

Legislative Assembly

Thursday, the 15th September, 1977

The SPEAKER (Mr Thompson) took the Chair at 2.15 p.m., and read prayers.

ADDRESS-IN-REPLY

Presentation to Governor: Acknowledgment

THE SPEAKER (Mr Thompson): I desire to announce that, accompanied by the member for Cottesloe (Mr Hassell), the member for Mundaring (Mr Herzfeld), the member for Darling Range (Mr Spriggs), the member for Ascot (Mr Bryce) and the member for Dianella (Mr Wilson), I attended upon His Excellency the Governor and presented the Address-in-Reply to His Excellency's Speech in opening Parliament.

His Excellency has been pleased to reply in the following terms—

Mr Speaker and members of the Legislative Assembly:

I thank you for your expressions of loyalty to Her Most Gracious Majesty The Queen, and for your Address-in-Reply to the Speech with which I opened Parliament.

BILLS (2): INTRODUCTION AND FIRST READING

1. Appropriation Bill (Consolidated Revenue Fund).
 2. Appropriation Bill (General Loan Fund).
- Bills introduced, on motions by Mr O'Neil (Deputy Premier), and read a first time.

METROPOLITAN MARKET ACT AMENDMENT BILL

Second Reading

MR OLD (Katanning—Minister for Agriculture) [2.22 p.m.]: I move—

That the Bill be now read a second time. The Metropolitan Markets were established as a consequence of the assent of the Metropolitan Market Act in December, 1926. Since then the markets have developed from a district facility to become the State's central market. They have acquired an excellent reputation for their facilities, hygiene, quality produce and standard of service which has been recognised throughout Australia.

It is interesting to note that initially Victoria Park was excluded from the area of the trust's authority, being across the river and considered to be too far from the market facilities. By contrast today the markets handle not only an

increasing quantity of the produce of the State but also cater for the importation, handling and treatment of a considerable quantity of Eastern States' produce.

To service the needs of the market tenants, buyers, sellers, growers, carriers and the general public on market business, ancillary service facilities such as restaurants, tea rooms, banking, post office, stationery and newsagents are provided in the markets.

The Market Trust has been leasing these facilities to tenants since its inception. The need for such services within the area vested in the trust is beyond doubt and has become an accepted fact of life by the great number of people associated with the markets.

The purpose of this Bill is to confirm the trust's power to lease land for these purposes. This object is achieved by including under section 11 provision for the trust to permit land held by it to be used and occupied for the purpose of providing such commercial, business, professional, trade and other facilities as the trust considers necessary or desirable for the convenience of persons using the market.

The Bill enables the trust to grant leases of land held by the trust and gives retrospectivity to such leasing.

I commend the Bill to the House.

Debate adjourned, on motion by Mr B. T. Burke.

METROPOLITAN WATER SUPPLY, SEWERAGE, AND DRAINAGE BOARD (VALIDATION) BILL

Second Reading

Debate resumed from the 6th September.

MR B. T. BURKE (Balcatta) [2.25 p.m.]: It is with a great deal of reluctance that the Opposition has decided to support in principle the matters contained in this Bill. Our reluctance essentially revolves around the fact that the Government did not move to change the Act until it was prodded into doing so by legal action initiated on behalf of land owners at Jandakot.

As well as the bad aspect of a Government allowing laws which are out of date and unworkable to languish on the Statute book until it is brought to the attention of Ministers that the laws are unworkable, the Opposition objects to some of the features of this amending Bill.

Perhaps the most significant of these features is that the amending Bill goes only a small way to doing what needs to be done. This Act is of

1904 vintage, and needs to be completely redrafted. It is out of date, and its provisions have not been the subject of challenge previously—certainly not in the past couple of years. The changes which are to be made on this occasion result from challenge, but not from the Government exercising its responsibility for fulfilling its obligations by ensuring the laws which govern the people of this State are up to date, reasonable, and workable.

That is the first point the Opposition raises. It is not really appropriate to bring forward piecemeal amendments to an Act which is totally out of date. What the Government should be doing is announcing plans to study and redraft the entire Act.

The other thing which appals the Opposition on this occasion as it has on other occasions is the retrospectivity provisions contained in this amending Bill. The Opposition can understand the late knowledge the Government has gained of the Act's shortcomings. At the same time, however, there is something particularly obnoxious about the need to give retrospective legality to things which have gone on many years before.

The Government will well remember the opposition of the Law Society to retrospectivity clauses in any pieces of legislation it has introduced. It is not a good thing to have such provisions in legislation, and should be guarded against at all times.

The Opposition believes that the question mainly at issue here is the Government's plans for the Jandakot underground water supply. It is interesting and perhaps appropriate to note some of the failings of the Metropolitan Water Board, particularly with respect to its programme and plans for the Jandakot area. The Act imposes certain requirements on the board when it decides to undertake a venture such as that proposed at Jandakot. Among the things required of the Government is that, under paragraph (a) of section 20 of the Act, it shall cause to be prepared a statement showing the net earnings estimated to be derived from the works, and a statement showing the net value of the ratable property to be benefited by the works.

I would suggest to the Minister and the House that that was not done, and because it was not done there were difficulties in obtaining legality for what was proposed. Although it filed a defence to the action taken against the board, the Crown Law Department advised the Government that the defence could not be maintained, and that it was essential to change the Act—to change

the law—to make sure the Government's plans could proceed.

Another thing which is required of the Government is to have certified copies of those statements of ratable property values and of expenditure deposited within the office of the board. Section 21 of the Act requires that the estimates deposited as required by section 20 should be open to inspection by any person interested at all reasonable times, on payment of the prescribed fee.

The Jandakot plaintiffs say that this was not done. They also say that under section 23 of the Act before the valid approval to the Jandakot groundwater scheme could be given by the Government it was obliged to be satisfied that the provisions of the Act had been complied with; be satisfied that the revenue estimated to be derived from the proposed works was sufficient to justify the undertaking; and, when submitting the estimate of revenue to be derived from the works, the value of the ratable area shall be notified to the Government for approval. This really involves a serious requirement of the Government. The Governor is required to approve of all those things that the Government is obliged to do under this part of the Act where it involves the Governor and really we are ignoring his involvement, as we have done for many years.

Very often this Government parades its beliefs in the importance of the role of the Governor and the separation of his role from the role of the Legislature; and yet we find on this occasion that the Governor's proper role has been ignored. The Metropolitan Water Board, as the agent of the Government, has failed to obey the law and has failed to submit the required document to the Governor for his approval.

That is really the main issue that is before the House today. I do not think reasonable men would object to the fact that the law framed in 1904 and passed at that time needs later revision, but when that review is brought about the circumstances that provoked it need to be investigated. The Opposition does not oppose the change in the law but it says that the Jandakot groundwater scheme requires some special consideration by the Government, perhaps with respect to compensation.

It also requires the Government to be especially careful about its actions in that area because the actions proposed have already involved a breaking of the law; and that should not happen. The actions involved have also provoked considerable opposition, and it would be in the Government's

own interests to ensure that everything possible is done adequately to compensate the ratepayers or the property owners involved in the Jandakot groundwater scheme.

The other thing that is of interest—and upon which I am probably not as competent as other members to comment—is the continual turning of the Government towards groundwater supplies. That is the reason the Government has been quietly confident about the water supply shortage that the city and the country areas are enduring. The plans to introduce vast amounts of groundwater into the water supply in the Government's mind promise salvation with respect to the problem. Others will probably be able to speak at greater length and to more purpose than I on this matter, but it seems to me that if we are going to embark on this sort of programme we need to know exactly what will be the effects of the diversion of groundwater supplies, of the lowering of the water table, and of believing in this method as the final answer to water shortages.

The Opposition supports the Bill in principle and recognises the need for the measure, but it objects very strongly to the retrospectivity embodied in it, and to the less than adequate explanation by the Government for its failure to seize upon the Act as a whole for revision and to understand properly the implication of this proposed change in the law as it will affect the Jandakot groundwater scheme.

MR TONKIN (Morley) [2.35 p.m.]: I wish to say very briefly that the problems in the Jandakot area will be very seriously felt throughout the whole of the metropolitan area with its continual increase in population. I have raised with the Government on many occasions whether we are just going to sit back and allow the population of Perth to grow and grow without worrying about the problem of water.

If we are having problems with the Jandakot mound we will have even greater problems with the Gnangara mound because it is so much bigger, and we are going to depend upon the Gnangara mound to a much greater extent—about one-third of all water needs by the early 1990s—than we depend on the Jandakot mound. If the water table is lowered, as it will be, the effect upon our flora, upon our wetlands, and upon real estate near lakes which will be turned into muddy morasses is a very serious problem for Perth. When Perth has a population of two million people it will not be possible to deport a million people to solve the water problem.

Of course, there is a way of overcoming the problem to some extent; that is to say, we need not have gardens or we need not have exotic vegetation but only native vegetation. I do not consider it in any way progressive for the beauty of our metropolitan area to deteriorate by developing the population and having a water supply problem. Furthermore, the problem concerns not only the quantity of water. At the moment water is flowing from the Gnangara mound northwards towards Moore River, towards the ocean, and towards the Swan River. As a result of those flows, slow as they may be, there is a natural flushing of all the pollutants that inevitably result from civilisation, whether they be pesticides, phosphates, nitrates, sewerage, or pollutants from septic tanks, gardens, or rubbish dumps. But when the draw-down occurs, the mound becomes a saucer, the flow consequently will cease and pollutants will accumulate.

With all the kinds of debris that result from the accumulation of large numbers of human beings in a small place we will have problems not only with the quantity of the water but also the quality of the water. We are likely to see a deterioration in not only our flora, our wetlands, and the beauty of the metropolitan area but also in the quality of the water being provided.

Although this problem of the size of Perth does not relate only to water, I believe the Government is being short-sighted because it is not really concerning itself with the kind of Perth we will have in the year 2000. It is not good enough merely to plan for the 1980s; we have to think about the serious consequences of the steps we take now during the remaining decades of this century.

If the kind of water shortages we have now become normal the situation will be unacceptable to me and to the majority of people in Western Australia. With the continual growth of Perth the kind of water shortages we have now in a dry year will not be the kind of water shortages we have in the future because water shortages will become the norm. If ever we needed a warning, that warning is the fact that we have water restrictions in the winter. That fact is particularly significant in Perth because winter is the only time we get any rain. In other places it would not be so significant because they have the majority of their rain in the summer. If we can see the problems of water quality and quantity that are facing us, it is a very blind Government that will continue to blunder along without being concerned for the deterioration that will occur.

Once the population reaches two million it will not be possible to turn back the clock. I certainly do not want us to reach the situation whereby the present water shortage becomes the normal thing year after year. That will be the position if we do not plan now. We must accept that we do not live in the United States, Europe, or Japan where water is abundant. We live on the edge of a desert and if we think we can build the kind of urban development here which is possible in even, say, Sydney or Europe, where the climate is so different, then we are making a serious mistake.

We must realise that our flora, climate, and ecosystems are particularly fragile. They are *nothing like those in some of the other countries* and we are in danger of turning Australia's loveliest city—Perth—into a second-rate city in which a garden will be an unheard of luxury. That is an aspect we must examine and any good Government will study all possibilities to ascertain what steps can be taken to avoid this kind of thing happening. Quite clearly the writing is on the wall; there is no doubt about that. For the very first time in our history we have had water restrictions during our wet season. Imagine the situation when we double the population.

It is all very well to say that we can conserve water. We can to some degree; but we cannot compare our water use with that of Sydney or Melbourne because those cities do not have a six-month drought as we do during the summer months. Secondly, those cities are not built on sand which allows the water to disappear almost immediately.

I am not saying that water is not wasted; it is. I am stating that it is no good making a superficial comparison of the amount of water used in Perth with the amount used in the other cities, because that does not tell the real story. Our soil does not change, neither does our climate. These things certainly will not change in the foreseeable future and therefore these are built-in factors of which we must be aware.

This is why I urge the Government to plan ahead. That does not mean the Government should build more and more dams until we have no wild rivers left below the dams so that in every watercourse there is a desert. This is what has occurred with the building of the Serpentine and other dams. We have a dry State as it is, and we must not do away with all of our very few wild rivers and places for people to go.

So we must really examine the situation to ensure that our environment—and I am talking

mainly about the unnatural environment; that is, that of the suburbs—does not deteriorate so that Perth as a garden city and the loveliest in Australia becomes second rate. That would certainly not be progress. With the increase in population and the deterioration of the water supply due to the absence of flushing in the Gnangara and Jandakot mounds it may well be that the kind of difficult situation we face now as the result of the dry winter will become the normal pattern for Perth in years to come. If this does occur then future generations will curse those Governments which could not see more clearly ahead.

MR TAYLOR (Cockburn) [2.44 p.m.]: I join the member for Balcatta and the member for Morley in the comments they made in respect of this piece of legislation. In the main they covered the few areas about which I would like to talk, but I will make an extra comment or two.

I am not sure whether members have really looked at the legislation. It is not the sort of legislation Governments like to introduce.

Mr O'Neil: We all find ourselves in a position of having to do it from time to time.

Mr TAYLOR: The Minister could be right, but there is no reason for such a piece of legislation to be accepted without some real scrutiny or why it should go through virtually without notice or comment.

The Minister did explain the problems in the main and referred to the Jandakot area, but if members study the Bill they will see that it states—

2. Notwithstanding that the Metropolitan Water Supply, Sewerage, and Drainage Board established under the Metropolitan Water Supply, Sewerage, and Drainage Act, 1909, has, in and in relation to the area of Jandakot and elsewhere in the State, made, done, executed, or carried out certain acts, matters, things or works in a manner that did not comply with the provisions for the time being of sections nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-three A, twenty-three B, and twenty-three C of that Act, it is hereby expressly enacted that—

(a) such of those acts, matters, things or works as did not so comply are hereby validated . . .

That means that from the inception of the Act to the present time whatever actions which might have been taken in the past in respect of a number of sections of the Act, are made valid, and

not just for the Jandakot area, but for all parts of the State and as far back as when the problems were encountered.

