.

Mr B. T. BURKE: I believe the point of order is a perfectly valid one. I rise to express alarm at the way this Committee is being run. How many Chairmen of Committees, Deputy Chairmen, and assistant Chairmen are we going to have during a single debate?

The DEPUTY CHAIRMAN (Mr Blaikie): Order! What is your point of order?

Mr B. T. BURKE: My point of order, Mr Deputy Chairman, is that it is not competent for you to be able to judge matters such as the ones raised by the member for Melville because you have not been in the Chair throughout the duration of the debate and perhaps were not even present in the Chamber when the Chairman of Committees instructed the member for Melville as to how he should debate clause 3. It is not good

enough that the Parliament should be run in this way.

The DEPUTY CHAIRMAN: Order! The member for Balcatta will soon see by the ruling I am about to give on the point of order raised by the member for Melville whether or not I am able to supervise the conduct of this Committee. In relation to the point of order raised by the member for Melville, I believe that honourable member should have a degree of fairness. When the member for Fremantle was speaking I listened intently to what he had to say for between 4½ and five minutes before asking him to relate his remarks more closely to the clause before the Chair.

Mr Parker: I did not have very—

The DEPUTY CHAIRMAN: Order! If the member for Fremantle wants to make a remark while I am talking, I will soon deal with him, too.

The member for Murray had been talking for little more than a minute before the point of order was taken. I ask the member for Melville to give me the opportunity to assess the argument put forward by the member for Murray. If the member for Murray deviates from clause 3, I will take action. I believe the member for Melville would be better advised to allow a degree of fairness to permit the Deputy Chairman of Committees to allow a proper debate on this legislation.

Committee Resumed

Mr SHALDERS: I will try to make my point explicitly clear, Mr Deputy Chairman. The definition of "mental illness" is clearly laid down in the Bill for all members to read. The Opposition is opposing this clause on the grounds that in a letter sent to the Minister and received by him after 11.00 a.m. today, when this Chamber was already in debate questions have been raised as to the suitability of this Bill and therefore this definition. I do not know whether the Opposition believes that only the Minister is competent to form a judgment on the adequacy or otherwise of definitions. However, I regard it as an insult that the Opposition is debating the contents or merit of a letter which opposes the definition of "mental illness" contained in this Bill. It is also a gross insult to me that the Law Society did not see fit to send all members of Parliament a copy of its submission to the Minister for Health, which obviously has been sent also to the Opposition.

Mr Bryce: Have you ever heard of a photocopy machine?

Mr SHALDERS: If the Law Society seriously believes the Parliament should consider its proposition for a better Mental Health Act, which might include a changed definition of "mental illness" I fail to see why its submission did not arrive in sufficient time for its adequate consideration before the debate resumed on this Bill, and was not sent to all members of Parliament, rather than by hand after Parliament resumed this morning. Apparently, the submission was supplied in advance to the Opposition. However, it was not given to one back-bench member on this side. I consider that an insult.

For those reasons, I support the Minister's proceeding with the current definition in the Bill, and reject the arguments of the Opposition.

Mr BRYCE: The member for Murray should not take himself so seriously. How dare he be insulted so easily and readily.

Mr Shalders: I do not take you seriously.

Mr BRYCE: The member for Murray has not even read the letter.

Mr Shalders: Nobody takes you seriously.

Mr BRYCE: The member for Murray is about to; he should get down on his hands and knees and crawl out of this Chamber because he has just made a complete idiot of himself. Obviously he has not even read the letter handed to the Minister for Health.

Points of Order

Mr SHALDERS: The member for Ascot said I have not read the letter delivered to the Minister. In fact, I have read the letter. I considered it to be an insult that I did not receive a copy of the letter.

Mr PEARCE: On a point of order, Mr Deputy Chairman—

The DEPUTY CHAIRMAN (Mr Blaikie): Order! The member for Gosnells will resume his seat.

Mr PEARCE: I have had a few troubles on this point before. I am taking a point of order.

Mr SHALDERS: On a further point of order, Mr Deputy Chairman—

Mr Pearce: Queue up, brother!

The DEPUTY CHAIRMAN: I will deal with the point of order raised by the member for Murray. In my opinion, there is no point of order.

Mr PEARCE: My point of order is that the member for Murray knew perfectly well there was no point of order involved and that he was seeking to abuse the forms of this Chamber.

Mr B. T. BURKE: On a point of order, Mr Deputy Chairman, perhaps it is because of the

position I occupy in this Chamber that I was able to hear you instruct the Clerk Assistant during the speech of the member for Murray to allow the member extra time as a result of the time taken to discuss points of order. My point of order is that you should inform the member for Ascot that he is to be extended the same courtesy.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! There is no point of order. The member for Murray was not granted an extension of time, and neither will the member for Ascot be granted one.

Committee Resumed

Mr BRYCE: I was at the point of stressing to the Committee that the member for Murray should be completely and utterly ashamed of himself if he now says that he has read the letter. The letter from the Law Society states that the society has worked upon a substantial report which will be available on, I think, 12 August. However, the letter does not suggest an alternative definition to "mental illness" which is what the member for Murray said. He said it was an insult that the Minister should be expected to accept a new definition dropped in at the 11th hour.

Mr Shalders: No—any proposal dropped at the 11th hour, whether it has to do with a definition or anything else.

Mr BRYCE: That was only half the honourable member's sensitivity. Either he has not read the letter, or if he has, he should be ashamed of the fact that his noble former profession was that of schoolteacher because quite clearly he did not understand the first paragraph of the letter.

Mr Shalders: I got further up the ladder than you did.

Mr BRYCE: How presumptuous of a Government back-bencher to take such affront! How arrogant can a government become that it refuses to consider a serious letter from an important and eminent professional group such as the Law Society, or the Royal Australian and New Zealand College of Psychiatrists, and to regard it as an insult that it is asked at the last minute in the very early stages of consideration of this legislation to reconsider the matter.

Mr Shalders: After they have had 12 weeks.

Mr BRYCE: Having dispensed with the rather shabby behaviour of the member for Murray in his haste to defend his Minister, perhaps I can deal now with the Minister himself. As the member for Fremantle said, it is the Minister's ego that is riding high on this little episode. The

Minister had the hide to stand and say he was not going to accept any constructive suggestions on the matter. This is the man who spends all those thousands of dollars on flash bathrooms for his ministerial suite, the man who has taken his position in the system of government altogether too seriously.

The member for Murray considered it was an insult and the Minister for Health says his ego will not allow him to accept a constructive suggestion from the Law Society and a warning from the Royal Australian and New Zealand College of Psychiatrists that the Bill should not be proceeded with in its present form.

The DEPUTY CHAIRMAN (Mr Blaikie): Order! I have been listening very intently to the member for Ascot. I ask him whether he can relate ego and flash bathrooms to clause 3.

Mr Bertram: \$77 000!

The DEPUTY CHAIRMAN: Order! I call for the co-operation of the member for Ascot.

Mr BRYCE: The definition of "mental illness" which has been under consideration in this Committee for some time is a critically important definition in the legislation. The Minister has received advice by way of a letter from the Law Society, albeit very late but with the best of intentions, to suggest that there is grave concern on the part of that society that the definition of "mental illness" is not all that it should be.

Mr Young: Did you note that the Law Society and everyone else who has made that comment has failed to come within a bull's roar of making a recommendation as to what it should be?

Mr BRYCE: The irrationality and the unacceptability of the Minister's position is such that he himself said there may be substance in the position of the Law Society.

Mr Young: I said that. I am asking whether anyone has found a satisfactory definition.

Mr BRYCE: But the Minister has already conceded that, maybe, the Law Society's attitude may have some substance. If we are interested in good legislation and not simply the Government's impatience, then we should be adjourning the legislation. There is no doubt about that.

The real reason we in this Committee are pursuing this legislation is that the Government has no other legislation of any substance on the notice paper. Let me refer the Minister to the circumstances immediately preceding the recommencement of the discussion on this Bill after lunch. The Minister was livid at the letter from the college of psychiatrists. He conferred at length with his Premier; and the Premier and the

Deputy Premier went into a huddle on the floor of the Chamber to look at the notice paper to see whether there was anything of substance there. Because there was nothing of substance—

Mr Young: That is absolute rubbish!