That is a pretty wide provision and certainly it does enable the Government of the day to be relieved of some of the problems it could well experience as a result of people being aggrieved by the board's actions. I would have thought there should be greater cognisance taken of the words in the Bill.

I am not sure whether members have studied what may be occurring in their own electorates if they represent people in the foothills where there are catchment areas, or if their electorates are to the north of the city or in country areas where there are underground water supplies. This Bill will validate all actions of the past. I emphasise that the Bill refers not only to Jandakot, but to other areas of the State. That does not seem to be good enough.

With respect to Jandakot, the other members have covered the points I had in mind. On two or three occasions in this place I have mentioned the problems experienced by the people in Jandakot. They have fought against the actions of the board when its officers have entered their property to carry out certain work. The Cockburn Town Council has protested on a number of occasions, has sent deputations, and has endeavoured to protect the interests of the people. This has been going on for about two years and the stage has been reached where action has been taken in court to prevent the board from continuing in that way.

By making the provisions of the Bill retrospective the Government is denying those people who are already affected from, firstly, being able to catch up with the actions taken and to reassess what is occurring and what will be their attitude; and, secondly, having any recourse at all in the future, because the Bill will allow the board to continue doing in the future what it has done in the past.

I wish to point out that those people who have taken action in the court have asked not only that the actions of the board cease forthwith, but also that the costs of the proceedings be awarded against the board because it is the board which is breaking the law. If the Bill is passed in its present form those people who took action, because at that time they had a valid reason under the Act for doing so, may have to bear the costs of the action.

The provisions of the Act should not be made retrospective. If the Bill were drafted in a proper manner, the past actions of the board would be

actionable and the board might have to pay some compensation. I suggest that this would be the right and proper thing, because if anyone else breaks a law he must pay. That is what has happened on this occasion. We, as representatives of the people of this State, are being asked to allow this particular action to be accepted, and no costs or penalties are to be imposed.

Mr O'Connor: Surely the courts would decide whether any costs should be imposed?

Mr TAYLOR: The courts should decide that, but if this Bill is passed, as the Minister well knows, they will not be able to make that decision.

Mr O'Connor: Why not? They will be able to make that decision in respect of costs.

Mr TAYLOR: I do not know whether that is so. I would like to ask the Minister a question, through you, Mr Speaker. I would like the Minister to give an assurance that those people, including the councils which have taken this action under the laws of the State as they now stand, will not be out of pocket because of their actions. I think it would be completely reasonable that if a mistake has been made by the Metropolitan Water Board the costs of its mistake should not be imposed on residents of particular areas.

The second advantage to be gained from not passing this Bill but from simply making the necessary amendments to the Act, would be to enable the people of Cockburn, and particularly of the Jandakot area, to go through the process again of deciding the future of this area. The people have been advised by the board as to what will happen in this area. The council has been advised but it is not satisfied with the future plans for the area.

I shall give an example. A few days ago I asked the Minister a question as to how close to the various lakes in the area the bores would be drilled. He answered that the bores would be as close as from one to two miles from the various lakes.

In another question I asked the Minister whether the water table which set the level of the lakes was the water table which would be used for tapping groundwater. Again the answer was, "Yes". As can be seen, the water will be taken from underground within a mile or two of these lakes which have provided recreational facilities for many years. They are wildlife sanctuaries and are used by the public. The member for Morley covered this point. The water will be taken from these areas.

This may not prove to be harmful; but the local council and the residents are not clear on this point. What would happen if this piece of legislation were rejected and instead an amendment were passed? The Metropolitan Water Board would have to start again with its plans for the area. It would put back the board's programme by one or two years. However, by taking that action the purpose and intent of the present Act as it was passed by Parliament many years ago would take effect. It was intended to be a reasonable piece of legislation to intimate to people what was likely to happen. It has not happened. If the Bill is not made retrospective we may go back to that point. Parliament is still the master and by amending the present Act we would allow the same course to be taken, but the facilities would be available for the people to have recourse to the courts, or to take whatever action they wish within the law as it stands.

I do not think there is any point in my continuing; but I shall simply emphasise the two major points I wish to make. One is that the Minister and the department should allow a slowing down of the processes in Jandakot; this will enable the residents and the council to assess what is happening and determine the effects that will be felt in the future. Secondly, it should be ensured that those who have taken action in the courts will not be disadvantaged, because they have exercised their rights, as they see them, under the legislation as it now stands.

MR O'CONNOR (Mt. Lawley—Minister for Water Supplies) (2.55 p.m.): I thank members for their general support of this Bill. I concur with most of the comments that have been made. The member for Balcatta made a comment that the Act needed to be changed because it had been challenged and found wanting. I cannot deny that, because I believe most members will agree that the deficiencies were not obvious until the legislation was challenged before the courts.

I think both Government and Opposition members are sufficiently responsible to realise that water is a vital commodity. Our job is to ensure that people are supplied with the amount of water required, bearing in mind that it should be used in a reasonable manner. The fact that this law has applied since 1904 indicates that many Governments have been in office and have either not noticed its deficiencies or have decided not to alter the Act. It is wrong to criticise this Government, because it is the one which is making the changes. Had the necessity for the changes been noticed earlier I believe the Government

which was in office at the time would have made the alterations.

Objections have been raised in regard to the retrospective nature of the Bill. In the public interest the Bill must be retrospective. If it is not retrospective, the position taken by any of the staff working in our catchment areas or reservoirs could be challenged and they could be taken before the courts. We could be prevented from taking water from any or all of those areas. I am sure members are aware that a statement showing the number of connections from each dam or from each bore, and the amount of income from them, has never been prepared. Quite frankly, the law is archaic. It would be quite impossible for a person, who was building a weir similar to the Mundaring Weir, to say that the income from that weir would amount to a particular figure and that there would be a specific number of connections. It was possible to do this a few years ago when there were fewer connections and the financial position was much easier to handle.

I believe all members have made mention of groundwater supplies. We are using these to a large extent at the present time. I think members also realise that this State is experiencing what is known as a "100-year drought". The last 24 years have been the driest on record; and the records go back over 100 years. The Government is responsible for ensuring that the people in drought-affected areas are able to obtain sufficient water. We are using more underground water now than previously. We are doing this in order to relieve the pressure on the dams so that during the summertime we will not need to impose further water restrictions. There is no doubt that in a few years this will have an effect on the vegetation. Once the water table is lowered there is an effect on the trees and vegetation in the area concerned.

We have already taken steps in an endeavour to cover future needs. I do not agree with a comment made by the member for Morley—that we should expect this to be a normal situation. I must say, Mr Speaker, it is pleasant to be standing here listening to the rain on the roof. However, that does not mean we will back-pedal from the legislation before us. The member for Morley said we should expect drought conditions or lack of water to apply generally. However, if we have a normal rainfall for two winters our dams will be full, and we could carry through for two or three summers with that amount of water. When the Wungong and Dandalup dams are completed we will be a little better off. It would also be an advantage if

there was sufficient water to increase the underground supplies which must be depleted to a certain extent as a result of the manner in which we have been using them recently.

The member for Cockburn has spoken to me previously and expressed his concern about the position at Jandakot. However, I believe that the substantial amounts of underground water belong to the people and not to individuals. I have a supply of bore water on my property. If the department needed the water to assist other people it could have the water whenever it wished; not tomorrow, but today. I believe people must expect this sort of thing to occur in the drought conditions we are experiencing at the present time.

I am not aware of the legal position as far as costs are concerned. I cannot give an undertaking that all out-of-pocket expenses will be reimbursed, because I do not know the position. I believe it would be remiss of me to give such an undertaking. However, if a particular problem arises and the member for Cockburn wishes to refer it to me, I would be happy to look at the position and advise him of the effect of the Bill which is currently before the House.

I thank members for their general support.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Connor (Minister for Water Supplies), and transmitted to the Council.

COUNTRY AREAS WATER SUPPLY ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th September.

MR B. T. BURKE (Balcatta) [3.03 p.m.]: I intend to comment very briefly on this Bill and allow my brief comments to suffice with respect to the two subsequent Bills which are of a similar nature.

The Opposition agrees that legislation framed many years ago, and which allowed for charges which were realistic then, needs to be reviewed from time to time. Oftentimes it is desirable

the review should not be brought to Parliament to be made, but should be at the behest of the department.

We are supporting these Bills but, at the same time, we are sounding a note of warning about the actions the Government takes with respect to the charges it sets from time to time. This Government is much too fond of using instrumentalities as taxing measures, and as agents for imposing tax increases. We saw it with the SEC and, to some extent, with the Fremantle Port Authority and the Metropolitan Water Board where a certain percentage of turnover is confiscated and placed into Consolidated Revenue.

We will be watching very carefully to see the progress made with respect to the power which this amending Bill will give to the Government. We will not be hesitant in expressing our severe criticism if the Government uses this opportunity to avail itself of another taxing measure.

Apart from saying that, and apart from warning the Government about our vigilance in this matter, the Opposition supports the three Bills.

MR JAMIESON (Welshpool—Leader of the Opposition) [3.05 p.m.]: I want to comment on the aspect of using fixed charges as a taxing measure. When he introduced this legislation the Minister indicated that the fixed charge had applied for a long time. Of course, that is a fact and it is probable that some adjustments need to be made from time to time. However, the example of the SEC recently involved a fairly hefty lift in the minimum charge, and I do not think this should be so.

The purpose of the minimum charge is to ensure that when water is available to a property, that property does not go untaxed. However, in order to conserve as much water as possible, we should rely mainly on the charges applied for water which is used, either by an allowance of so many kilolitres per dollar paid, or on a pay-as-you-use system. Some people are constantly crying out for a pay-as-you-use system, but they are never able to come up with an effective method of applying it. I believe the pay-as-you-use system is preferable because it would discourage people from wasting water. If people are charged an amount equal to the outlay in providing water, and receive an equivalent allowance, those people will be discouraged from saving water.

Where an allowance has been made for rates paid, large centres in the city have never used the amount allowed to them. However, the people who construct those large centres should

be expected to pay a reasonable proportion of the cost of supplying the water. To increase the base rate, in that instance, would counter any desire to save water, and would create greater problems.

The Opposition member handling the Bill indicated quite clearly that we would be watching closely, and that we would be most critical if this measure is used for taxing purposes. I assume this sort of charge by the Metropolitan Water Board will still have to be laid on the Table of the House, unlike the SEC regulations which somehow or other got through without that particular provision. I can recall that when I was the Minister for Works, and I used to bring legislation to this House, the present Minister for Local Government wanted just about everything laid on the Table of the House. He indicated at times that he would like even the general manager to be laid on the Table of the House, but that may have been awkward because at the time he was a rather large person!

I suggest the department should treat fixed charges very carefully. They are necessary to cover vacant properties where water is available but not being used. However, where water is used the charge should be in proportion to the amount used.

MR O'CONNOR (Mt. Lawley—Minister for Water Supplies) [3.08 p.m.]: I thank the member for Balcatta and the Leader of the Opposition for their support of the Bill. The points brought forward will be noted. I am sure the Metropolitan Water Board will be vigilant with respect to the raising of charges. I believe the necessary information will be laid on the Table of the House in the normal way.

We will not be making any profit for some time as a result of this move, but I am glad to see that members realise the amount involved—\$2—is below what it costs, in many cases, to collect that sum.

I thank members for their support, and I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Connor (Minister for Water Supplies), and transmitted to the Council.

LAND DRAINAGE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th September.

MR B. T. BURKE (Balcatta) [3.12 p.m.]: The Opposition reiterates the statements made in relation to the previous Bill and indicates support for this amending Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Connor (Minister for Water Supplies), and transmitted to the Council.

COUNTRY TOWNS SEWERAGE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 6th September.

MR B. T. BURKE (Balcatta) [3.14 p.m.]: The Opposition again supports this amending Bill on the terms outlined in relation to the two preceding Bills.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr O'Connor (Minister for Water Supplies), and transmitted to the Council.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 13th September.

MR HERZFELD (Mundaring) [3.17 p.m.]: I rise to enter this debate in an endeavour to bring

the discussion of the measure back to the underlying purposes for which it was brought before the House.

Last week the Opposition moved an amendment to the Address-in-Reply which was curious, to say the least, in the light of the fact that the discussion appeared somewhat to pre-empt the intentions of this Bill. Looking at what it proposes to achieve, I would have thought perhaps the Opposition intended deliberately to set out to foster misunderstandings and endeavour to create opposition among those interested in the education of the young.

Mr Pearce: Rubbish! We have done more to clarify issues than you have, or indeed anyone on your side.

Mr HERZFELD: The member for Gosnells would do well to put his mouth into neutral and give his ears a chance to listen, because his understanding of the subject was very clearly indicated last week when he rose to discuss the question of finance for education. He indicated quite clearly that he did not have the first clue to what it is all about.

Mr Taylor: You have said nothing so far.

Mr HERZFELD: Apparently the member for Gosnells moved from his own schooling into the education system without ever finding out how one goes about spending money.

Mr Pearce: That is inaccurate as it turns out; it is not true.

Mr HERZFELD: If he had found out something about this matter, he would realise one cannot just pluck vast sums of money out of the air and then spend them immediately. All sorts of responsible actions must be followed before the stage is reached of providing the classrooms to which the member referred.

Mr Pearce: That does not have much to do with the pre-school provisions.

Mr HERZFELD: If the honourable member will give me half a chance, I will get to the Bill.

Mr Pearce: Your Government pre-empt money before it gets it.

Mr HERZFELD: The debate that occurred last week on this question showed a real paucity of alternatives. The Opposition was happy to criticise, but it could not bring up any alternatives.

Mr Pearce: I gave a very clear alternative on Tuesday.

Mr HERZFELD: The Opposition ignored the real achievements of this Government since it took office in the field of education for the young. I would like to say that one matter which was not raised in any of the debates last week was some concern for the clients involved in pre-school education. I am talking about the children themselves.

I remind the Opposition that the children should be of foremost consideration in any measures dealing with education of the young. This point is brought out clearly in one of the most comprehensive reports ever produced on this subject and I refer to the so-called Fry report, the report of the Australian Pre-Schools Committee. Paragraph 4.12 says, *inter alia*—

The child is the client for whom education and care services are to be provided: it is his needs, not the convenience of the administrations or organisations, which should determine the nature of programs and of their delivery.

Mr Pearce: We agree with that; we do not need the Fry report to tell us about it either.

Mr HERZFELD: Having listened to the comments of the honourable member, and the other contributions made to the debate the other night, I would say Opposition members have no idea of that particular concept.

Mr Pearce: That is rubbish. This whole business is for administrative convenience, and it is overlooking the needs of children. That is what it is all about.

Mr HERZFELD: The Opposition fails to recognise the real achievements of this Government.

Mr Taylor: The what?

Mr Skidmore: Because it hasn't any.

Mr HERZFELD: I will refer to some of these achievements. The first is the elimination of the levy for the education of five-year-old children. We now have a pre-primary year for five-year-old children.

Mr Pearce: That was our policy as well; we do not disagree with that.

Mr HERZFELD: I am not referring to the policies of the Opposition; I am talking about the achievements of the Government.

Mr Bertram: It is very easy to talk about the achievements of the Government; they are very few and far between.

Mr HERZFELD: It is very easy for the Opposition to come in after the Government has done something and to say, "That is our policy."

Mr Pearce: It was our policy before the Government did anything about it.

Mr HERZFELD: The Government has committed itself to one year of voluntary pre-school education for every child of the age of five in this State. That is the commitment; and one of the purposes of the measure before us is to implement this policy.

The other achievement of the Government is that, despite the population increase in the last two years, it has been able to increase the number of children attending pre-schools from 55 per cent of the five-year-olds in the State to 70 per cent. All this has occurred in a period of two years. I might add that this achievement over those two years has created more places in the pre-school system in this State than were created in the first 60 years of this type of education.

Mr Wilson: It has all been done with Federal money, hasn't it?

Mr Pearce: That is right; Whitlam Federal money, for the most part.

Mr HERZFELD: And a great deal of State money as well.

Mr Pearce: The six pilot pre-primary projects were commenced with Whitlam Federal money.

Mr HERZFELD: Whitlam Federal money—I thought the money belonged to the people.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr HERZFELD: That is the trouble with the attitude of members on the opposite side; they seem to believe that this money belonged to the Whitlam Federal Government. Obviously I have touched on a sensitive spot because the Opposition recognises what this Government has achieved.

Mr Pearce: The Whitlam Government has achieved.

Mr Wilson: He is knocking the source.

Mr HERZFELD: The members of the Opposition are all too ready to discuss all sorts of fringe areas but I remind them that the overriding problem is to provide pre-school education for young children, and I remind them also of the paragraph I read from the Fry report.

I turn now to the measure before us. The principal aims of the Bill are to provide for three areas of improvement. The first improvement is in regard to financial advantages, and I will come to those in a minute. The aim is that these financial advantages will provide a more comprehensive and a better service for children.

The second area of improvement is in regard to the education, care, and guidance of these children. Thirdly, the Bill will provide advantages for the parents of the children. I will deal with each of these in turn.

Firstly, I will talk about the financial advantages. In his second reading speech the Minister indicated that there will be savings through the abolition of the existing duplications.

Mr Pearce: Administrative convenience! What happened to the needs of the children?

Mr HERZFELD: This duplication of the system—

Mr Pearce: Who duplicated it?

Mr Bryce: That is a disgraceful rationale!

Mr HERZFELD: I have undertaken some investigations, and these indicate to me that with the elimination of the areas which are being duplicated—

Mr Pearce: Who created the duplication? Where were you last Tuesday?

Mr HERZFELD: —we will save at least \$250 000.

Mr Pearce: That is the amount you have been wasting over the last three years.

Mr HERZFELD: I could well be erring on the conservative side.

Mr Pearce: You are certainly erring!

Mr HERZFELD: The member for Gosnells never learns. I suggested to him something he could do earlier, but I do not believe he has taken any notice.

Mr Pearce: I am listening to you more avidly than are most members on your side.

Mr Bryce: The member for Clontarf is engrossed in the *Daily News*.

Several members interjected.

The DEPUTY SPEAKER: Order! Would the member resume his seat. There must be some limitation to the length and consistency of the interjections. There must be an opportunity for the member to make his speech. I will not tolerate such lengthy and consistent interjections. At times the interjections border on being longer than the speech. I call on the member for Mundaring.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr HERZFELD: From the information available to me, I estimate that in the administrative area we could effect a saving of \$250 000.

The cost of providing a place for a child at a pre-primary centre is estimated at \$440 per annum. If we divide the sum of \$250 000 by the cost of providing a place for a child, we see that this saving of money will provide an additional 600 pre-school education places. I ask: is this not a most effective way to ensure, or make a start to ensuring, that every five-year-old child in this State has the opportunity to participate in pre-primary education?

It is quite obviously one of those sound, responsible measures for which this Government is renowned, and it will be accepted by all concerned as being the right and proper thing to do because, after all, it is expenditure at the front line which counts; it is at the level of the pre-school itself that the expenditure counts, not at the administrative level.

The areas in which the savings will be made, as I indicated earlier, are in the administrative field. I will give one example. The Pre-School Board carries out its accounting on the old ledger-type system, which is a manual system. That function, when taken over by the Education Department, will be carried out by the computer the department has at its disposal.

Mr Pearce: It is the administrative finance you said you were against.

Mr HERZFELD: It will mean the saving of a number of positions in which people have to be employed to carry out tasks that do not provide anything for the child who is attending pre-school. There are areas in the advisory services which will also show savings when the functions of the Pre-School Board are transferred to the Education Department. The Education Department has a system of regionalisation of responsibility which will, as a result, give a much better deployment of the services required for pre-school education. Therefore the quality of the education available will be improved.

Mr Pearce: Are you saying it is poor at present?

Mr HERZFELD: I did not say the quality is poor at present; I said it will be improved. Surely the member for Gosnells is not saying that we should not try to improve what is already there!

Mr Pearce: You are saying that the deployment will be improved by the Education Department.

Mr HERZFELD: Incidentally, one of the matters the Opposition has been beefing about so much is parental involvement and influence in decision-making. That surely will be enhanced

if parents have access to regional administrators of the Education Department. If they have that access, surely they will have greater influence on the system than is the case with a central organisation such as we have at the present time in the Pre-School Board.

There are other areas in which duplication occurs at the moment, and these are specialist areas. The Education Department has sections which deal with arts and crafts, music, and physical education, and those services will be made available to children attending pre-primary centres. This will save the duplication in another area which is currently being provided by the Pre-School Board. I can name others, such as the area of special education and the area of library services. All these special areas will provide financial savings which will result in additional places for children—600 as I indicated earlier from my calculation—at no extra cost to the taxpayer. Surely the Opposition would go along with that.

Mr Pearce: We are always pressing for more places. What a stupid thing to say.

Mr HERZFELD: The member for Gosnells does not seem to have learnt that the wherewithal for providing these places is not a bottomless pit, and that sooner or later if one is extending services without making savings in the existing system, one has to go to the taxpayer for more money; and the taxpayer can hardly sympathise with that when he sees what the previous Labor Government did when it was in power in Canberra.

Mr Pearce: You created the duplicate system that is wasting the money.

Mr HERZFELD: I now turn to the advantages which will be available for the children. A great many educationists have indicated there is a great deal of educational benefit to be gained from having a close association between the pre-schooling and primary schooling systems.

Mr Wilson: Which ones?

Mr HERZFELD: I am placing my opinion before the House; I am about to quote a number of references. My first reference is once again the Fry report, chapter 4, which deals with the philosophical basis for the study and the findings it produced. Paragraph 4.9 of the report states—

The two consistent findings, however, are that close co-operation between home and pre-school, and pre-school and primary school, are essential to enduring beneficial effects of such intervention.

The report goes on to state in paragraph 4.11—

The other area where similar close co-operation is essential to the same objectives is that involving the staff of primary schools. Not only do children fail to get the full positive benefits when such liaison with the pre-school services is lacking, but the adverse consequences of discontinuity in methods and attitudes are well-founded and all too common.

The pre-primary programme sets out to implement just what that report recommends: that there should be a close association and that it would be of much benefit to the children involved. The Fry report, at page 39, deals with the value of continuity of methods that are adopted between pre-school education and primary school education. Subparagraph (i) says that the value of pre-school education is dependent on close co-operation with the home and on the continuity of methods and attitudes in the primary school to which the children proceed.

Let me turn now to the Nott report, to which other members have referred. As you will recall, Sir, this is the report of a committee of inquiry into pre-school education in Western Australia in September, 1972. In respect of the fourth term of reference of the inquiry, recommendation 1(b) states—

For the Government (through the Education Department) to extend downwards present school services by taking full responsibility for the education of children in their fifth year by providing a compulsory transition year for these children within the present school structure.

A further reference is a book entitled *Pre-school Theories and Strategies* by G. F. Ashby, Senior Lecturer-in-Charge of Advanced Studies, Melbourne Kindergarten Teachers' College. In respect of the proximity of pre-schools and primary schools, he said—

... the pre-school and the primary school, and indeed all formal educational institutions, are part of the same enterprise. Concern with the individual child and with his progress in the development of those powers which mark the educated man is not confined to the pre-school. However, the extent to which each child can maximize his progress is dependent upon the ability of each successive institution to accept and provide for his level of attainment. Although the term 'child-centred education' is a trite slogan and a deceptive over-simplification,

there is one sense in which it is useful: it rivets attention to the individual learner and his progress and distracts attention from average levels of achievement. Achievement is fundamentally an individual matter and it is at the level of the individual that the strengths and weaknesses of an educational enterprise are most acutely revealed. It therefore becomes a matter of considerable significance to ensure that transitions from institution to institution, as from class to class within one school, are as smooth as possible. Difficulties in transition cannot be wholly overcome, but the major blocks can be removed. The difficulties of moving from a pre-school, where the total environment may be populated by fewer than thirty persons, to a school of several hundred cannot be readily overcome. It is possible, however, for the school to provide for continuity in the style of experience that the young child has had and to capitalize upon his achievements. Pre-school and school, unified by their concern with education, must move closer together in terms of instructional objectives and processes. Such integration is a strategically important goal.

Where could one find a statement that supports more the policies of this Government in this field?

Finally, I have a reference which deals with the question of the need for proximity between pre-schools and primary schools. The reference relates to points made by an educationist in Israel by the name of Smilansky who has researched the problems of students in the transition from pre-primary education into primary education. It was thought in Israel that students who came from disadvantaged areas were for various reasons unable to progress as they should in the primary situation.

I quote as follows—

Other points made by Smilansky were that the kindergarten failed to establish a regular scheme of activities which could give the children a feeling of regularity and security, and the freedom of the kindergarten was in such marked contrast both to the home of the children and their later school environment that it created problems of adjustment and frustration in the more ordered and demanding environments outside the kindergarten.

Finally, the separation of the kindergarten from the school system and the lack of interest of the kindergarten teachers in the

work of schools meant that the kindergartens were unable to fulfil properly their function as a preparation for schooling.

I believe from all the references I have given there is ample evidence of support for the Government's policies.

Mr Pearce: Mr Deputy Speaker, I ask that the member table the documents he has quoted from.

Mr HERZFELD: I will be happy to do so.

Sitting suspended from 3.45 to 4.04 p.m.

Mr HERZFELD: Before the afternoon tea suspension, I dealt with two aspects of the legislation which I suggested were advantageous to children requiring pre-school education. Firstly, I referred to the financial advantages which will create additional places at no cost to the taxpayer; and, secondly, I dealt with the educational advantages to the children as a result of the pre-primary centres being closely associated with the primary schools.

I wish now to turn to the advantages which will flow to the parents of these children. For the benefit of those members who are not aware of the system for establishing a pre-school, I should like to refer to a handbook which recently has been put out by the Pre-School Board. It sets out very clearly and at some length the steps which are required to establish a pre-school centre under the present system. I do not intend to read all the points which are made, but I will give some to the House.

The handbook recommendations commence—

Recommended Steps when Forming a
Committee Working towards the
Establishment of a Pre-school Centre
Section A

- (1) Contact the W.A. Pre-School Board, Advisory Department, for general information and requirements for Pre-School Centres, discuss whether the area is already covered by existing Pre-School Centres.

That is a most unusual request, nevertheless it is the first step. The handbook continues—

- (2) Interested parents to survey the district, to assess the need for a Pre-School Centre.

I emphasise that the parents are to survey the district to assess the need for a pre-school centre. Recommendation (2) continues—

Contact local headmasters and Child Health Sisters, both will be able to give information regarding numbers of children in the area.

On that point alone, one of the advantages of associating the education of five-year-olds with the Education Department is the fact that all this information is readily available to the department, because it is the sort of information the department must research when planning for new primary schools. The handbook continues—

- (3) Call a public meeting to discuss the need for a Pre-School Centre.
- (4) Invite representatives of local government, the Pre-School Board and Kindergarten-Parent Committees to attend the public meeting.
- (5) At the public meeting form a committee to work towards the establishment of a Pre-School Centre.

Section B then carries on with quite a lengthy number of steps which must be taken. I am sure any member who has had anything to do with trying to establish a pre-school centre under that system will realise how much work is involved, once the committee is set up. The first thing the committee must do is raise funds. It must negotiate with the local authority to raise funds for the building. At the same time, it must work continuously and closely with the Pre-School Board to ensure the relevant standards are met. These requirements are set out in great detail on pages 14, 15, and 16 of the handbook to which I have referred.

Contrast this procedure with the Government's programme. Recently other members and I sought to have a pre-primary centre established in one of the areas I represent. We prepared a case, which was put to the Minister. He was able to verify the case and a decision was made that a pre-primary centre would be established, ready for the coming year. The decision was made in a relatively short period of time. Certainly, it was short when one compares how long it takes under the existing system operated by the Pre-School Board. I have known it to take as long as five, six, or even seven years before committees have been able to raise the necessary funds.