Mr BRYCE: —the instruction went to the Minister for Health "Keep going on mental health. Have no regard for the quality of the legislation; —"

Government members interjected.

Mr BRYCE: "—we would be embarrassed. We would have to close up shop at two o'clock".

Sir Charles Court: That is untrue.

Mr BERTRAM: It is becoming difficult to "get a word in edgeways" on this Bill. It is developing into quite a tussle. At any event, my turn has now arrived.

I ask the Minister whether the letter to him from the Law Society bearing date 6 August is the first communication of any sort that he has had from the Law Society since this measure went on the notice paper?

Mr Young: The answer to that, to the best of my knowledge, is that it is. I cannot recall, nor can my officers recall, having a previous submission from them; nor can they find the evidence of having done so. I hope that is explicit enough.

Mr B. T. Burke: Now you are accusing them of changing the dates on their letters.

Mr Young: He has been drinking again.

Mr BERTRAM: This Parliament is said to be the highest of the courts in the land. It is supposed to be, anyhow. It is not at all unusual for the other courts to grant adjournments when it is obvious that, in the interest of good sense and justice, an adjournment is appropriate.

The Minister says that the communication to him on 6 August represents only the flimsiest of evidence. That is nonsense. It is an absurdity. That is about the weakest comment I have heard here for a long time—and that is saying plenty! It is not the flimsiest of evidence.

Responsible lawyers, who know what is proper, think that it is appropriate to obtain an adjournment. In effect, that is what the letter was designed to do. It is a request for an adjournment for a few days, made by responsible people who, in the course of their business, argue for adjournments every day of their lives. That is what it is all about.

The DEPUTY CHAIRMAN (Mr Blaikie): I draw the attention of the member for Mt. Hawthorn to the fact that while he is talking

about an adjournment, that is not the subject matter of this clause. I ask him to relate his remarks to the matter contained within clause 3, otherwise I will be obliged to call another speaker.

Mr BERTRAM: I am delighted to do that. What an extraordinary transformation there has been in this Minister since the Premier pulled him into gear following his attitude on Tresillian. He now sets himself up as a lawyer, or attempts to, in the same way as the Premier does from time to time, with lamentable lack of success. However, he persists. How much notice can we take of the Minister?

The DEPUTY CHAIRMAN: I will not ask the member for Mt. Hawthorn again. I suggest that if he does not relate his remarks to clause 3, I will put the question.

Mr BERTRAM: It is extraordinarily important to clause 3, as much as to every other clause, that we should discuss how much notice we should take of the Minister.

Mr Bryce: The Minister is giving an impression of definitions.

Mr BERTRAM: Let us consider what the Minister had to say yesterday. He quoted *Hansard*; and I thought he would have picked up this argument when he was on his feet a little earlier. On the matter of definitions, this is what he said—

The member for Melville deplores the fact that in the Bill there is no definition of "mental health". I find it a remarkable statement for a member of Parliament to make, a person who must be expected to have some experience in reading legislation. If my memory serves me correctly, the member for Mt. Hawthorn agrees with the member for Melville, and I find that even more remarkable considering he is a former Attorney General. There is no definition of "public health" in the Public Health Act. There are many things that cannot be defined in that sense. There is no definition of "income tax" in the Income Tax Act. There is no definition of "education" in the Education Act.

Mr Bertram: Is there a definition of "taxable income"?

Mr YOUNG: There is no definition of "taxable income" in the Income Tax Act.

Mr Bertram: What about a definition of "taxable income"?

Mr YOUNG: No.

Mr Bertram: In the Income Tax Assessment Act?

Mr YOUNG: There is no definition.

Mr Bertram: Since when?

Mr YOUNG: Since it was written.

At that point, I imagine the Minister ran up to the Library—

Mr Young: Just read the note I sent you.

Mr BERTRAM: —to have a look at the Income Tax Assessment Act of 1936. I believe he did that because I was at the Library a few minutes later, and I was interested to observe a book standing on the counter.

Mr Young: I sent the book over to you with a note.

Mr B. T. Burke: If you cannot stand the heat, don't go in the kitchen!

Mr Young: What did the note say?

Mr BERTRAM: At the Library, I obtained a photostat of page 2 of the Income Tax Assessment Act of 1936, and of what appears to be page 12. I then returned to the Chamber, where I was handed a copy of the Income Tax Assessment Act plus a chatty note.

Mr B. T. Burke: The Minister is trying to call you off.

Mr BERTRAM: The note reads: "Ron"—not even "Dear Ron".

Mr Young: Sorry about that, dear Ron.

Mr BERTRAM: The note continued, "I was right and I was wrong." How about that?

Mr Young: Much the same sort of episode as I will come back to in a moment.

Mr BERTRAM: As Billy Snedden said "We didn't win, but we didn't lose."

What I am about to tell members in a moment is that the Minister was wrong twice. This was not a complex question, and that is why I asked how much notice should we take of him. He should have said "I was wrong and I was wrong". He then went on to say that there is no definition of the word "income" in the Income Tax Assessment Act, but that there is a definition of "taxable income" as I had suggested, and he finished with these words "and as I thought not". The note is signed "Ray Young, 5/8/81." The Minister was wrong on both counts. The Income Tax Assessment Act reads as follows—

The DEPUTY CHAIRMAN (Mr Blaikie): I would suggest that if the member continues in that vein he should relate his remarks to clause 3, otherwise I shall put the question.

Mr BERTRAM: With the greatest respect, if this is not to do with the Minister's confidence and knowledge of definitions, I do not know what

is. In this Chamber he authoritatively told us all about certain definitions. He was seeking to vindicate his position. He did it twice, and twice he was wrong. So that the record will have it there for evermore I was seeking to show that the Minister was wrong on both counts, firstly in the Chamber, and secondly, in the note he wrote after consideration of the matter.

Mr Young: Well that is not right, because I said in my speech there is no definition of the word "income" in the Income Tax Act. I was right on that point, but I was wrong when I said there was no definition of the term "taxable income" in the Income Tax Assessment Act. I was wrong and I am happy to admit it.

The DEPUTY CHAIRMAN: Order! I warn the member on his feet and the Minister that if the words "income tax" are used again, I will lose the little bit of my patience that I have left. If members do not revert to discussing mental health, I will draw their attention to Standing Order No. 142.

Mr BERTRAM: I will leave that subject instantly, and I will deal with it at some length at

the third reading stage. I simply comment on the most extraordinary statement I have heard here for a long time. The Minister said he accepted the word and statement of the member for Melville, and he then proceeded to give details at some length as to why the taxpayers, the electors, should take a contrary view; that is to say, a view different from his own! Now how about that?

Leave to Continue Speech

Mr BERTRAM: I would like to continue, but it would seem an appropriate time to move—

That I be given leave to continue my speech at a later stage of the sitting.

Motion put and passed.

Progress

Progress reported and leave given to sit again, on motion by Mr Young (Minister for Health).

QUESTIONS

Questions were taken at this stage.

House adjourned at 4.40 p.m.

QUESTIONS ON NOTICE

"THE EVERLASTING SECRET FAMILY"

"R" Classification: Review

1305. Mr JAMIESON, to the Chief Secretary:

In view of the apparent concern of the author and many others in the community that "The Everlasting Secret Family" a book among those presented to the Prince and Princess of Wales as a wedding gift by the New South Wales Government has been wrongly classified will he—

- (a) have a review of the "R" classification again made by him on the recommendation of the advisory committee;
- (b) inform the public what are the general criteria for the placing of "R" ratings on publications;
- (c) indicate if any other State of the Commonwealth has seen fit to place such a rating on this book?

Mr HASSELL replied:

- (a) Yes. I will request the advisory committee to advise me further on this book.
- (b) Yes. Copy of advisory committee guidelines tabled with this answer.
- (c) Not known.

The paper was tabled (see paper No. 320).