I should have thought that members of the Opposition would recognise the real benefits to parents which are inherent in the Government's programme because it ensures that needy areas will receive an equal amount of attention as areas which are not so needy. In other words, under the system for establishing a pre-school at a certain place, the first requirement is a community which is affluent enough to raise the funds which are needed to establish that centre; and in these days the money needed may be any amount up

to \$7 000 to provide the equipment required under the system.

I suggest that in some of the less affluent areas this could be quite difficult. It would not take very long in areas such as Dalkeith or Nedlands to raise \$4 000 or \$5 000, but I imagine it would take longer and a great deal more work in other areas. So there is a very distinct advantage in the system which the Government has decided to adopt. It gives to parents who are at a disadvantage the same opportunity that other people have. As I mentioned earlier, it is the Government's policy that every five-year-old child shall have the opportunity to receive one year of pre-primary education. I find it incredible that I cannot draw from the Opposition any recognition of that benefit.

Some concern has been expressed by members of the Opposition about the situation with regard to the needs of four-year-olds. It has even been suggested that they have been abandoned. Of course, we know this is not true. The Minister has gone to great lengths to indicate that the situation regarding four-year-olds will be considered very carefully by a special committee which the Minister has appointed; and out of this will come, I am sure, a system of care for children up to four years of age that will take advantage of all the latest thinking on the subject. I am sure the system that will be evolved will be far better than anything we have today.

I think I can conclude my remarks by reminding the House of the main points I have tried to make. Firstly, the rationalisation of administration inherent in the measure will ensure that there are more immediate places for children in the pre-primary or early childhood level of education than there could have been if this measure had not been adopted; and, what is more, this will be at no additional cost to the taxpayer.

I have pointed out that there are distinct educational advantages and I have cited many references which support this fact. These advantages are very significant because they relate to the quality of education and care that the children of this State will receive as a result. When members opposite speak to this matter I hope they will address their remarks to the positive aspects and to the benefits they hope will accrue to the children and not to the political and airy-fairy arguments they have been putting forward.

Thirdly, I have referred to the distinct advantages that will accrue to the parents of the children involved. I commend the Government for its handling of pre-school education in this State

—its past record and its present record. I believe this is just another indication of the responsible way in which it handles and manages the affairs of this State. Above all, I believe the Bill is a means of hastening what every parent in this State desires; that is, a year of pre-primary education as a matter of right for every five-year-old in the State of Western Australia. I commend the Bill to other members.

Debate adjourned until a later stage of the sitting, on motion by Mr Shalders.

QUESTIONS

Questions were taken at this stage.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from an earlier stage of the sitting.

MR WILSON (Dianella) [5.13 p.m.]: I am glad we are able now to deal with matters which are obviously of lesser importance!

The changes to pre-school education in Western Australia which are proposed in this Bill represent to my mind and to the mind of the Opposition generally one more link in a chain of hastily thrown together ill-considered, *ad hoc* tinkering with pre-school education in Western Australia which has occurred in the past four years.

Normally it can be assumed that in the area of far-reaching changes in policies affecting basic services such as education—affecting as it does the lives of thousands of children in Western Australia—such changes are made with the greatest of deliberation and the most careful and thoughtful planning with all the appropriate authorities and the appropriate personnel being thoroughly and fully consulted. In all comparable countries and in other States of Australia no such radical changes are made until some kind of public or parliamentary committee of inquiry has had the opportunity to bring forward recommendations.

The whole value of public inquiries is that once the political party in Government has nominated the members of the inquiry and stipulated the terms of reference upon which the inquiry shall conduct its activities, it normally waits until the recommendations of that inquiry are available before bringing forward legislation. The importance of that process is that such an inquiry provides an opportunity for concerned groups and individuals in the community to make submissions openly so that the widest possible range of views

may be taken into account. How does the policy of this Government on pre-school education in Western Australia measure up to this normal and accepted process of events?

Mr Herzfeld: It received the stamp of approval at the last State election.

Mr WILSON: The present changes were not announced until after the last election.

Mr Herzfeld: They were documented.

Mr WILSON: They were not documented at all. The changes were not announced until a meeting was held several months after the election had taken place.

Mr Herzfeld: The policy was there.

Mr WILSON: The policy was not there; the policy was changed after the election.

Mr Pearce: I read out the policy document on Tuesday. Where were you then?

Mr WILSON: Let us consider the actual process that has taken place. Prior to the 1974 State election the Liberal Party education committee—not a body normally open to the public—of which I understand the member for Karrinyup is a member, as he often tells us, and of which he is proud to be a member—

Mr Clarko: That is right.

Mr WILSON: —met together as a closed shop and hastily threw together proposals which it had fished from all sorts of reports from all around the world. Of course, it did not seek any public submissions, did not announce that it was meeting, and did not ask pre-school representatives to submit views.

Mr Clarko: Your education policy was different? Did your party ask the public to contribute to its policy?

Mr Pearce: Yes, we did.

Mr Clarko: Show me the advertisement.

Mr WILSON: I am not commenting on any group other than the Liberal Party education committee.

Mr Clarko: Fair enough.

Mr WILSON: Following the election the Liberal Government was forced to abandon its ill-prepared policy, and an ultimatum was presented to the Pre-School Education Board, as it was then—it was then a body comprising in the majority parent-elected representatives—by the Minister for Education of the day. That ultimatum contained proposals which the Government wanted to be carried out. When that

largely elected body refused to agree to those proposals, it was forthwith disbanded. Its members were sacked; I know, because I was one of them.

A new board of ministerial appointees was then instituted, and a dual system of pre-primary centres under the Education Department and pre-school centres under the Pre-School Board was set up. This is the very dual system about which the member for Mundaring was complaining earlier as being a system which was responsible for expensive duplication to the tune of, I understand, \$250 000 a year. That system was set up by the Liberal Government, and the moves presently being undertaken by that Government are being undertaken, we are told, to cut out the duplication which the Government itself instituted. That is very good to know, and members opposite seem to be offering no argument about that.

Mr Herzfeld: Are you denying the fact that the association of pre-primary centres and primary schools is a bad thing?

Mr WILSON: I will make some comments on that in a few minutes. The previous Pre-School Education Board was sacked. The changes were made to institute a dual system; set up without any widespread consultation with parents, teachers, or anyone else.

In fact, so bad was the information on which the Government acted that the Minister did not even realise that the majority of existing pre-school centres or kindergartens were operated in premises owned by local government authorities. As a result of that discovery a lot of hasty changes had to be made to the prescribed programme. At the time there was widespread disquiet because of fears held by parents, teachers, and early childhood specialists.

I realise that members of the Government have tried to make capital out of the fact that they consider the Opposition has attempted to stir up fear in the community. I make it clear that any concern expressed by myself or any other member of the Opposition stems from our concerned involvement in pre-school education. We did not become involved in pre-school education as a party-political exercise. I became involved as I had children in kindergarten.

Mr Clarko: You were lucky to have them in kindergarten because a lot of parents cannot get their children in.

Mr WILSON: That is not so.

Mr Clarko: We have increased the number by 6 000.

Mr WILSON: The increase in the numbers attending the kindergartens had already begun under the Pre-School Education Board established in 1973. In fact, a great increase took place in the two years prior to the previous amendments to this legislation brought in in 1975. One will have to admit that.

Mr Clarko: You did not offer equality of opportunity.

Mr WILSON: My argument does not concern the rights or wrongs of universality, but concerns the way a particular Government went about making the changes it did. As a result of the anxieties and fears expressed at the time, certain moves were made to ameliorate the concerns people held. An evaluating committee was set up and it was agreed that six pre-primary pilot centres should be established.

Some of the recommendations of that committee were ignored and the number of such centres mushroomed without any proper evaluation taking place. Even though the six centres were referred to as pilot centres, in fact they were not, because the whole programme had already been decided on and it went ahead anyway.

Mr Herzfeld: Would you agree the programme has been successful to date?

Mr WILSON: That is not the point. A promise was made at the time the process was set in motion to evaluate the scheme, but no evaluation took place.

Mr Herzfeld: You don't think it matters that the system is working well?

Mr WILSON: It matters that promises were made by Ministers of the Government to people in the community and those promises should be upheld. If they are not upheld the community should ask for the reason. A promise was made at the same time that the standards of the Australian Pre-School Association would be maintained in the pre-primary centres. That promise was especially in regard to the number of sessions per week, for the fencing off of separate play areas for children in pre-primary centres with separate pilot facilities, and so on.

However, by November, 1976, the Director-General of Education told the Teachers' Union that excessive weight could not be placed on Australian standards. Promises were made about standards being upheld and maintained, but a year or so later—and this is well documented—we had a senior officer of the Education Department telling the Teachers' Union that excessive weight could not be placed on standards.

Mr Herzfeld: Would you like half a dozen children to be denied education just so you can make a point?

Mr WILSON: The point I am making is that promises were made but not kept. If that is the basis on which Government and departmental officers are going to operate it does not say very much for the system.

Mr Shalders: Are you aware that the teachers in centres where the children have been fenced in are adamant that the children feel very isolated?

Mr WILSON: How many teachers have you spoken to?

Mr Shalders: At least half a dozen.

Mr WILSON: I will ask you to name them later on so that I can check on that fact. The process of converting unsuitable buildings for use as pre-primary centres is continuing. I heard of a case where some redundant classrooms are being converted for use as a pre-primary centre. A dividing wall has been knocked down, creating a long rectangular space which is unsuitable for pre-school children. No separate playing area or outdoor storeroom is being provided.

Mr P. V. Jones: Are you talking about Bateman?

Mr Pearce: That is another example.

Mr P. V. Jones: We are doing the work at Bateman at the parents' request.

Mr Taylor: Will they get a new one?

Mr P. V. Jones: In time they will.

The SPEAKER: Order!

Mr WILSON: The point I am making is this: promises were made about standards being maintained and now those promises have been reneged on. Those promises have been quite clearly and deliberately broken. It is not merely a simple theoretical matter, or a cold formal matter, that standards are being reneged on. Standards for pre-school education for young children are extremely important. Government members have made great play of the fact that they consider themselves the only ones concerned with children in these situations.

Mr Clarko: No we haven't; we have a greater concern.

Mr WILSON: I do not believe that. The fact that these standards are being relaxed shows the Government does not have a concern. It is well known that there are certain needs necessary for pre-school children to be dealt with in a proper manner. There has to be flexibility in times and

attendances. It is recognised that there are considerable dangers associated with a child's capacity to accept a separation from his home environment.

There has to be recognition of a child's needs to withdraw from some of the inevitable pressures a new environment places on him. There has to be flexibility in both indoor and outdoor subjects, because teachers recognise that children need to explore independently, without fear of competition from older and bigger children. They need all the space available to them.

They also recognise that in many cases a child has a need to use outdoor space more frequently than indoor space and to shout and run and make a noise. So, they need a playground which belongs just to them so they can use the area with no fear of being told to be quiet or to move because they are interfering with the work of other classes.

What I am saying is that these sorts of standards are not being maintained. Although it was promised they would be maintained, that promise has now been renegged on. The children are not receiving the standard of care to which they are entitled and which they need if their pre-school education experience is to be of maximum benefit to them.

Mr Clarko: Is not the situation now the best it has been in Western Australia's history?

Mr WILSON: That is questionable.

Mrs Craig: What proof have you of deleterious effects on children because the classroom is the wrong shape?

Mr WILSON: This knowledge has been acquired from experience gained by teachers working in kindergartens for the past 60 years under the Pre-School Education Board; and experience gained in other parts of the world supports my case.

Mrs Craig: That is not true.

Mr Pearce: Why do you think there are standards?

Mr Clarko: They are a guide.

Mr WILSON: It is easy for the member for Karrinyup to say they are a guide when in the next breath he says they can be overlooked.

Mr Clarko: They can be, and I think that is fair enough.

Mr WILSON: That is exactly what the Government has done. On the one hand it has said these standards will be upheld, yet on the other hand a few months later an official from the Education Department informs us we cannot place due weight on those standards.

Mr P. V. Jones: Does the Pre-School Board stick to APA standards?

Mr WILSON: It is committed to sticking to APA standards.

Mr P. V. Jones: In regard to attendance, and class numbers?

Mr WILSON: The board is committed to APA standards as much as it possibly can. I understand the Minister is criticising the Pre-School Board.

Mr P. V. Jones: No, I am not; I asked a question.

Mr WILSON: The Government's entire case is based on the continual criticism of the Pre-School Board and what it has been able to achieve over 60 years in operation. That is why the Government wants to do away with the board; that is why it changed it in the first place, and why it has brought forward this legislation to do away with the board. No amount of argument from the Minister or any member opposite can deny that fact.

The Government is committed to doing away with the Pre-School Board for its own party political purposes in order to institute a programme to which the party committed it prior to the 1974 election and which, since then, it has had great difficulty in implementing because it was so badly planned and thought out by people such as the member for Karrinyup.

Mr Clarko: Where do you stand on the 25 and 36 group? Are you happy about that?

Mr Skidmore: If you continue to interject in that fashion, I will have to obtain an agricultural licence for you.

Mr WILSON: I am sorry the member for Karrinyup is not in the Chair at the moment. When he is in the Chair he stops members from interjecting, but he does not refrain from interjecting himself.

The member for Karrinyup took a major part in the formulation of this rather haphazard policy.

Mr Shalders: And very competently, I might add.

Mr WILSON: I will have to take the honourable member's word for that. Then we come to the proposals contained in the Bill, which were released by the Minister in May, several months after the election. We find the process is continuing as it has done in previous years under this Government. It is a process which involves a total lack of consultation.

The member for Gosnells the other night referred to a transcript of a meeting held on the 25th July at which the Minister was present;

the Minister supplied the transcript of proceedings to me and to all pre-school centres. At that meeting, the President of the Pre-School Board (Mrs Lefroy) made some comments and gave her opinion as to the amount of consultation which had taken place on the proposed changes.

Mr MacKinnon: Why do you not read what she said about the Minister?

Mr WILSON: She made some complimentary remarks about the Minister but as far as I know from personal contact she is still not very convinced about the proposals before the House.

I wish to draw to the attention of the House some remarks of the President of the Pre-School Board in addition to those which were mentioned by the member for Gosnells the other night. Mrs Lefroy had this to say—

Usually a decision to abolish something is taken if it is considered to be useless or ineffective or to be replaced by something better. I don't think that anyone could really say that the Board is useless or ineffective but this meeting will be the judge of that. The replacement of something better is still uncertain and no joint discussion with the new branch has yet taken place.

That was on the 25th July. She continued—

I am worried by rumours that the Director-General of Education wants 40 more pre-primary centres and the officers of his department have been telling committees and parents that their only choice for 1978 is to become a pre-primary centre or to become independent and therefore be responsible for their staffing. It seems that this new branch is already being planned as the Pre-Primary Branch of the Education Department behind closed doors by high school and primary trained teachers turned administrators, versed in literacy and numeracy, experienced in compulsory authoritarian schooling, and not very comfortable out in the market place, certainly with no grounding in child development or real understanding of the philosophies that guided the people who developed kindergartens in this State—kindergartens that have been commended by many educationists from other parts of Australia and overseas.

They are the words of the President of the Pre-School Board.

Mr P. V. Jones: Are you going to quote my reply?

Mr WILSON: I am very interested in the remarks of the President of the Pre-School Board. The Minister can talk about his reply when he

concludes the second reading debate; he may even read his reply, if he cares to. However, the point about his reply is that it was made after the comments of the President of the Pre-School Board, and after a long period during which no consultation took place. The amount of consultation which took place as set out in the document to which I have just referred was a matter of some two hours' prior notice to the Pre-School Board of the Minister's statement to the Press. That is the amount of consultation which took place on these proposals.

Mr P. V. Jones: But you are not going to read my reply, are you?

Mr WILSON: The Minister's remarks were made very late in the piece—in July, after the Press statement, and after the February election, during which the Government made no mention of these proposed changes.

The Minister and other speakers from the Government side have made a great deal of play of the fact that the Government is very concerned about parent participation. In the first place, let me refer to those parts of the Act which the Bill seeks to amend. Section 27 of the Act deals with P & C associations. I should like to read section 27 to the House because the amendments come in after section 27(a), (b), etc.

Section 27 refers to parents and citizens associations and reads—

An association . . . shall not exercise any authority over the teaching staff, or interfere in any way with the control or management of any Government school.

That is a very good statement about the way in which the Education Department encourages parent participation in schools. If that policy had been reversed I assume that section would have been withdrawn from the Act; and the fact that it has not been withdrawn is a symptom that that attitude continues in the Education Department.

In that connection I should like to quote again something which I have quoted previously. It is a statement by Professor Tannock, Professor of Education at the University of Western Australia. He said—

One disappointing feature of education in Western Australia is the lack of community involvement in determining school policy, and the lack of genuine decentralisation of the planning and the decision making process. It seems quite anomalous to me that non-Government schools, in all areas of the State, can function successfully with school boards, parents and professionals running their own

budgets, determining policy and giving their children a satisfactory education, when such freedom and involvement are not available in Government schools. There seems no logical reason why school communities in the public sector should not exercise many of the same powers and responsibilities . . .

That is an indictment of the degree of parent participation at all levels of the State education system. To those who wish to disapprove all I can say is that their experience of that system must be very different from mine, even on a simple feeling basis; and it is on that basis I have discussed this matter with committees of kindergarten parents.

I had been a member of the committee of the kindergarten which my first child attended, but on his first day at primary school I took him to the front entrance of the school and handed him over. It was made quite clear to me that I was handing him over to the education system and that from that point on not very much account would be taken of my say in the education of my child.

Mr Clarko: I bet you didn't accept that.

Mr WILSON: Those decisions were going to be made by a bureaucracy and by teachers who are not susceptible to parents' opinions and attitudes to education.

Mr Clarko: Be honest, you didn't accept that.

Mr WILSON: I have just quoted a statement by Professor Tannock which underlines what I am saying. My experience and the experience of many other parents back up that statement. I have spoken to parents on kindergarten committees in my electorate and they share that experience and make the same point about our education system. It is not open to parent involvement. It does not open up opportunities for parents to have a say in policy-making or to have a real say about the kind of education their children will receive. The fact is that more and more parents in our community are concerned about this state of affairs.

We are going to demand more and more say about the type and style of education our children are receiving, but as the situation stands at present we are bringing five-year-old children into a system which is not working and which is failing 20 per cent of the children already in it. It is an acknowledged fact that 20 per cent of the children who come out of the State school system are considered to be failing in all sorts of fields. We are taking five-year-old children

into that system without ensuring that we spend a great deal more time and energy on improving the system before we take any more children into it.

Mr Clarko: You do both.

Mr WILSON: The Government is trying to do both and is doing both badly. In 1974-75 the Government should have undertaken some sort of inquiry which would have allowed parents, teachers, and other concerned people in the community to put their views prior to legislation being brought down. We should not have a system whereby the Government has made a decision and then other people are brought in, as a sop, to offer some advice that may or may not be taken into account.

Goodness knows what will be taken into account. We are debating the second reading of the Bill and the advisory committee set up by the Minister some time after his Press release is still holding meetings and there has been no indication as to what the Government will do or how it will go about doing it. It is a completely haphazard and back-to-front system, and it is not entitled to the confidence of people who are really concerned about pre-schools.

We should have a fresh look at the situation concerning children from birth to eight years of age. The member for Mundaring referred to other States and other countries and cited reports which have been issued about the desirability of pre-school children being educated alongside primary school children. That has some advantages, but the point is that those advantages are seen only in situations in which four-year-old and five-year-old children are actually being educated in nursery schools or pre-schools which are not part of one huge primary school complex but are part of a junior school set-up which caters for junior children up to the age of eight.

Mr Herzfeld: You have a look at my references and you will see they are quite categorical.

Mr WILSON: I know they are quite categorical but anybody can pick up a few references and quote from them.

Mr Herzfeld: The very basis of the Fry report was to that effect.

Mr WILSON: The Government should be undertaking a comprehensive study of the situation affecting children from birth to eight years of age with the object of providing the opportunity for every child to have what he needs. We should have a comprehensive programme whereby needs can be assessed and programmes devised according to the

needs of children and parents, and whereby an environment to prevent the problems we see now characterised will be created by a birth to eight years of age section of education which is complete in itself, in which the opportunity for an early start will provide a basis for greater equality of opportunity, and in which the years from five to eight may be spent on literacy.

In a recent speech at the opening of a child guidance centre in Queensland a Government Minister in that State justified the enormous sums of money involved in child guidance programmes on the grounds that one in 10 four or five-year-old children is in need of psychological help. What we need is a complete and comprehensive system which will provide real equality of opportunity. Equality of opportunity will not be advanced simply by taking in children at the age of five. We need a much more comprehensive approach than that provided by the Government in its *ad hoc* moves which are sometimes announced, sometimes unannounced, and are never made in consultation with parents, teachers, and other concerned people in the community.

As an example I quote the situation which pertains in Victoria at the moment where a Liberal Party happens to be in power. At present the Victorian Government is looking into a comprehensive alternative model for the care and education of pre-primary children. It is looking for a comprehensive programme of early childhood services for children from birth to eight with a view to its implementation in about three or four years' time. There is a great deal of planning, thinking, and care going into it and every detail is being considered. Every avenue is being looked into so that it will provide a basis for a comprehensive system which will give greater equality of opportunity and greater and more comprehensive services to meet the very real educational, emotional, and care needs of children in this very vulnerable and vital age group we are considering.

MR P. V. JONES (Narrogin—Minister for Education) [5.51 p.m.]: I thank those who have contributed to the debate on the Bill. I was not present in the House when the member for Gosnells made his speech, but I have read the transcript.

I open my remarks by saying that those who have attacked the Government's proposals in this matter and who espouse support for the board do not appear to be aware of the attitude of the board itself, so I will quote from a letter I received from the board, following the meeting to

which reference has been made. Dated the 28th July, the letter says in part—

I would like to confirm that the members of the board are unanimous in their view that the time is opportune for the Government to take the initiative to rationalise the various education programmes offered to children in the year in which they turn five.

That would seem to be totally contradictory to many of the suggestions made by members of the Opposition. The letter goes on to endorse the recommendations I had discussed with them relating to the appointment of an advisory committee to deal with the transfer of the five-year-olds. That committee is meeting regularly every second Monday.

Mr Pearce: All after the legislation had been announced.

Mr P. V. JONES: It also endorses the work of the committee of the nought to four-year-old group which has commenced work, but which will not report for some considerable time because of the extent of the field it has to cover. The letter then concludes—

The board wishes to assure you that it will co-operate willingly in the establishment of the programmes for five-year-olds through the Education Department and will offer all the necessary co-operation to formulate appropriate proposals for the co-ordination of the 0-4-year-old services.

Mr Pearce: Some thought they were being intimidated.

Mr P. V. JONES: That is hardly the letter of a body which is being intimidated.

Mr Pearce: The board has been abolished. That is what happened. How intimidated can you get? How much did you consult with them before you announced the decision?

Several members interjected.

Mr P. V. JONES: Most of the points made in the debate and now by interjection have been covered so I will not waste the time of the House by entering into another debate on them.

The member for Gosnells quoted from the transcript I made available to him.

Mr Pearce: I did not. I got it elsewhere.

Mr P. V. JONES: I am sorry. The member for Dianella quoted from the transcript I made available to him. He quoted remarks which I can assume he thought might embarrass me or the Government.

Mr Wilson: I quoted them because I believe they are true.

Mr P. V. JONES: If I would have been embarrassed by them, I would not have given him a copy of the transcript. I not only gave him a copy, but also went to great lengths to ensure that every pre-school centre in the State received one. I will not delay the House by quoting from the transcript myself, but my own remarks covered the points made by the member for Gosnells and the member for Dianella concerning the exact consultation which took place beforehand.

I have not made any secret, at any of the meetings I have attended or in this House, of the fact that the decision which I announced to the board on the 23rd May was a decision by the Government. It did not involve in any way seeking the opinion of the Pre-School Board or the parents or any other community group.

Mr Wilson: What was the purpose of the Pre-School Board?

Mr P. V. JONES: The important aspect was to involve the Pre-School Board, the teachers, and the parents, from that stage on. I made a point of saying that we announced the decision in May for the specific purposes of allowing time for the processes which are now in hand, and of obtaining the reaction of the board which I have indicated to the House quite clearly.

Mr Pearce: I indicated it last Tuesday. You cannot abolish people and then consult them. That is not consultation.

Mr P. V. JONES: The member for Gosnells referred to the training course. He is not aware of the fact that it is only a two-year course and not a three-year course. The training the people receive is certainly recognised by the Education Department because the graduates are paid on a higher basis. They are also prepared for health, welfare, and education programmes, and most graduates from the course are seeking employment under the Education Act. Because of the security which it offers them it is more advantageous than private work. In my discussion with the Pre-School Teachers' Union I have had to make it clear that we are not able to provide employment for all those who want positions under the Education Act, in the same way as we are not able to employ all the trained school teachers and others at the present time.

The course will continue unchanged and although many of the graduates are wanting registration as teachers, that is simply not possible at the present time because they are not qualified as teachers.

The member for Mundaring referred to the rationalisation of services and that aspect needs no amplification because I have already quoted from the letter from the board. The point he made regarding the special services is quite important. The Pre-School Board has a very efficient and skilful programme in relation to the Aborigines and it is the intention that the head of the Aboriginal services under the rationalised structure will be the person employed by the Pre-School Board now; and indeed she has accepted the position. The same applies to the other two senior people on the board who have also accepted similar types of positions in an enlarged field of activity encompassing both the pre-school and pre-primary centres.

The member for Dianella spoke about the need for public comment. I can only refer him to what has taken place in the establishment of a completely new field of endeavour with the 0-4-year-olds. In fact, there was no pressure, so far as time is concerned, applied to the work of this Committee, and it is pursuing exactly the same course which he charted and suggested should have been followed with the five-year-olds.

Now there is no way—

Mr Wilson interjected.

Mr P. V. JONES: Mr Speaker, for reasons which should be obvious to the member opposite if he had any knowledge of the situation it was impossible to do that. However, his proposal in relation to the nought to four-year-olds is being carried out; so I fail to see the basis for his comments in that regard.

It is not correct to suggest that standards are being lowered deliberately. That is an assertion which is being made. It is an indictment of the departmental officers. It was suggested to the Pre-School Board; but it is a suggestion which I completely refute.

Mr Pearce: That is an untrue representation.

Mr P. V. JONES: There are two more points I would like to make. One is the question of the parent body. There is to be established a parent body to which community-based centres will relate. It will consist of various representatives including some elected parent representatives. Initially, it will be established by regulation under the Act; but it will be constituted under the parent Act by amendment in autumn if in fact the report of the nought to four committee has been received by then. As my second reading speech foreshadowed, it will be necessary to make some amendments to the Act as a result of the report of the nought to four committee.

Mr Wilson: When will we have details of that?

Mr P. V. JONES: When those amendments are made, the permanent constitution of a parent committee could be better established. There are questions relating to care centres and things of this nature—in fact, all these facilities which are currently being utilised by the children in the nought to four age group—to be considered.

The Government considers it is very unwise to finalise the formation of a parent body by Statute until the question of the nought to four year-olds has been determined; otherwise we could find ourselves in a situation where the parent body is not constituted in accordance with the recommendations of the committee. The parent body will be established, as I have indicated previously, and will take that form.

The last point I wish to make is there is no confusion whatsoever between the centres which exist presently under the pre-school child care area and those centres which are currently operated by the Department for Community Welfare. Those centres are not the ones referred to in the Act and there is no suggestion that they have any relationship to the Act. They come under a different Minister, under a different department, and are on a different basis. We are concerned only with those which presently fall under the auspices of the Pre-School (Education and Child Care) Act.