FIRES: FIRE BRIGADES BOARD

Local Government Levy

1306. Mr JAMIESON, to the Chief Secretary:

- (1) In view of the apparent present discontent by certain local authorities in withholding their levies towards the financing of the Fire Brigades Board activities, has any inquiry been initiated by the Government to establish a more equitable system of financing?
- (2) How many local governing bodies have complained about the present system?
- (3) Where the metropolitan fire district boundary cuts through a local authority how does such a council allow for those outside the area not to pay the levy in their rate assessment?

- (4) Is any levy paid to the Bush Fires Board by any metropolitan local authority, and if so, on what basis?
- (5) Is there to be legislation for the restructuring of the Fire Brigades Board introduced in this session of Parliament?

Mr HASSELL replied:

- (1) Throughout Australia, as in many other countries, fire brigades began at local authority level.

Subsequently operational control was centralised for better efficiency but legislators at the time presumably considered financing of brigades should reasonably be attached, at least in part, to property owners through the local authority. Successive Governments reduced local authority contribution ratio from 33½% to the present level of 12½%.

In August 1979 the Government legislated to fund from Consolidated Revenue the full cost of fire services in areas not covered by permanent brigades, effective from 1 July 1980, and at an estimated cost of \$1.7m.

At that time the then Minister said—

The Government has for some time been examining alternative ways of financing the Board's operations.

I must emphasise that there are no obvious practical alternatives which do not involve more inequities than the present system.

Let me say unequivocally that the Government is not able to meet the whole cost of the service from Consolidated Revenue as has been proposed in some quarters.

A practical alternative to the existing funding method is not available, but the matter remains under consideration; but in view of the severe financial constraints currently placed on the Government there is little possibility of funding the local government contribution of the fire fund from Consolidated Revenue.

- (2) Several shire councils have complained.
- (3) The provisions of the Fire Brigades Act and the Local Government Act permit councils to either incorporate the fire brigades levy in the general local government rate or impose a differential rate on a prescribed area of the district.
- (4) No.

- (5) The Government is examining the structure of the Fire Brigades Board. At this stage, no decision has been made.

ELECTORAL COMMISSION

Report

1308. Mr DADOUR, to the Chief Secretary:

- (1) When is the Electoral Commission report expected to be published?
- (2) Has any Minister of the Crown been involved in discussions with any of the commissioners concerning the report?
- (3) If so, who, and under what circumstances?

Mr HASSELL replied:

- (1) I am advised by the Chief Electoral Officer that the report will not be completed for publication for some weeks.
- (2) I have been advised by each Minister of the Crown that the answer to the question is 'No'. In the normal course of his duties, the Chief Electoral Officer has advised me as to the possible timing of completion of the report, and in relation to this question 1308.
- (3) Not applicable.

STATE FINANCE

Borrowings Programme: Infrastructure

1325. Mr HARMAN, to the Treasurer:

In respect of the amounts approved for borrowings under the infrastructure borrowings programme for 1980-81, what are the details including repayment arrangements for the amount borrowed under the heading North-West Shelf gas infrastructure—Jervoise Bay?

Sir CHARLES COURT replied:

\$5 million of the total allocation of \$6.3 million has been raised through several sources at normal Loan Council semi-governmental rates and conditions. Under a lease agreement with Woodside Petroleum Development Pty. Ltd., the company will repay two-thirds of the costs associated with the construction of the offshore construction yard in the first five years of occupancy including the cost of relocating some previously established facilities.

WORKERS' COMPENSATION

"The Facts on WA's New Workers' Compensation Laws"

1328. Mr DAVIES, to the Minister for Labour and Industry:

- (1) What is the total cost of production and distribution of a pamphlet entitled "The Facts on W.A.'s New Workers' Compensation Laws", issued by the Minister?
- (2) How many pamphlets were produced?
- (3) To whom were they distributed?
- (4) Have the contents of the pamphlet been altered in any way by the terms of the agreement reached by the TLC, employers and the Government on Sunday, 2 August?

Mr O'CONNOR replied:

- (1) \$2 600.
- (2) 100 000.
- (3) The pamphlet has been made available to—

Confederation of WA Industry;
Trades and Labor Council; and
Chamber of Mines;

and copies can be obtained by interested parties from the Department of Labour and Industry.

- (4) No. The pamphlet was prepared and distribution commenced prior to the meeting referred to.

RAILWAYS

Freight Rates and Distances

1330. Mr COWAN, to the Minister for Transport:

- (1) Can he provide a schedule containing the freight rates for—
 - (a) superphosphate;
 - (b) wheat;
 - (c) oats;
 - (d) barley;
 - (e) wool,

from the following sidings:

- (i) Merredin;
- (ii) Belka;
- (iii) Bruce Rock;
- (iv) Shackleton;
- (v) Kwolyin;
- (vi) Narembreen?

- (2) Can he provide the rail distance and radial distance of the abovementioned sidings from Kwinana?

Mr RUSHTON replied:

- (1) (a) to (c) Current freight rates are:

	Superphosphate railed from Kwinana July 1- Dec 31 Per Tonne	Feb 15- June 30 Per Tonne	Wheat, Oats, Barley railed to Kwinana Per Tonne	Wool railed to Robb Jetty Min 40 bales, per bale	Lesser, per bale
Merredin	\$ 12.40	\$ 13.95	\$ 13.50	\$ 4.20	\$ 4.85
Belka	12.72	14.31	13.80	4.40	5.05
Bruce Rock	12.40	13.95	13.50	4.20	4.85
Shackleton	11.28	12.69	12.30	3.80	4.40
Kwolyin	11.28	12.69	12.30	3.80	4.40
Narembreen	14.48	16.29	15.70	5.00	5.75

These rates should be reduced during the following periods by—

*60 cents per tonne January 1 to January 31 inclusive; and 30 cents per tonne February 1 to February 14 inclusive.

- (2)

Kwinana To	Rail Distance km	Radial Distance km
Merredin	316	253
Belka	329	234
Bruce Rock	313	229
Shackleton	280	199
Kwolyin	273	193
Narembreen	403	249

DEPARTMENT OF AGRICULTURE, MERREDIN

Refurnishing

1331. Mr COWAN, to the Minister for Agriculture:

- (1) Have any items of office furniture been provided or replaced in the Merredin regional office within the last six months?
- (2) If "Yes", what was the cost of refurnishing the office?

Mr OLD replied:

- (1) and (2) The Merredin district office of the Department of Agriculture has ordered additional and replacement furniture to the value of \$2 500 in the past six months. About \$1 500 has been spent on this order up to the present.

PUBLIC WORKS DEPARTMENT, MERREDIN

Refurnishing

1332. Mr COWAN, to the Minister for Works:

- (1) Have any items of office furniture been provided or replaced in the Merredin regional office within the last six months?
- (2) If "Yes", what was the cost of refurnishing the office?

Mr MENSAROS replied:

- (1) and (2) See answer to question 1331.

1333. *This question was postponed.*

FOREIGN INVESTMENT

Western Australia

1334. Mr BRYCE, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

- (1) Does his department or any other State Government department monitor the arrival of foreign investment capital in the Western Australian industrial sector?
- (2) What percentage of Western Australian manufacturing industry is controlled by overseas interests?
- (3) Does his department approve of the inflow of foreign takeover capital which effectively transfers the ownership of local firms to foreign interests?

Mr MacKINNON replied:

- (1) The Foreign Investment Review Board is primarily charged with this duty, but appropriate cases are referred by it to the State Treasury for comment, which department consults with State departments and/or Ministers involved, including where applicable, the Department of Industrial Development and Commerce.
- (2) Precise figures are not available, but myself and my department maintain a general contact and overview of the position on a continuing basis in keeping with Government policy.
- (3) Government policy is to permit the inflow of foreign capital where benefit will accrue to the State. In this context, maximisation of local ownership is a desired objective consistent with promoting an expanding and increasingly sophisticated manufacturing industry.

INDUSTRIAL DEVELOPMENT

Employment, Export Earnings, and Gross Domestic Product

1335. Mr BRYCE, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

In Western Australia, what percentage of—

- (a) total employment;
- (b) export earnings;
- (c) gross domestic product,

is accounted for by the manufacturing sector of the economy?

Mr MacKINNON replied:

- (a) 14.3% of total employment at May 1981.
- (b) Western Australia's export earnings by the manufacturing sector in 1979-80 preliminary figures was 8.8% of total State exports as defined by AECC division items.
- (c) By definition this is a national figure and no statistics are available on a State basis.

1336. *This question was postponed.*

HOUSING

Kalgoorlie and Boulder

1337. Mr I. F. TAYLOR, to the Honorary Minister Assisting the Minister for Housing:

- (1) What is the waiting list for—
 - (a) two-bedroom State Housing Commission homes;
 - (b) three-bedroom State Housing Commission homes,
 in Kalgoorlie-Boulder?
- (2) How many commission rental homes are currently vacant in the Kalgoorlie-Boulder area?

Mr LAURANCE replied:

- (1) The waiting lists for Commonwealth-State rental houses in Kalgoorlie-Boulder are—
 - (a) two bedroom units—82 applicants;
 - (b) three bedroom units—75 applicants.
- (2) The following houses are vacant—
 - two bedroom—1
 - three bedroom—5
 - four bedroom—1

of which 5 are currently receiving essential repairs and renovations prior to re-letting whilst the remaining two are under offer to applicants on the waiting list.

MINING: GOLD

Weights and Measures Branch: Inspectors

1338. Mr I. F. TAYLOR, to the Minister for Labour and Industry:

- (1) When did inspectors from the Weights and Measures Branch last visit the Kalgoorlie-Boulder area?
- (2) On that visit did they inspect and check the accuracy of the scales of gold buyers?
- (3) If not, why not?

Mr O'CONNOR replied:

- (1) May 1981.
- (2) No.
- (3) The practice of the branch to test gold buyers' scales ceased many years ago as all gold sold was through the Mint.

HOSPITALS

Kalgoorlie Regional

1339. Mr I. F. TAYLOR, to the Minister for Health:

- (1) On what date was demolition and clearing for stage 2 of the Kalgoorlie Regional Hospital redevelopment plan completed?
- (2) On what dates is it planned to—
 - (a) commence;
 - (b) complete,
 the stage 2 development?
- (3) What is the anticipated total cost in current dollar terms of the stage 2 development?

Mr YOUNG replied:

- (1) 23 July 1981—final payment processed.
- (2) Subject to funding allocation—
 - (a) March, 1982;
 - (b) March, 1983 (approx.).
- (3) Current preliminary cost indication is \$3.8m.

GAMBLING: CASINOS

Establishment

1340. Mr BATEMAN, to the Premier:

- (1) Has his attention been drawn to the fact that the Queensland Government has called tenders for two "casinos" in that State—one in the north and one in the south?
- (2) (a) During his recent trip to Queensland did he discuss the possibility of having a "casino" in Western Australia with Mr Bjelke-Petersen, or is he still adamant that no legal casino will operate in Western Australia while he is still Premier;
- (b) if "Yes", will he give full details of his discussions;
- (c) if "No", why not?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) (a) The question of a casino in Western Australia was not raised during my recent discussions with Mr Bjelke-Petersen. As to the second part of this question, my personal attitude to casinos is unchanged and, in any case, the Government has no proposal for a casino before it.
- (b) Answered by (a).
- (c) My business in Queensland was to further the interests of sugar growing at the Ord, and not casinos.

SHIPPING

Liquid Natural Gas

1341. Mr PARKER, to the Minister for Resources Development:

I refer him to an article in the *Financial Review* of June 1981 concerning the ownership and manning of ships carrying liquid natural gas on the Japanese trade route and ask—

- (a) what is the current state of these negotiations;
- (b) how many ships will be Australian-owned;
- (c) how many ships will be Australian-manned;

(d) what is the Government's policy with regard to the ownership and manning of these ships on this trade route?

Mr P. V. JONES replied:

- (a) to (c) I am advised that the participants in the North-West Shelf gas project will market their respective share of the products and that the preparation of a sales contract is now being finalised, following the recent agreement and signing of a memo of intent. Each participant is expected to make its own arrangements for purchase and/or operation of its shipping.
- (d) Not to intrude into the contract negotiations for the sale of gas in a way which might introduce conditions and costs which prejudice the finalisation of those contracts.

TOWN PLANNING

Western Suburbs Steering Committee

1342. Mr PARKER, to the Minister for Urban Development and Town Planning:

- (1) When was the western suburbs steering committee inaugurated?
- (2) Who is on that committee?
- (3) On what dates has it met since its inception?
- (4) What has it been considering?
- (5) At what stage is its consideration?
- (6) Is she considering a report from it, or any other report, relating to the "Stephenson Freeway" and/or the Servetus Street issue?
- (7) Is the western suburbs steering committee being consulted on this matter?
- (8) When is an announcement to be made on these issues?

Mrs CRAIG replied:

- (1) 27 September 1979.
- (2) Chairman, M.R.P.A. (Chairman); Commissioner of Main Roads; Director General of Transport; Group 'B' District Planning Committee Representative; City of Perth Representative; with powers to co-opt other persons as required (as formerly constituted).

Following representations from local authorities, the steering committee (as formerly constituted) agreed at its first meeting held on 19 December 1979 to invite representation from—

Cities of Nedlands, Fremantle, Stirling, Subiaco;
Towns of Cottesloe, Mosman Park, Claremont;
Shires of Wanneroo, Peppermint Grove.

- (3) 19.12.79 (as formerly constituted); 19.3.80 (including local authority representation) 30.4.80; 28.5.80; 20.8.80; 17.9.80; 3.10.80
(4) Item (a) of the terms of reference adopted on 19 March 80, namely—

To develop a regional transport strategy for the study area, including the use of the Fremantle-Perth railway reserve.

- (5) The minutes of the 3 October 1980 meeting of the steering committee were adopted by the authority on 22 October 1980 and it was resolved, *inter alia*, to request advice from Cabinet through the Minister for Urban Development and Town Planning, as to whether the more detailed studies required should proceed. The authority also advised the Minister that a regional route based on the use of Servetus Street was, in its opinion, the correct solution.
(6) The then Acting Minister for Urban Development and Town Planning received the Authority's recommendations and reports on 29 October 1980 and submitted these to Cabinet which decided to return the reports to me for further discussions with the local authorities.
(7) Submissions from nine of the 10 local authorities have been received and I am assessing these and preparing a report for Cabinet.
(8) I expect to report to Cabinet on the issues, including detailed evaluation of the submissions made to me by the local authorities, some time in September 1981.

INDUSTRIAL DEVELOPMENT

Fluoride Emissions

1343. Mr EVANS, to the Minister for Health:
What is the level of fluoride emitted by—

- (a) Midland brick works;
(b) each of the superphosphate works in Western Australia?

Mr YOUNG replied:

- (a) It is very difficult to estimate the average emission from a brick works of this type. The maximum possible emission of fluoride from 8 kilns is in the order of 16 kgs per hour with gas scrubbing on some kilns, but this is dependent on the variation in the number of kilns operating and is based on limited emission testing and calculated emission.
(b) The latest test results of superphosphate works in Western Australia are as follows—

	kgs per hour
Geraldton	1.9
Esperance	0.1
Albany	0.9
Kwinana	0.6
Bunbury	0.1
The average emission of all these is 0.7 kgs per hour.	

HOUSING

Rural Housing (Assistance) Act

1344. Mr EVANS, to the Honorary Minister Assisting the Minister for Housing:

- (1) How many applications for housing finance under the Rural Housing (Assistance) Act have been received in each of the past three years?
(2) Of these applications—
(a) how many have been granted;
(b) how many were ineligible?

Mr LAURANCE replied:

- (1) 1978-79 66
1979-80 119
1980-81 89
(2) (a) 1978-79 47
1979-80 76
1980-81 67
(b) 1978-79 13
1979-80 18
1980-81 3

MINING ACT, 1978

Amendments

1345. Mr EVANS, to the Minister for Mines:

Is it proposed to make amendments to the Mining Act, which is still not yet proclaimed, and if so—

- (a) what sections will be amended;
- (b) when is it expected that this will be done?