Question put and a division taken with the following result—

Ayes 25

| | |
|-------------------|-------------|
| Mr Clarko | Mr Mensaros |
| Sir Charles Court | Mr Nanovich |
| Mr Cowan | Mr O'Connor |
| Mr Coyne | Mr Old |
| Mrs Craig | Mr Ridge |
| Mr Crane | Mr Rushton |
| Dr Dadour | Mr Spriggs |
| Mr Grayden | Mr Stephens |
| Mr Grewar | Mr Watt |
| Mr Hassell | Mr Williams |
| Mr Herzfeld | Mr Young |
| Mr P. V. Jones | Mr Shalders |
| Mr MacKinnon | |

(Teller)

Noes 14

| | |
|----------------|-------------|
| Mr Bryce | Mr Pearce |
| Mr B. T. Burke | Mr Skidmore |
| Mr T. J. Burke | Mr Taylor |
| Mr Grill | Mr Tonkin |
| Mr Harman | Dr Troy |
| Mr Hodge | Mr Wilson |
| Mr Jamieson | Mr Bateman |

(Teller)

Pairs

Ayes

Mr McPharlin
Mr Sibson
Mr Laurance
Mr Blaikie
Mr Sodeman
Mr Tubby
Mr O'Neil

Noes

Mr Davies
Mr H. D. Evans
Mr T. H. Jones
Mr Bertram
Mr Carr
Mr McIver
Mr Barnett

Question thus passed.

Bill read a second time.

In Committee

The Chairman of Committees (Mr Clarko) in the Chair; Mr P. V. Jones (Minister for Education) in charge of the Bill.

Clause 1: Short title and citation—

Progress

Progress reported and leave given to sit again, on motion by Mr Shalders.

House adjourned at 6.08 p.m.

QUESTIONS ON NOTICE

MINING

Prospectors' Allowances

726. Mr T. D. EVANS, to the Minister for Mines:

Further to question 22 on Legislative Assembly Notice Paper of 5th October, 1976, will he please advise what action the Government has decided to take in respect of upgrading prospectors' allowances?

Mr MENSAROS replied:

An approach to the Commonwealth for unemployed prospectors and miners to be permitted to go prospecting while drawing unemployment benefits has not been successful.

ELLIS ALFRED ROBINSON

High Court Judgment

727. Mr TAYLOR, to the Minister for Cultural Affairs:

In the matter of the judgment of the High Court of Australia on an action between Ellis Alfred Robinson and the Museum of Western Australia, what action does the Government plan to take because of any possible change in validity?

Mr P. V. JONES replied:

As I indicated yesterday in my answer to question 725, I am as yet unable to discuss the action which the State proposes in connection with the still pending action in the High Court.

However, the Commonwealth Historic Shipwrecks Act, 1976, was proclaimed on the 3rd September, 1977. The provisions of this Act now apply to the Dutch wrecks in waters off the Western Australian coast, and any relics derived from them.

All the historic wrecks concerned have been gazetted under the Commonwealth legislation. Arrangements are now being made for certain of the Federal Minister's powers to be delegated to the Director of the Western Australian Museum in accordance with section 30 of the Act.

It is expected that when these arrangements are completed early next week, the work of the Museum on the historic wrecks sites off our coast will continue as before.

728. *This question was postponed.*

PRE-SCHOOL CENTRES AND CHILD CARE SERVICES

Federal Funds

729. Mr JAMIESON, to the Minister for Education:

With reference to his answers to questions 514, 580 and 678 of 1977, can he explain to the House why he is not prepared to give an undertaking to approach the Australian Government seeking increased funds to be paid direct to local government authorities, pre-schools and child care services to enable Western Australia to maintain an adequate programme of day care and other forms of services for children?

Mr P. V. JONES replied:

In my answer to question 514 asked by the Leader of the Opposition on Thursday, the 25th August, specific information was given that the State Government is not directly involved in the Commonwealth grants to local government authorities for day care and associated services. Advice was also given that, to my

knowledge, no grants are made direct to local authorities for pre-school purposes. I reject his assertion that I am not seeking increased Commonwealth funds for pre-school services. Since April, I have made constant representations to the Commonwealth Minister for Social Security for increases in the block grant made to this State by the Commonwealth for pre-schools.

HEALTH

Tronado Machine

730. Mr DAVIES, to the Minister for Health:

- (1) Have there been any developments to change the opinion of the Government with the acceptance of the opinion expressed by the National Health and Medical Research Council that the Tronado machine was of no use?
- (2) Where is the machine at the present time?
- (3) Have any offers been made for its purchase?
- (4) If so, from whom?
- (5) When were the offers made?
- (6) Has any offer been accepted?
- (7) If not, what is the cause of the delay in coming to a decision?

Mr RIDGE replied:

- (1) No.
- (2) Sir Charles Gairdner Hospital.
- (3) Yes.
- (4) Apart from a tentative offer some years ago, a firm offer has been made by the Radiotherapy Centre.
- (5) Approximately 6 months ago.
- (6) No.
- (7) The amount of money offered is considered to be too small, having regard to the initial high cost of the machine.

RENTAL ACCOMMODATION

Rent: Rebate

731. Mr WILSON, to the Minister for Housing:

- (1) Under what circumstances can a State Housing Commission tenant earning more than \$132.10 per week claim a rental rebate?

- (2) How many tenants are receiving rental rebates under these special circumstances?

Mr O'CONNOR replied:

- (1) A tenant with an assessed family income of \$132.10 will be required to pay \$29.50 or the standard weekly rental, whichever is less.

Where the assessed family income is greater than \$132.10 the rent payable will either be the assessed rebated rent, or the standard weekly rental, whichever is less.

Depending upon circumstances, rebates can apply up to an assessed family income of \$160.

- (2) This information is not available, as special circumstances do not apply under the rebate code.

DRAINAGE

Rates.

732. Mr WILSON, to the Minister for Water Supplies:

- (1) What is the basis for the imposition of the rated land drain rate?
- (2) Is this rate being levied on properties in areas where no street drainage is provided?
- (3) If "Yes" to (2), on what basis are property owners required to pay this rate where no property drainage is provided?

Mr O'CONNOR replied:

- (1) Where the board is of the opinion that surplus water is flowing or can be made to flow to and through a constituted metropolitan main drain, it may make and levy drainage rates in respect of all ratable land within that catchment area.
- (2) Yes.
- (3) Answered by (1).

COMMUNITY WELFARE

Women's Shelters

733. Mr H. D. EVANS, to the Premier:

- (1) Will the Federal Government be making finance available for the funding of women's refuges in the 1977-78 year?
- (2) If "Yes" what amount of finance will be available for this purpose?

- (3) If "No" to (1)—

- (a) is it the intention of the State Government to fund women's refuges in Western Australia; and
- (b) if so, what centres will be maintained and at what cost?

Mr O'Neil (for Sir CHARLES COURT) replied:

- (1) Yes.
- (2) The Commonwealth has provided \$1 million for new projects throughout Australia in 1977-78.
These funds are to be allocated for approved projects. The Federal Minister has called for applications to be submitted.
- (3) Not applicable.

GOVERNMENT EMPLOYEES

Number

734. Mr DAVIES, to the Premier:

- (1) Will he please advise the number of—
 - (a) wages staff;
 - (b) ministerial appointments, in the employment of the Government as at the 30th June, 1977?
- (2) Of (1) (b), how many are employed in the—
 - (a) Education Department;
 - (b) Police Force?

Mr O'Neil (for Sir CHARLES COURT) replied:

- (1) (a) 48 794;
- (b) 32 923—this figure includes members of the Education Department teaching service, the Police Force, staff of hospitals, and all other salaried staff of departments and instrumentalities not employed under the provisions of the Public Service Act.
- (2) (a) 16 577—this figure includes members of the Education Department teaching service and other ministerial employees in the department;
- (b) 2 446—this figure includes all police officers in the Police Department and RTA, and all other ministerial employees in those two departments.

ROTTNEST ISLAND*Price of Goods and Services*

735. Mr HASSELL, to the Minister for Lands and Forests:

- (1) Is she aware that the prices of some goods on Rottnest Island are possibly very high and in some cases are believed to exceed the prices of similar goods in the far north of the State?
- (2) What is the reason for this?
- (3) When the new development on Rottnest Island is completed and new concessions are let for the supply of goods and services at that development, will the holders of concessions at the old part of the island be eligible to apply for or take out or may they be granted concessions at the new development site?
- (4) Is any member of the Rottnest Island Board aware of any arrangement between storekeepers on the island aimed to ensure that they do not compete with each other in the sales of lines of goods and/or in the provision of services?
- (5) Are any steps being taken by the board to ensure that the providers of goods and services at the new and old settlements do not enter into formal or informal arrangements to limit competition and maintain artificially high prices on Rottnest Island?

Mrs CRAIG replied:

- (1) Store prices are frequently reviewed by the board—last review the 16th November, 1976—and under the circumstances prices are considered reasonable. The local grocer has to purchase grocery items at the same basic cost as a corner store grocer.
- (2) Interstore charges are high because store freights have to be triple handled at a cost of \$20.20 per tonne. Also, the board requires that the store be open for service and free deliveries seven days per week throughout the year.
- (3) Under present policy the answer is no. One of the reasons for the plan to establish business outlets in the new settlement is to achieve competition.
- (4) Such an arrangement between business houses on the island is not possible as the board alone decides what goods and services each business house will provide.

- (5) Not as yet. If any such action is found necessary it would be for the board of the day. Commercial development in the new settlement is planned for 1979-80.

LAMB PRODUCERS*Prices Obtained*

736. Mr GREWAR, to the Minister for Agriculture:

- (1) Could he provide details of the 10-year average price per kilo obtained by lamb producers immediately prior to the establishment of the WA Lamb Marketing board at—
 - (a) Sydney;
 - (b) Melbourne;
 - (c) Brisbane;
 - (d) Hobart;
 - (e) Adelaide;
 - (f) Perth?
- (2) Could similar figures be presented over the period the WA Lamb Marketing Board has been in operation?
- (3) If Western Australia's ranking is lower since the WA Lamb Marketing Board established its operations, could he give reasons?

Mr OLD replied:

- (1) and (2) The information sought by the member may be obtained from the annual reports of the Australian Meat Board.
- (3) Western Australia's ranking varies between years as can be noted from the detailed statistics referred to in (1) and (2).

The prices shown, except for Perth since December, 1972, are based on saleyard prices. Prices for Perth since December, 1972, are net prices paid to the producer on a carcase basis.

RENTAL ACCOMMODATION*Rent: Rebate*

737. Mr TAYLOR, to the Minister for Housing:

With respect to State Housing Commission rental rebates—

- (1) What is the maximum rent that might be required to be paid by—
 - (a) an unemployed man with wife but with no other income;

| | | Kwinana N. Lots | Annual Rent \$ |
|-------------------------------------|-------|-----------------|-------------------|
| (b) an unemployed man, wife and | | | |
| (i) one child; | | 17 | 40.00 |
| (ii) two children; | | 18 | 44.80 |
| (iii) three children; | | 19 | 52.00 |
| (iv) four children? | | 20 | 49.60 |
| (2) For how long must a person be | | 21 | 51.20 |
| unemployed before possibly being | | 22 | 52.80 |
| eligible for a rental rebate? | | 23 | 54.00 |
| Mr O'CONNOR replied: | | 25 | 63.20 |
| (1) (a) \$11.70 per week—North-west | | 27 | 64.00 |
| area of the State. | | 28 | 57.60 |
| \$14.20 per week—Metropolitan | | 29 | 56.80 |
| and other areas of the State. | | 30 | 53.60 |
| (b) Metropolitan | | 31 | 50.40 |
| and other areas | | 34 | 53.60 |
| of the State | | 35 | 59.20 |
| North-west | | 36 | 61.60 |
| \$ | \$ | 46 | 41.60 |
| (i) 13.60 | 16.10 | 47 | 42.40 |
| (ii) 15.40 | 17.90 | 48 | 51.20 |
| (iii) 17.00 | 19.50 | 51 | 48.80 |
| (iv) 18.70 | 21.20 | 53 | 50.00 |
| (2) A person must be unemployed for | | 54 | 50.00 |
| four weeks before being eligible | | 55 | 52.00 |
| for a rental rebate. The rebate ap- | | 56 | 50.40 |
| proved is retrospective. | | 63 | 54.00 |
| This is one case where the honour- | | 64 | 55.20 |
| able member will not mind retro- | | 65 | 57.20 |
| spectivity being applied. | | 69 | 50.40 |
| | | 70 | 48.00 |
| | | 71 | 52.00 |
| | | 72 | 42.00 |

LAND AT NAVAL BASE

Rental

738. Mr TAYLOR, to the Minister for Lands and Forests:

With respect to that lease land at Naval Base shortly to be vacated, what is the annual lease rental paid for each lot?

Mrs CRAIG replied:

For lots to be vacated by the 31st March, 1978, annual rentals are:—

| Kwinana N. Lots | Annual Rent \$ |
|-----------------|-------------------|
| 2 | 52.00 |
| 3 | 48.00 |
| 7 | 40.00 |
| 8 | 44.80 |
| 9 | 42.40 |
| 10 | 40.80 |
| 11 | 45.60 |
| 12 | 44.80 |
| 13 | 40.00 |
| 14 | 40.00 |
| 15 | 48.00 |
| 16 | 41.60 |

MEAT INDUSTRY

Statutory Authority

739. Mr GREWAR, to the Minister for Agriculture:

(1) If the meat industry referendum question No. 1 is adopted, is it true that existing exporters will be retained or is it the intention for the authority to have power of trading on export and local markets?

(2) (a) If exporters are to be retained will they be allocated a share of the market based on past history, or
(b) will it be by tendering?

(3) Have there been departmental estimates on the cost of establishing a statutory organisation?

(4) (a) Have any cost benefit studies been made to compare a statutory board with the other alternatives listed on the referendum ballot paper;

(b) if "Yes" is this information available?

Mr OLD replied:

- (1) and (2) If referendum question No. 1 is adopted the Government will institute a feasibility study to determine in detail how such an authority would operate. The study would cover the aspects to which the member refers.
- (3) No. However, I have asked my department to initiate studies which can form the basis of the feasibility study referred to above.
- (4) (a) No.
(b) Not applicable.