Mr P. V. JONES replied:

- (a) and (b) As already announced, it is proposed to make amendments to the Mining Act during the current session as follows—

transfer of oil shale exploration from the Petroleum Act to the Mining Act;
amendment to protect the rights of *bona fide* farmers;
amendment of the compensation provisions in relation to pastoralists.

GOVERNMENT OFFICES

Geraldton

1346. Mr CARR, to the Premier:

- (1) Has the State Government given consideration to the construction of a State Government office block in Geraldton to house the various departments which presently lease office space?
- (2) If "Yes", what is the present position?

Sir CHARLES COURT replied:

- (1) No.
- (2) Answered by (1).

LAND: GERALDTON

State Government Insurance Office

1347 Mr CARR, to the Minister for Labour and Industry:

- (1) Will he please detail all land held in Geraldton by the State Government Insurance Office?
- (2) Has the State Government Insurance Office considered locating a branch office in Geraldton?
- (3) Has the State Government Insurance Office given consideration to building an office block in Geraldton?

- (4) Why is the State Government Insurance Office proposing to sell land it owns at the corner of Chapman Road and Durlacher Street, Geraldton?

Mr O'CONNOR replied:

- (1) One block at the corner of Chapman Road and Durlacher Street.
- (2) Yes. It is considered that as the State Government Insurance Office business increases, branches will be opened in all major centres of the State.
- (3) Yes, but whether to build or rent will depend on conditions applying at the time a decision is made to open a branch.
- (4) Because the cost of retaining that particular block is not warranted.

CULTURAL AFFAIRS

Film "Caligula"

1348. Mr WILSON, to the Chief Secretary:

- (1) Did his colleague, the Attorney General, as Acting Chief Secretary, issue a press statement in January stating that there would be no public screening of the film "Caligula" in Western Australia?
- (2) If "Yes", what substance is there in press reports that a modified version of the film now being screened in other states will be released in Western Australia?

Mr HASSELL replied:

- (1) Yes—referring to the two versions of "Caligula" refused classification by the Commonwealth Censorship Board in March and October 1980.
- (2) Arrangements have been made to have the film viewed by members of the State Advisory Committee on Publications and members of the Police Department, before the modified version, classified "R", may be screened in Western Australia.

HOUSING: RENTAL

Balga and Girrawheen

1349. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

With regard to the following State Housing Commission rental properties:

- (1) 16B Tendring Way, Girrawheen;
- (2) 70A Tendring Way, Girrawheen;

- (3) 36B Golders Way, Girrawheen;
 (4) 32A Meakers Way, Girrawheen;
 (5) 1A Hainsworth Avenue, Girrawheen;
 (6) 4 Hainsworth Avenue, Girrawheen;
 (7) 7 Chataway Road, Girrawheen; and
 (8) 9 Halland Way, Balga,
 (a) when was each unit vacated by the last tenant;
 (b) when was maintenance begun;
 (c) when was maintenance completed;
 (d) how many times has each unit been offered to prospective new tenants and on what dates was each offer made?
- Mr LAURANCE replied:
- (1) 16B Tendring Way, Girrawheen—
 (a) Vacated 8.6.81
 (b) Maintenance commenced 9.6.81.
 (c) Maintenance completed 29.6.81
 (d) Unit offered 5 times on following dates—
 25.6.81; 2.7.81; 9.7.81; 16.7.81;
 27.7.81 (current offer).
- (2) 70A Tendring Way, Girrawheen—
 (a) Vacated 29.6.81.
 (b) Maintenance commenced 30.6.81.
 (c) Maintenance completed 17.7.81.
 (d) Unit offered 3 times on following dates—
 23.7.81; 28.7.81; 5.8.81
 (current offer).
- (3) 36B Golders Way, Girrawheen—
 (a) Vacated 22.6.81.
 (b) Maintenance commenced 22.6.81.
 (c) Maintenance completed 14.7.81.
 (d) Unit offered twice on following dates—
 17.7.81; 27.7.81; (current offer).
- (4) 32 Meakers Way, Girrawheen (Not 32A)—
 (a) Vacated 20.7.81.
 (b) Maintenance commenced 21.7.81.
 (c) Maintenance not yet completed. Estimated completion 19.8.81.
 (d) No offers, still under maintenance.
- (5) 1A Hainsworth Avenue, Girrawheen—
 (a) Vacated 3.8.81.
 (b) Maintenance commenced 4.8.81.
 (c) Estimated completion of maintenance 4.9.81.
 (d) No offers, still under maintenance.
- (6) 4 Hainsworth Avenue, Girrawheen—
 (a) Vacated 20.7.81.
 (b) Maintenance commenced 20.7.81.
 (c) Estimated completion date 1.9.81.
 (d) No offer, still under maintenance.
- (7) 7 Chataway Road, Girrawheen—
 (a) Vacated 29.6.81.
 (b) Maintenance commenced 30.6.81.
 (c) Maintenance not complete.
 (d) Unit pre-allocated to special transfer applicant and accepted 24.7.81.
- (8) 9 Halland Way, Balga—
 (a) Vacated 22.6.81.
 (b) Maintenance commenced 23.6.81.
 (c) Maintenance completed 15.7.81.
 (d) Unit offered three times on following dates—
 20.7.81; 23.7.81; 3.8.81
 (current offer).

HOUSING: PENSIONERS

Heaters

1350. Mr WILSON, to the Honorary Minister
 Assisting the Minister for Housing:

- (1) Can he confirm that it is now State Housing Commission policy in cases where room heaters in pensioner units break down, to remove them and require pensioner occupants to provide their own heaters?
- (2) If this is not policy why is this information being given to tenants when they report room heaters out of repair?

Mr LAURANCE replied:

- (1) There has been no change of policy in regard to the provision and maintenance of room heaters in housing units designed specifically for aged or invalid pensioners.
 The occupants in this type of housing unit are supplied with room heaters and these heaters are replaced or repaired in the case of breakdowns.
- (2) The officers of the regional housing office at Mirrabooka are aware of the policy in dealing with this type of inquiry and if there is any conflicting information being given out it can only be a misunderstanding and an isolated case.

EDUCATION: PRE-PRIMARY AND PRE-SCHOOL CENTRES

Aides

1351. Mr WILSON, to the Minister for Education:

- (1) Are the hours of aides in pre-primary and pre-school centres to be reduced as part of the cuts in education expenditure?
- (2) If "Yes", by how many hours per fortnight are the aides' hours to be reduced and when will the reduced hours of work begin to operate?
- (3) What consideration was given to the possible adverse effects of such reductions on the quality of education provided in such centres?

Mr GRAYDEN replied:

- (1) to (3) Under the stringent funding circumstances faced by Western Australia, all areas of expenditure must be examined to determine where economies are possible without a significant interference to services. The Government committee is examining a wide range of activities, including those in education, and will be making its recommendations in due course. Until that time, specific information of the kind requested is not available.

MINISTER FOR TRANSPORT

Replies to Correspondence

1352. Mr WILSON, to the Minister for Transport:

Can he advise when I might expect a reply to, or even an acknowledgement of, letters of the following matters:

- (1) Increases in school bus hire charges written on 18 June 1981?
- (2) The installation of traffic signals at the Beach Road-Mirraboopa Avenue intersection, written on 22 June 1981?

Mr RUSHTON replied:

- (1) I wrote to the member on this subject but in view of the present mail delays I have arranged for a copy to be delivered to him in the House.

- (2) This matter is taking longer than expected to resolve due to the need for the Main Roads Department to obtain and analyse additional data. A detailed reply will be forwarded shortly.

SHOPPING CENTRES

Government Committee: Recommendations

1353. Mr WILSON, to the Minister for Urban Development and Town Planning:

- (1) Has the Government yet fully considered the recommendations of the Government members' committee on shopping centres which it has had since last October?
- (2) If "Yes", when will the report be released?
- (3) If "No", when does the Government expect to complete its study of the report and announce which recommendations are to be implemented?

Mrs CRAIG replied:

- (1) The committee's recommendations are still being considered by the Government.
- (2) Answered by (1).
- (3) When consideration has been completed, an announcement will be made.

SHOPPING CENTRES

Structure Plans

1354. Mr WILSON, to the Minister for Urban Development and Town Planning:

Further to her answer to question 117 of 1981 in which she advised that there were within the metropolitan region at that time, 20 proposals for rezoning to commercial type zones which would permit shopping centre development, if approved—

- (a) how many such proposals were currently being considered;
- (b) how many of the 20 proposals previously referred to have since been approved and where are they located;
- (c) how many have been rejected and what was the location of the sites concerned?

Mrs CRAIG replied:

- (a) to (c) Because of the research necessary to provide the information requested, I will advise the member in writing as soon as possible.

1355. *This question was postponed.*

HOUSING: STATE HOUSING COMMISSION

Mrs L. Martin

1356. Mr WILSON, to the Honorary Minister Assisting the Minister for Housing:

Further to his answer to question 926 of 1981 in which he advised that State Housing Commission was prepared to refund the purchase price, less costs, of a block of land in Karrinyup purchased by Mr and Mrs Martin in 1976 due to their failure to comply with the conditions of sale—

- (1) Why has the commission not proceeded with such action?
- (2) When will the commission take definite action to bring this long delayed matter to a final resolution?

Mr LAURANCE replied:

- (1) and (2) The State Housing Commission has a long standing policy of not divulging personal details of its clients to the public.

The questions raised by the member will be examined and the answers will be supplied by letter.

EDUCATION: MT. LAWLEY HIGH SCHOOL

Public Works Department

1357. Mr WILSON, to the Minister for Education:

- (1) Has the Public Works Department advised Mt. Lawley Senior High School that it will no longer service certain items in the language laboratories at the school?

- (2) If "Yes", what alternative provisions have been made by the Education Department to ensure that the language laboratories where languages are offered to students selected for their special talents in foreign languages will be maintained in a fully operational condition?

Mr GRAYDEN replied:

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

CONSUMER AFFAIRS

Kerosene: Plastic Containers

1358. Mr BARNETT, to the Minister for Mines:

- (1) Is it a fact that kerosene in plastic containers is being sold through various supermarkets in Western Australia?
- (2) Is it a fact that Mines Department regulations prohibit garage proprietors from—
 - (a) selling kerosene and petrol in plastic containers;
 - (b) filling plastic containers with either petrol or kerosene?
- (3) What are the regulations used to prohibit sales mentioned in (2)(a) and (2)(b)?
- (4) Why is it apparently all right for supermarkets to make such sales but not garages?

Mr P. V. JONES replied:

- (1) Yes.
- (2) (a) Yes;
- (b) yes.
- (3) Clause 126(1) of the Flammable Liquid Regulations 1967.
- (4) Supermarkets may sell kerosene, but not petrol, in new plastic containers which meet the Construction Specifications of Australian Standard 1936:1976, Plastics Containers for the Transport of Materials. Service stations sell kerosene by filling containers of unknown standard. Should the above standard be maintained, then service stations, too, may sell kerosene in the same manner. Plastic containers have not been approved by the Chief Inspector of Explosives for petrol.

FIRES: FIRE BRIGADES BOARD

Funding

1359. Mr JAMIESON, to the Chief Secretary:

- (1) What steps has the Government taken to fulfil promises made in *Liberal Policy 1977-80*, on page 100, with reference to funding fire brigades?
- (2) Has the Government received any reports on alternative methods of funding the Western Australian Fire Brigades Board?
- (3) If so, will he table them?

Mr HASSELL replied:

- (1) A Cabinet subcommittee was established on 26 March 1977 to study the report of a committee on fire brigade funding that comprised members of the Treasury Department, insurance industry, country and metropolitan local authorities, Fire Brigades Board and the Chief Secretary's Department. Following receipt of the report, the Cabinet subcommittee reported to Cabinet and a working party was formed to study a scheme for a new form of levy to spread the burden of fire brigade costs more equitably throughout the community.

Legislation introduced in 1979, effective from 1 July 1980, resulted in—

- (a) the State meeting the full cost of voluntary fire services in areas not serviced by permanent brigades;
 - (b) the State Housing Commission and the Government Employees' Housing Authority paying to the fund an amount based upon premiums that would be paid on houses owned by them, if insured in the normal manner, and
 - (c) the State Government Insurance Office paying to the fund an amount based on insurance policies held on private dwellings purchased through the State Housing Commission or the Rural and Industries Bank and on industrial concerns in receipt of State Government assistance.
- (2) Answered by (1) above.
 - (3) No. The papers concerned are those of Cabinet committees and Cabinet and in the usual way, are confidential to the Government.

MINING: TENEMENTS

Applications

1360. Mr HARMAN, to the Minister for Mines:

- (1) Is it a fact that Mines Department officers are working overtime to deal with mining tenement applications?
- (2) If so, what are the approximate hours worked per week on average since 1 April 1981?

Mr P. V. JONES replied:

- (1) Yes.
- (2) I am advised that an average of 385 hours per week are worked.

MINING: TENEMENTS

Survey Fees

1361. Mr HARMAN, to the Minister for Mines:

- (1) Is it a fact that the Mines Department are refunding survey fees lodged on mining tenements?
- (2) If so, what amount was so refunded during the financial year 1980-81?
- (3) What is the total amount of survey fees being held by the Mines Department pending actual survey of mining tenements?

Mr P. V. JONES replied:

- (1) Survey fees are refunded where a survey is not carried out.
- (2) \$1 062 597.56.
- (3) Balance at 30 June 81: \$7 131 404.47.

EMPLOYMENT AND UNEMPLOYMENT

Trade Training Programme

1362. Mr HARMAN, to the Minister for Labour and Industry:

- (1) How many persons have been trained so far under the special trade training scheme?
- (2) How many persons are at present undergoing training?

Mr O'CONNOR replied:

- (1) No persons have completed training under the Commonwealth-State Special Trade Training Programme.
- (2) 559 persons are at present undergoing training.

QUESTIONS WITHOUT NOTICE

EDUCATION

Parent Action Committee for Education: Pamphlet

306. Mr NANOVIČ, to the Minister for Education:

(1) Has the Minister read the pamphlet put out by the Parent Action Committee for Education—PACE—in Wanneroo which was sent via the students to their parents, in which are quoted the following facts—

- (a) the Government spends \$180 per year on each child in Government schools;
- (b) the Government spends \$625 per year on each child in non-Government schools;
- (c) education cuts apply only to Government schools;
- (d) non-Government schools are receiving increases?

(2) Has the Minister also read the *Wanneroo Times* of 4 August 1981 in which a statement was made by the spokesman for PACE, Mr. Murray Venning, in which he reiterates the points raised in 1 (a), (b), (c), and (d) above?

Mr GRAYDEN replied:

(1) and (2) Yes. The information given in paragraphs (a) and (b) is false and appears to be a deliberate attempt to deceive.

Data of the kind quoted can be arrived at only after most exhaustive research. No recent reliable analysis of funding of Government and non-Government schools is known to exist other than in the joint Schools Commission-State Education Department project recently compiled.

Known as the Schools' Resources Study it reports on spending, from both State and Commonwealth sources, on pupils in schools in the 1978-79 financial year. The following data is extracted from that report—

1978-79

	\$
Government school pupils	1 369
Non-Government school pupils...	745
(Source per pupils:	
State	\$303
Commonwealth	\$442)

MINISTER FOR EDUCATION

Message from Gorilla

307. Mr PEARCE, to the Minister for Education:

- (1) Is the Minister aware that at 11.00 a.m. this morning a gorilla appeared at the front door of Parliament House and asked to see him?
- (2) Is it a fact that contrary to his assertion in the debate last night that he was prepared to discuss the education cuts issue with anyone, any time, he refused to meet the gorilla?
- (3) Is he also aware that the gorilla left the following message for him—

Bill Grayden, Bill Grayden, I've been sent to say please spare a thought for our children on this special day!!

It's about the cuts in education funding, that I'm here today.

Don't worry—this is a peaceful protest—please don't carry me away!!!

The resources of Australia are boundless, and particularly so in this State.

To ensure the quality of education, there have got to be allowances you can make!!

There is an old Gorilla philosopher, who sends you this message in Perth.

"Sometimes, it's not what things cost—but what things are really worth"!!!