SAWMILLS IN SOUTH-WEST

Availability of Pine

740. Mr H. D. EVANS, to the Minister for Lands and Forests:

Will she give an assurance that the disposal of the three sawmills owned by the Forests Department will not affect the amount of pine available to existing sawmill operations in the south-west?

Mrs CRAIG replied:

Such an assurance cannot be given because of the location of future log supplies.

I am making a copy of the document outlining the conditions of tender available to the member. This clearly sets out the position.

SAWMILLS IN SOUTH-WEST

Disposal

741. Mr BARNETT, to the Minister for Lands and Forests:

If the Government does not consider the Forests Department is incapable of operating the mills as referred to in my question without notice of the 13th September, why is it disposing of them?

Mrs CRAIG replied:

The member's attention is directed to my press release on this matter which stated, *inter alia*—

Particularly because of the capital required, it is sensible that these mills should be operated by private enterprise rather than by Government

which is heavily committed in expenditure on plantation establishment to meet future needs while allowing for a reduction in the hardwood cut.

The substantial increase in pine sawmilling necessary in the future demands considerable capital expenditure which the Government is unable to justify in view of the demands in fields such as health, social welfare and education, etc.

SAWMILLS IN SOUTH-WEST

Ownership

742. Mr BRYCE, to the Premier:

In the light of the Government's decision to sell the publicly owned sawmills at Grimwade, Pemberton and Margaret River, will he give the Parliament an assurance that the ownership of the mills will not be transferred to foreign owned/or controlled companies?

Mr O'Neil (for Sir CHARLES COURT) replied:

Our policy, under normal circumstances, is directed towards maximum practicable local ownership in our resource development.

Having said that, it is pertinent to also say that the Government has no intention of pre-empting its consideration of tenders when received.

It would be quite unrealistic and irresponsible, and against the best interests of the State, at this stage, to inhibit tenderers by declaring a closed door to some who might, for special reasons, be worthy of consideration and achieve a better result for the State.

SAWMILLS IN SOUTH-WEST

Ownership

743. Mr H. D. EVANS, to the Minister for Lands and Forests:

In considering any tenders it receives for the three Forests Department sawmills of which it proposes to dispose, will the Government give priority to tenders from Western Australian owned firms?

Mrs CRAIG replied:

Government policy for local preference clearly states that when tenders are called and conditions determined there is ample opportunity for Western Australian organisations to tender competitively. In considering tenders, this policy will be clearly borne in mind.

EDUCATION DEPARTMENT PROPERTY

Community Use

744. Mr PEARCE, to the Minister for Education:

- (1) What is the Education Department policy on the levying of charges by schools for the hire of school facilities to community organisations?
- (2) Is there a set of charges, or limits or guidelines, established for such charges?
- (3) To what use is money so raised put?

Mr P. V. JONES replied:

- (1) and (2) Charges are levied at the discretion of the principal. The amount charged is intended to recoup only direct costs resulting from such use; i.e. cleaning, power, etc.
- (3) Local school funds.

DENTAL THERAPY CENTRES

Establishment at Schools

745. Mr PEARCE, to the Minister for Health:

- (1) How many dental therapy units have been attached to schools in Western Australia?
- (2) (a) Where are they; and
(b) in which year was each established?
- (3) Will he give details of the source of funds for these units?
- (4) Does the department have any plans to construct dental therapy units in the Gosnells electorate?

Mr RIDGE replied:

- (1) 53.
- (2) The information has been tabled.
- (3) The first three units—i.e. those at Balga, Kewdale and Palmyra—were funded 100 per cent by the State. The remainder of those built in 1973-74 and 1974-75

were financed wholly by the Commonwealth. In 1975-76 the basis was altered to Commonwealth 90 per cent and State 10 per cent.

- (4) Planning for 1978 not complete.

The answer was tabled (see paper No. 245).

QUESTIONS WITHOUT NOTICE

AUSTRALIAN UNION OF STUDENTS

Speaking Tour by Middle East Students

1. Mr PEARCE, to the Minister for Education:

- (1) With regard to the Minister's answer yesterday to a question without notice from the member for Karrinyup, in which he stated that the Australian Union of Students was proposing to organise a tour of Australian campuses by a member of the Palestinian Liberation Organisation, is he now aware of the following facts—

- (a) AUS Annual Council decided that the president and executive should investigate the possibility of a speaking tour of Australian campuses by representatives of both sides in the Middle East debate;
- (b) that in consequence of this, invitations were sent to the Australasian Union of Jewish Students and the General Union of Palestinian Students requesting them to provide speakers for this tour;
- (c) no invitation has been sent, or is proposed to be sent, to the Palestinian Liberation Organisation;
- (d) any financial support for this debate is to be allocated equally to both sides and is limited to \$500 each;

Mr P. V. Jones: Is this a question without notice?

Mr B. T. Burke: It is a question you cannot answer.

Mr Clarko: Come on; that is a speech.

The SPEAKER: Order!

Mr PEARCE: To continue—

- (e) far from instituting a programme of anti-Semitic activity, AUS does not even have a policy on the Middle East. AUS allowed its former

policy to lapse in favour of an even handed and democratic debate on this issue, of which the proposed speaking tour by both sides was a part;

- (f) the proposed speaking tour by both sides is unlikely to be proceeded with this year because the academic year is almost over?

- (2) In the light of this, will he inform the House how he became aware of the material he presented to the House yesterday?

Mr P. V. JONES replied:

- (1) and (2) In answer to that statement by the member for Gosnells, if my memory serves me correctly, my answer would be, "Yes". I did give the impression that I was aware there was a tour to take place, but the honourable member will also recall that I gave no particulars because I was not aware of any.

With regard to how I became aware of the information, I read it in, I think, *The Australian* last Thursday or Friday in Sydney.

I do not consider that anything else the honourable member had to say had any relevance to the answer I gave.

Mr B. T. Burke: You said it was a PLO representative.

Mr P. V. JONES: I passed on the information of which I had been made aware.

Mr B. T. Burke: It was inaccurate.

Mr P. V. JONES: That is not my fault. I passed on the information I had been given and I just indicated how I had become aware of it. I said that it was in the Press, and that I read it in the Eastern States.

I have also had inquiries by letter and yesterday I pursued the matter with the President of the Guild of Undergraduates at the University of WA. As a result of my inquiry he indicated that, yes, he too was aware that a proposition would be discussed by the AUS delegates relating to this matter. He also said that this weekend he is attending an AUS meeting in the Eastern States where the situation will be discussed.

MINISTERS OF THE CROWN

Challenge to Fight

2. Mr TONKIN, to the Deputy Premier:
- (1) Does the Deputy Premier approve of Ministers of the Crown continually challenging other members of Parliament to a fight?
 - (2) Is this the normal way of settling disputes in the Cabinet?
 - (3) If so, on how many occasions has such a challenge been made and what were the results of the various bouts?
 - (4) Does the Deputy Premier provide training facilities for his Cabinet Ministers so that they can take on the Minister for Labour and Industry?

Mr O'NEIL replied:

- (1) to (4) I believe the question is inadmissible because it covers an area which does not come directly under my ministerial responsibility. I also believe it is a facetious question. Therefore, on both grounds, I decline to make any comment whatsoever.

EDUCATION DEPARTMENT

Memo to Employees at Vapech House

3. Mr BARNETT, to the Minister for Education:

- (1) Is it a fact that a memo dated the 8th September, 1977, has been sent to all staff members at Vapech House?
- (2) Is it a fact that the memo says in part as follows—

No member of the staff is to pass information to the Press or other media concerning official matters.

Note also that unauthorised persons are not permitted to wander round our premises under any pretext whatsoever.

Anybody who comes purporting to take samples, make tests, take measurements, take photographs, etc., must not be allowed to do so?

- (3) What does the Government have to fear?
- (4) Why is it suppressing comments from its concerned staff members?

Mr P. V. JONES replied:

- (1) to (4) The member, I understand, phoned my office a few minutes before 2 o'clock this afternoon but I had already left. Therefore, I am unable to provide him

with all the information. If he places the question on notice I shall provide all the information. So far as the memo to which he referred is concerned, the member has avoided saying by whom it was signed and from where it came. If I had that information I could pursue the matter a little further.

MINISTER FOR LABOUR AND INDUSTRY

Involvement with Plumbing Group

4. Mr TONKIN, to the Minister for Labour and Industry:

- (1) Is it true that the group of plumbers which the Minister financed has gone bankrupt?
- (2) If so, is this an indication of the fate of business ventures with which he is associated?
- (3) What action has the Minister taken to secure himself as a creditor?

Mr GRAYDEN replied:

- (1) to (3) I would ask the honourable member to place the question on the notice paper.

Mr Speaker, may I ask you a question?

Points of Order

Mr JAMIESON: Mr Speaker, may I raise a point of order? You ruled the other day that you would not accept any questions asked of the Speaker unless they were placed on notice. That is very clearly contained in the Standing Orders and I think it should be adhered to.

The SPEAKER: In fact I did not rule that way.

Mr Jamieson: Well, you tell us how you ruled.

The SPEAKER: I said that it was not proper to ask a question without notice of the Speaker and there is a good reason why that is the case. However, whether or not I elect to answer a question that might be asked will depend on the type of question that is asked. But, as a general rule, members who wish to ask a question of the Speaker should do so on notice.

Mr HASSELL: On a point of order, Mr Speaker, the question without notice which led to the question being asked of you is out of order in terms of Standing Order No. 106. I ask that

you rule it out of order now so that it does not go on the notice paper and waste more of our time.

The SPEAKER: I do concur with the thoughts expressed by the member for Cottesloe. The question asked is clearly not within the ministerial responsibility of the Minister for Labour and Industry. The action which he took with respect to certain plumbers was something he did as a private individual and it is not something which he did as a Minister of the Crown. The question would be inadmissible and that fact would be conveyed to the member asking the question if the question were submitted to the Clerk.

Questions Without Notice Resumed

EDUCATION DEPARTMENT

Memo to Employees at Vapech House

5. Mr BARNETT, to the Minister for Labour and Industry:

- (1) Is the Minister aware of a memo in the terms which I outlined in my previous question, to the staff of Vapech House and signed in the name of E. Hinchliffe, Superintendent of Education (Publications)?
- (2) If the Minister is not aware of such a memo, will he take action to ensure that such memos are not in future sent to concerned staff members in an endeavour to suppress their concern about the state of the ceiling in the building?

Mr P. V. JONES replied:

- (1) and (2) The answer to both questions is "No".

MAIN ROADS DEPARTMENT

Gravel from Farm of Mr Norm Scheer

6. Mr GRILL, to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that Main Roads Department employees have entered a 400-acre paddock being portion of a farming property occupied by Mr Norm Scheer of Salmon Gums, and being portion of Fitzgerald Location 1164, for the purpose of removing gravel therefrom?
- (2) Is the Minister aware that the occupier of the property was not consulted on the matter of the removal of the gravel before the entry was made?

- (3) Is the Minister aware that the area in question is in the grip of an extreme drought and that the said paddock entered is the only paddock upon which the farmer in question has any food or water for his stock?
- (4) Can the Minister give a guarantee that no removal of gravel will take place from the said paddock at least until the present drought in the area has broken?

Mr O'CONNOR replied:

- (1) Yes.
- (2) No. Mr Scheer was consulted in regard to testing and possible use of the gravel before a "notice of entry" was posted to him. An alternative site was discussed but was considered unsuitable. The foreman in charge endeavoured to contact Mr Scheer on three occasions prior to actual entry.
- (3) No. There is a dam out of sight on the other side of the paddock to the gravel area which, prior to disturbance, supported only some salt bush and natural grass. I am not aware of the condition of the other paddocks.
- (4) No. The gravel is laterite and used for the top layer of the pavement in preparation for the final finishing work. It is extremely scarce in the area and more may be required if an alternative supply, currently being used and located some 16 kilometres further from the work site, runs short. Removal of all the gravel available from the deposit would involve about two hectares of land upon which stockpiled topsoil will be respread.

QUESTIONS TO THE SPEAKER

Procedure

7. Mr GRAYDEN, to the Speaker:

Mr Speaker, in view of the fact that the other night I made a statement to this effect to the member for Morley: "I challenge him to ask questions so that I might have the opportunity in this House to answer them"—

Point of Order

Mr JAMIESON: On a point of order, Mr Speaker, is this a question and, if so, to whom is the question directed?

The SPEAKER: I believe the Minister is asking the question of me.

Mr GRAYDEN: I intend to, Mr Speaker.

Mr JAMIESON: Mr Speaker, I must rise on a point of order and ask you to rule this question out of order. I draw your attention to Standing Order No. 106A which very clearly states that a question on notice may be put to the Speaker relating to any matter of administration for which he is responsible. I was the person who had that inserted in the Standing Orders, because the Speaker of the day (Mr Guthrie) would not answer any questions, and I felt it was most awkward that the Speaker of the Legislative Assembly was not answerable in some way to this Parliament, in the same manner as any other member is answerable to Parliament. It was put in at my request by the Standing Orders Committee. Previously, Speakers had acted in different ways, but Standing Order No. 106A made it very clear that a Speaker must have a question on notice so that he can determine whether or not it is within the scope of his responsibilities before he answers it.

Speaker's Ruling

The SPEAKER: I will reply to the point of order raised by the Leader of the Opposition. The practice in this House has been for Speakers to require questions addressed to the Speaker to be placed on notice. There have been occasions when Speakers have answered questions without notice, and indeed last night was one such occasion, because I answered a question without notice, having pointed out to the member who asked the question that it was not a requirement of a Speaker to answer a question without notice. I elected on that occasion to answer the question, as indeed other Speakers previously have elected to answer questions without notice.

As to the type of question the Minister for Labour and Industry is proposing to ask, I find it difficult to be able to decide whether or not it is one that comes within the scope of those which ought to be asked. I cannot tell whether or not it is within that scope until I have heard it.

Dissent from Speaker's Ruling

Mr JAMIESON: If that is your ruling, Mr Speaker, I move—

That your ruling be disagreed with.

It is very clear that Standing Order No. 106A was added to overcome the position referred to. True, you breached Standing Orders yesterday, but in breaching Standing Orders you clearly indicated to the member concerned that he had been at fault.