I respect the problems of government around the world and of course here in W.A.

But remember—the political leaders of tomorrow, are the children of today!!!

The message that I leave you with, is as simple as can be.

"Restore the cuts in education funding—and keep up the quality"?

The gorilla presented that on behalf of the Parents and Citizens' Association of the Redcliffe Primary School.

- (4) Is the Minister aware that, in spite of his gross discourtesy to the gorilla, it left him a banana which I shall ask one of the attendants to convey to the Minister?

Mr GRAYDEN replied:

- (1) to (4) Quite obviously some people will do anything for publicity.

Mr Davies: Including gorillas.

Mr GRAYDEN: There is one aspect of this to which I do take exception. An officer of this House reported to me that someone in the front entrance had an urgent telegram for me and I was required to personally take delivery of it. I would like to know—and I might put a question on notice—whether permission was given for this stunt and on what basis can someone come to a member of this House and give a false message of that kind. It was a stunt very much in keeping with the mentality of the member for Gosnells.

The SPEAKER: Order! I have taken note of the Minister's complaint with respect to having been given a false message. I assure him I shall make an inquiry as to what happened and let him know the result.

TRAFFIC: MOTOR VEHICLES

Licences: Renewals

308. Mr WILLIAMS, to the Minister for Police and Traffic:

Yesterday I asked the Minister a question which arose from the postal strike and concerned drivers' licences and third party insurance. Is the Minister now in a position to answer my question?

Mr HASSELL replied:

The member referred to the inconvenience being caused to the public, to the risk of prosecution in relation to drivers' licences, and the lack of third party insurance cover as a result of the postal strike.

I have had inquiries made into the matter and have been informed that the Road Traffic Authority and my office have received questions from the public on this matter.

Special arrangements have been made to accept renewal notices of expired vehicle licences delayed by the strike. The substance of this arrangement is that any notice which is obviously shown to have been posted in good time will be accepted as valid when it is received, regardless of when it is received.

No amending legislation is considered necessary in connection with motor

vehicle third party insurance problems because the Act allows a vehicle to be driven on the road and to be fully covered by third party insurance for a period of up to 15 days after the registration expiry date.

However, as a result of recent events it is now hoped that this issue will soon be sorted out, because an attempt has been made for a return to work.

PORT: FREMANTLE

Public Works Department: Slipway

309. Mr PARKER, to the Minister for Works:

I refer him to his answer to my question on notice concerning the Fremantle slipway.

Will the Minister advise—

(1) What he means by "economies and rationalisations" with regard to this slipway?

(2) When is it anticipated that the review will be completed?

Mr MENSAROS replied:

(1) "Economies and rationalisations" when applied to the slipway have the same meanings as when applied to any other area within my portfolio or elsewhere. They cover all aspects of the functions and operations of the organisation to ensure that these are necessary, efficient, and, wherever possible, cost effective.

(2) The review of the slipway and all other areas is an ongoing process and it is therefore impractical to specify completion dates.

WORKERS' COMPENSATION BILL

Industrial Diseases Provisions

310. Mr COYNE, to the Minister for Labour and Industry:

Is the Minister prepared to give the House an assurance that the Government does not intend to proceed with any of the amendments proposed in the draft Bill to the existing provisions of section 8 of the Workers' Compensation Act 1912-1978 relating to compensation for pneumoconiosis

either in the form of silicosis or chronic bronchitis in association with silicosis?

Mr O'CONNOR replied:

Without having the Bill before me, I presume the member is referring to industrial disease provisions in the recently withdrawn Bill. In accord with requests of the member to me in recent weeks and the undertakings I have given, I do not intend to proceed with amendments in the Bill affecting people who are able to obtain compensation for industrial diseases under the terms of the present Act.

FUEL AND ENERGY: SEC

Accounts: Rebates

311. Mr WILSON, to the Minister for Fuel and Energy:

- (1) Has he received the response of the Department for Community Welfare to the report of the joint working party on a proposal for a rebate on energy bills for low income earners, which he referred to that department?
- (2) If "Yes", what decision has he made on the proposal?
- (3) If he has not yet made a decision, when does he expect to do so in view of the fact that he has now had a submission on this matter before him for 12 months?

Mr P. V. JONES replied:

- (1) to (3) I am conscious of the fact that the questions were asked yesterday and I remind the member of the answers which have been given earlier. I have not had the report before me for 12 months. As for the third part of his question, I indicated it was still before the committee of officers of the State Energy Commission and the Department for Community Welfare. They produced a report which has been before Cabinet. A decision has been made and at the moment copies are being prepared to send to all the people who made submissions so that before it is made public they would have been given the courtesy of receiving a copy of the report itself and some comments on it.

MINISTER FOR EDUCATION

Statement: Press Report

312. Mr CLARKO, to the Minister for Education:

It is reported in today's edition of the *Daily News* on page 14 that the Minister stated in a TV interview last Friday that because of the present controversy, education will be set back 25 years. Will the Minister comment on that statement?

Mr GRAYDEN replied:

I have a copy of the *Daily News* here. It contains an article headed "100 Little Victims in Axing of Gifted Children Program".

Mr Bryce: And the question asked by the heir apparent to the throne.

Mr GRAYDEN: Part of the article reads as follows—

Like any war, nobody will win. The main casualty will be the system. The Minister for Education, Mr Grayden, says it will be set back 25 years (TV interview last Friday). Teachers' Union president Mr John Negus says its likely to be 50 years (same interview).

The report is absolutely false; there is not a vestige of truth in it. I appeared on the "Nationwide" programme with John Negus and no statement of that kind was made by me. I am absolutely horrified that the *Daily News* would print something like this, particularly in this context. I will require a retraction by the *Daily News* tomorrow and if I do not obtain it, it will be another issue I intend to forward to the Australian Press Council.

MINISTER FOR EDUCATION

Statement: Teachers' Union

313. Mr BRYCE, to the Minister for Education:

I should like to preface my question with a rather lengthy statement, but in deference to you, Mr Speaker, I will not do so. In this Chamber yesterday we had a precise statement that the Minister would call upon the *Daily News* to withdraw something which was untrue.

The SPEAKER: Order! Would the member please ask the question.

Mr BRYCE: The Minister will recall having stated in this House that he did not refer

to leaders of the Teachers' Union as "Marxists" and that he would require the *Daily News* to apologise or he would take the matter to the Press Council. Is the Minister aware that in today's *Daily News* an excerpt from the tape has been printed and reads as follows—

He expressed government concern about the makeup of the executive because of what he termed rabid, extreme Left-wing leaders in it. He said he regretted that moderate elements were retiring from it. Mr Grayden said: "I just can't see very much difference between marxist and extreme Left."

I ask the Minister, having denied he referred to the leaders as "Marxists", and bearing in mind the implication is clearly there, will he indicate to the House who are the "rabid, extreme Left-wing leaders" whom he sees as being little different from "Marxists"?

Mr GRAYDEN replied:

May I just recount again what happened in respect of that statement and it is one to which I took strong exception. Mr Jim Carr of the *Daily News* came to my office.

Mr Bryce: You are on tape!

Mr GRAYDEN: I welcomed him into the office, because I had known him when he was an officer in the Public Health Department. He told me he was working in a part-time capacity for the *Daily News* and we sat down to have some sort of interview. He made some comment about my referring to the Executive of the Teachers' Union as being "Marxists". I asked him where he got this impression from and he said he thought I had said it at some time on a radio programme. He himself had not heard it.

Mr Bryce: You used it.

Mr GRAYDEN: I cannot recall ever having made a comment of that kind, but I said it was possible I had referred to some of the members of the executive as being extreme left elements.

Mr Bryce: Rabid.

Mr GRAYDEN: I stand by that at the present time, of course.

Mr Bryce: Who are they?

Mr Parker: Who are they?

Mr GRAYDEN: I then went on to point out there are some very moderate members of that executive and I expressed regret that two of them — Nennie Harken and Mr Brennan — had indicated they were going to retire, because I was more or less conveying that the Teachers' Union was going to be in the hands of left-wing elements.

Mr Bryce: You said "rabid, extreme left". You are on tape.

Mr GRAYDEN: I agree entirely.

Mr Bryce: "Very little different from Marxists"—that is what you said on tape.

Mr GRAYDEN: There are rabid, extreme left elements on that executive and I would put them in the category of Marxists.

Mr Bryce: Name one.

Mr GRAYDEN: However, what I was taking exception to was the indication that I was putting them all in this category and nothing could be further from the truth.

Mr B. T. Burke: He has just said they were Marxists.

Mr GRAYDEN: I want to say this: The trouble we have at the present time with the Teachers' Union is as a consequence of members of that executive being extreme left elements. I shall have the privilege to explain to the House at a future date that some of the actions of the organisation are a disgrace and diabolical and members of the House will be shocked when they hear about them.

MINISTER FOR EDUCATION

Transfer of Portfolio

314. Mr B. T. BURKE, to the Premier:

My question refers to the problems which appear to be besetting the education system and is prefaced by the observation that it matters not really who is right and who is wrong; but would the Premier agree that, in the interests of the children of this State whose education is at stake, it may be better, even temporarily, to transfer the present Minister from his portfolio to an alternative one?

Sir CHARLES COURT replied:

I can assure the member there is no intention or need to transfer the present Minister from his portfolio. If the way he is administering his portfolio does not agree with the wishes of certain people, it is just unfortunate; but the Minister is doing his job extremely well under very trying circumstances.

Some people seem to be absolutely determined to try to undermine the Minister and bring about his resignation and they are wasting their time.

Government members: Hear, hear!

MINING: TENEMENTS

Applications

315. Mr HARMAN, to the Minister for Mines:

Adverting to question 1360 which was today addressed to the Minister for Mines wherein he advised the House that an average of 385 hours per week overtime is being worked by Mines Department officers in connection with mining tenement applications, to complete the picture would he advise—if he knows it—the number of officers who are involved in the great number of hours of overtime being worked?

Mr P. V. JONES replied:

The exact answer is "No". I have been assured it involves not only officers of the Mines Department, but also people within the registry in the various parts of this State. However, I will find out the number of officers involved and inform the member for Maylands.

EDUCATION FUNDING: CUTBACKS

Minister for Education: Public Debate

316. Mr PEARCE, to the Minister for Education:

Does the Minister recall his offer to me in the debate yesterday evening that he would be prepared to meet with me in a public debate provided that the venue was large enough?

I would, therefore, like to ask him would he be prepared to debate with me the issues of education cuts and funding in

the South Perth Civic Centre on Thursday, 13 August at 7.00 p.m., the meeting to be chaired by the President of WACSSO or some other independent person?

Mr Blaikie: Like a gorilla.

Mr PEARCE: If the date and time are not suitable to the Minister, I will meet with him on any one of six alternative dates in the next two weeks on which the South Perth Civic Centre is vacant or the five dates on which the Subiaco Civic Centre is vacant, and if he is prepared to share costs with me, I will give him the dates that the Perth Concert Hall and the Entertainment Centre are vacant.

Mr GRAYDEN replied:

I have too much regard for the people of South Perth—for the electorate I represent—to invite the member for Gosnells under any circumstances—

Several members interjected.

Mr Bryce: You are running away from it!

Mr GRAYDEN: I would not appear with that individual in a venue in the electorate I represent under any circumstances.

Several members interjected.

Mr Pearce: You are shaking with fear.

Mr GRAYDEN: I shall select a venue and it will be a very large one indeed. I would challenge the member for Gosnells to debate this particular issue, but I will choose the venue.

Mr Bryce: Madison Square Gardens would suit you.

RESOURCES DEVELOPMENT

Committee of Inquiry: Report

317. Mr DAVIES, to the Minister for Resources Development:

(1) Has his department made a report to Treasury or the Ministerial committee reviewing State expenditure in response to a request from that committee for a submission on reducing the department's expenditure?

(2) Does the report make the suggestion that an appropriate means of raising funds to avoid cutbacks is to increase royalties?

Mr P. V. JONES replied:

(1) and (2) To the best of my knowledge, no.

The SPEAKER: I will allow three more questions.

**PUBLIC WORKS DEPARTMENT:
MERREDIN**

Refurnishing

318. Mr COWAN, to the Minister for Works:

My question relates to question 1332 which was answered today. In that question I asked the Minister whether the Merredin regional office of the department was being refurnished. The answer I was given was to refer to question 1331 which relates to the Department of Agriculture. Can the Minister for Works tell me whether the regional office of the Public Works Department in Merredin has been refurnished and at what cost?

Mr MENSAROS replied:

The answer is "No". Both I and the department understood that the question related to the office of the Department of Agriculture and hence the reply. I must ask the member to specify the particular office to which he is referring in order that a proper answer may be supplied.

CONSUMER AFFAIRS

Kerosene: Plastic Containers

319. Mr SKIDMORE, to the Minister for Mines:

My question arises out of question on notice 1358. A service station proprietor refused to fill a plastic container for me and I took the container to the Chief Inspector of Explosives of the Department of Mines on the basis that he could check whether the plastic container complied with the standard. Is this within the Minister's knowledge: Is it a fact that there is no way in which people can have such containers checked if a service station refuses to allow them to be filled with petrol or kerosene?

Mr P. V. JONES replies:

Today I provided to the member for Rockingham information relative to the questions he specifically asked in relation to plastic containers. I provided details in relation to the specifications of plastic containers. If the member has a specific question in relation to some other aspect I would be happy to answer him. I cannot answer a question I am not asked. If there is something further the member would like to know he is welcome to phone my office or put a question on notice, and the information will be provided.

INTEREST RATES

Housing

320. Mr B. T. BURKE, to the Treasurer:

Is he aware of predictions by the President of the Permanent Building Societies Association (Mr Sorenson) that interest rates on home loans are likely to reach 15 per cent by Christmas? Does he concede that possibility and is he aware of the hardship that would result from such an escalation of home loan interest rates? Further, will he take this opportunity to inform the House of the specific measures he proposes that would relieve hardship presently occurring and which will occur to an extended degree should interest rates rise further?

Sir CHARLES COURT replied:

I read a report of what I believed was a media involvement by the member for Balcatta and Mr Sorenson in which Mr Sorenson predicted that interest rates under certain circumstances may rise to 15 per cent. I think that would be a most sorry event. More than anyone in this House I have campaigned against rising interest rates.

Mr Davies: And you have been singularly unsuccessful.

Sir CHARLES COURT: We have again the member for Balcatta talking up interest rates.

Mr Bryce: Don't be silly.

Sir CHARLES COURT: His Federal leader is doing the same thing. When they talk in this way an expectation is left in the minds of the people, and that is one of

the things I have been campaigning against. Of course, I understand the hardship that is occurring and I regret deeply that people must pay the high interest rates presently prevailing.

Mr Harman: It is a shortage of money.

Sir CHARLES COURT: I am a great believer in home ownership and have campaigned for it as have others in this place.

The member for Balcatta speaks about interest rates as though he is going to wave the "Balcatta wand". We tried last evening to manoeuvre him into a corner on the subject of interest rates, and how he would handle them, but he crawled away. We are making and will continue to make representations to the Commonwealth Government to have interest on homes—up to an agreed amount and under agreed circumstances to give relief in circumstances where it is most needed—regarded as a deduction from income so that it becomes an income tax deduction.

However, the main task is to campaign to try to get on top of inflation and try to get interest rates down. That would

be the most lasting and permanent method—it is the best way. We would then have a permanent benefit to all concerned, particularly to home owners.

We do not surrender to the member for Balcatta or anyone else in our endeavours to stop interest rates rising and then to decrease them. I remind the honourable member that for ever and a day—certainly, since he has been in this place—his tactics merely talk up interest rates.

Opposition members interjected.

Sir CHARLES COURT: This is one of the things to which I have objected so far as the money market is concerned. I have said it so many times publicly in Canberra, Sydney, Melbourne and Perth. If the Commonwealth and the States jointly fix interest rates, which I hope will be the case after Thursday, it will be more difficult for the money market to talk up interest rates.

Mr B. T. Burke: This is an issue that will bring you down.