Prior to the inclusion of this Standing Order, as I endeavoured to indicate, there were occasions when questions—I had put some of them on the notice paper myself—were put to various Speakers right through from Speaker Rodoreda to Speaker Guthrie. The Speakers varied their attitudes, but Speaker Guthrie clearly ruled that as there was no provision for the Speaker to answer questions, he would not answer them whether they were with notice or without notice.

For that reason we had to clean up the Standing Orders. We had quite a debate on the matter, and the relevant Standing Order was brought back to the House and presented to members. When the Standing Order was amended, it was made very clear, and at the time put the position beyond doubt, that the only occasion the Speaker—who has to be impartial in this House—should be questioned is on matters dealing with the administration for which he is responsible. That being the case, the Speaker has to receive a question on notice in order to make such a determination. He cannot make a determination without the question being on notice.

It is of no use a member getting up and putting forward a question to have it adjudged, because the Standing Order is specific. There had not been a breach of this Standing Order until last night. I did not take exception on that occasion because I knew what you, Mr Speaker, intended to do because you had informed me. I thought the explanation to the member concerned was reasonable. You said that despite the Standing Order, on that occasion you would answer the question but you drew the attention of the member to the Standing Order.

We now have a Standing Order which enables us to know where we are going, and we should stick to it; otherwise, some members will have questions answered off the cuff, and others will be refused answers. We will be in constant turbulence.

If we stick to the rules laid down and agreed to by this House we will not get into that kind of situation, and the position will be much clearer.

Mr O'NEIL: On this occasion, Mr Speaker, I rise to uphold your ruling.

Point of Order

Mr TONKIN: On a point of order, Mr Speaker, does the motion require a seconder?

The SPEAKER: Is there a seconder to the motion?

Mr BRYCE: I would like to second the motion, Mr Speaker, and retain my right to speak. Is that in order?

The SPEAKER: Yes. The Deputy Premier.

Debate (on dissent motion) Resumed

Mr O'NEIL: I want to support your ruling, Mr Speaker. I have listened carefully to the arguments put forward by the Leader of the Opposition, both in his move to dissent from your ruling and in his comments that this Standing Order was inserted on his recommendation following a report of the Standing Orders Committee to the Chamber.

I also want to make it clear there are a considerable number of occasions, during debate and during the handling of matters before this House, when members rise to their feet and pose a question to you on a matter of information. It has been done by many members, mainly to establish their status in a particular situation in which they find themselves. Surely that is the type of question the Speaker must be able to answer.

Mr Jamieson: That is not a question during question time, though.

Mr O'NEIL: I do not know that question time is any different from any other time, when one occupies the Chair. The Leader of the Opposition referred to the Department of the Legislative Assembly, and he is correct. It is, in essence, a department and you, Mr Speaker, have certain administrative responsibilities in regard to the staff of this place. You are, in fact, to a large degree in a position similar to that of a ministerial head of a department, while your Clerk is the administrative head.

Standing Order No. 106A refers to those matters of administration for which you are responsible, and it is fair and reasonable that if you are to be asked a question in this Chamber concerning the administration of your department, as distinct from procedural matters within the Chamber, notice

should be given of the question. There are innumerable occasions when members from both sides rise and ask questions as a matter of guidance.

I therefore support your ruling that it is at your discretion whether or not you answer such questions, as is the case in respect of a Minister. There is no requirement on a Minister to answer any question. I agree it is very difficult to know whether or not you are prepared to answer a question when you have not heard it, and I support your ruling.

Mr BRYCE: I rise to support the move by the Leader of the Opposition to dissent from your ruling, Mr Speaker, on this question. I do so for two very good reasons. There is a valid and fundamental reason for the inclusion of Standing Order No. 106A, and a very good reason for its present wording.

Every member in this Chamber appreciates the significance of a decision which the Speaker of this House makes. Every member in this Chamber appreciates how important it is that when the Speaker answers a question relating to the procedure of the House or the administration of his department—or relating to any other matter for which he is responsible—that decision which he gives is taken as a precedent.

Therefore, it follows very logically that this Parliament could find itself in a very serious situation indeed, if the Speaker could be subjected to off-the-cuff answers to questions without notice, as is the case with Ministers of the Crown in respect of Government policy. It is a matter of fundamental importance how we conduct the business of this House.

Mr O'Neil: Is the Deputy Leader of the Opposition implying that he will not ask any questions without notice of Ministers in the future?

Mr BRYCE: I am not talking about Government policy; that is something for which the Ministers are fully responsible. They have a right to change their minds, if they are prepared to pay the price.

The Speaker, under the Westminster system, is not a political pawn and he is responsible to the institution to ensure that any decision he makes is not political. I stress the importance of the Speaker not being subjected to the situation where he is required to give off-the-cuff answers to questions.

Mr O'Neil: He is not required to answer them, the same as the Ministers are not required to answer questions.

Mr BRYCE: Might I say, for that very reason, the Standing Orders quite explicitly provide that questions may be put to the Speaker after due notice.

Mr O'Neil: About his administration; that is in Standing Orders.

Mr BRYCE: That would be the longest bow the Deputy Premier has ever drawn.

Mr O'Neil: It is not; the provision is specifically in Standing Orders.

Mr Jamieson: The Deputy Premier should look at chapter 14.

Mr BRYCE: The Deputy Premier has conveniently overlooked the fact that Standing Order No. 106A is part of the Standing Orders which govern procedure in this House at question time. That is the principal opportunity provided to members of Parliament to ask any incidental question of the Chair with regard to what they ought to do or ought not to do in respect of taking some initiative action in the House.

Standing Orders Nos. 106 to 110 indicate to the members of this House the "dos" and "don'ts" as far as procedure is concerned when asking questions in Parliament at question time.

As the Leader of the Opposition has indicated, for many years in this institution it was competent for members of Parliament to ask questions of the Speaker. So a specific provision in the section dealing with question time was written into the Standing Orders. It says, "A Question, on notice, may be put to the Speaker".

With respect, I suggest you probably erred yesterday, Mr Speaker, when you allowed the member for Morley to ask a question of which he had given only a certain amount of notice. He did not give very much notice and you made the decision to provide an answer. I suggest in the interests of consistency that what happened yesterday is a question of degree as far as the Standing Orders are concerned.

My memory over the last six years does not enable me to recall a situation where either Speaker Hutchinson or Speaker Norton answered questions without notice. In fact, I as an individual member of Parliament attempted to get answers from Speakers in this House on a number of occasions in

those years and I was repeatedly reminded by the Clerk at the time, by some of my colleagues, and certainly by the leaders of my party that if a question was to be put to the Speaker at question time it was absolutely essential that the member of Parliament placed it on notice. So I suggest the precedent for this is wearing fairly thin.

I am happy to acknowledge you may be correct, Mr Speaker, but there is a very clear Standing Order, and the moment we depart from this procedure we may as well tear up the other 407 Standing Orders and say they are of no consequence. It is quite explicit. Practice also dictates that when someone wants to ask a question of the Speaker that question must be on notice.

Mr GRAYDEN: I want to uphold your ruling, Mr Speaker, and in the process I say at the outset that members of the Opposition are simply trying to make a mockery of the proceedings of this House.

Mr Jamieson: You are making a mockery of Parliament.

Mr GRAYDEN: As was pointed out by the Deputy Leader of the Opposition, Standing Order No. 106A states—

A Question, on notice, may be put to the Speaker relating to any matter of administration for which he is responsible.

That particular Standing Order was included in our Standing Orders in order to make it quite clear that anyone in the House can ask you a question in respect of the administration of this House, provided notice of the question is given. That is not the kind of question you would be expected to answer off the top of your head. You would want some kind of notice and it is for that reason it is written into our Standing Orders. There is nothing in the Standing Orders to say a question cannot be asked of you in respect of procedures in this House; none at all.

The question I was going to ask arose out of a question without notice—

Mr Bryce: Of which notice was given.

Mr GRAYDEN: It was to be a question to you in respect of the procedures in this House. I said—

I challenge him to ask questions so that I might have the opportunity in this House of answering them. Alternatively, let him make the allegation outside this House so that we can answer this deliberate untruth.

Point of Order

Mr TONKIN: Surely this is not the subject before the Chair. The question is whether the Speaker has to accept a question.

The SPEAKER: Order! I am prepared to hear further from the Minister for Labour and Industry.

Debate (on dissent motion) Resumed

Mr GRAYDEN: The statement was—

Alternatively, let him make the allegation outside this House so that we can answer this deliberate untruth.

That was my statement.

Mr Jamieson: Don't you come at that.

Mr GRAYDEN: That is the *Hansard* report.

Mr Jamieson: The Press know what you said and they have reported it.

Mr GRAYDEN: That is the *Hansard* report. The Leader of the Opposition can take it up with *Hansard*. That is the statement. Members of the Opposition can interpret it the way they like. That is their business.

Several members interjected.

Mr GRAYDEN: I am not prepared to see them get up and make these completely untrue statements to this effect. This is the one of the member for Morley—

It occurred last night. Will the Minister for Labour and Industry—

Mr Jamieson: Sit down.

Several members interjected.

The SPEAKER: Order! The Minister will resume his seat.

Point of Order

Mr SKIDMORE: I rise to try to bring back a bit of dignity to this House. I rise on a point of order because I believe the subject matter the Minister is now discussing could in no way be said to devolve upon the debate, which was the question in relation to Standing Order No. 106A. I do not see any relevance to that question.

The SPEAKER: I agree with the member for Swan that the Minister is getting outside of the question which is before the Chair; that is, dissent from my ruling. It seems Thursday is the day on which members want to move to dissent from my rulings. Seven days ago I said it was a very embarrassing

situation to be asked to stop a member making a contribution to a question of dissent from my ruling. I allowed latitude last week and I have allowed some latitude today, but I ask the Minister to confine his remarks to the question before the Chair.

Debate (on dissent motion) Resumed

Mr GRAYDEN: Thank you, Mr Speaker. I was simply going to ask you, in the light of what appeared in *Hansard*—

Point of Order

Mr BRYCE: The substance of what the Minister was going to ask you, Mr Speaker, bears no relationship whatsoever to the procedural question which is before the Chair. He has been in this Chamber longer than anybody and he ought to know better.

Mr Bertram: He knows all right.

The SPEAKER: The Minister for Labour and Industry should confine his remarks to the question before the Chair. I take this opportunity to say I have studied the *Hansard* report of that part of the proceedings which has given rise to this particular controversy, and in my reading of it there was no invitation on the part of the Minister for Labour and Industry to any member to engage in fisticuffs.

Mr Tonkin: You are the only member of the Chamber who thinks that.

The SPEAKER: I have read it and—

Mr Jamieson interjected.

The SPEAKER: Order! In fact, the Minister did walk from the Chamber, but the words used were, "I ask the member to repeat those words outside the House"—or if not those words precisely, words to that effect.

Mr Tonkin: What does that mean?

The SPEAKER: It means he wants the opportunity to take civil action. I believe this matter has got completely out of control and I hope members in this House will allow this situation to come back to a more sensible plane.

Debate (on dissent motion) Resumed

Mr GRAYDEN: Prior to that point of order, I was pointing out that this comes within the scope of Standing Orders. I was not going to ask you a question reflecting on your administration, Mr Speaker. I was simply going to ask you what redress I had when a member attributes to me statements I did not make.

Point of Order

Mr BERTRAM: The Deputy Leader of the Opposition a moment ago complained about this very thing. You gave a ruling and told him not to continue and the Minister immediately disobeys your ruling.

The SPEAKER: The question is that my ruling be disagreed with. That is the only question that can be debated, and I ask the Minister for Labour and Industry to desist from straying from that.

Debate (on dissent motion) Resumed

Mr GRAYDEN: I cannot see where I have been straying. I am simply saying Standing Order No. 106A does not preclude anyone from asking you questions in respect of procedural matters. That is the point I want to make.

Mr B. T. BURKE: I wish to support the motion to disagree with your ruling, Sir, and to say that it is quite clearly the case that this Minister, during this Parliament, is attempting to plunge the Parliament into continuous uproar. On that occasion he did not confine himself in his contribution to the measure before the Chair, and this is something that we all know he has become used to doing. We all know that this Minister has previously, on numerous occasions, asked members of the House to come outside and fight.

Mr Grayden: Rubbish!

Mr B. T. BURKE: That cannot be denied. Several members interjected.

Mr Grayden: I ask for that to be withdrawn.

Point of Order

Mr CLARKO: Mr Speaker, we have just had three members of the Opposition claim that a member should not stray from the subject before the Chair. It is my opinion that the member for Balcatta is doing just this and I request you to comment on that.

The SPEAKER: I assume the member for Balcatta is about to address himself to the question before the Chair. I agree with the member for Karrinyup that his opening remarks indicate that the member is going to debate a wider area. I ask the member for Balcatta to confine his remarks to the question that is before the Chair.

Mr Grayden: You had better stop making untrue statements too, and withdraw that.

Debate (on dissent motion) Resumed

Mr B. T. BURKE: Thank you, Mr Speaker, but you understand the position of the Opposition when the Minister has this tendency to traverse all sorts of matters and not the subject before the Chair, and we are prevailed upon not to answer the points raised in the debate. If that satisfies the member for Karrinyup, let it be on his head. I notice he did not move a point of order on his own Minister, the Minister who continually threatens members of this House with physical violence outside the House, when this Minister relies continually upon his threats of physical force to maintain his points in the absence of any intellectual substance. However, he has taken that course once too often. Let him deny it. *Hansard* will prove him wrong, and the memory and the integrity of members of this House will prove he is not telling the truth.

I will prove it now, with respect; Sir, by reference to the very matter which you raised in your reading of the transcript. This very matter was introduced into the debate, and I refer to *Hansard*—

Mr Grayden: You make those untrue statements and shelter behind the protection of the Speaker. It will ever be thus.

Mr B. T. BURKE: The part of *Hansard* to which you referred, Sir, was certainly an accurate record, but it was not the whole story. I refer members to a point of order raised by the member for Morley and to what was said subsequently when you introduced it into the debate. I now intend to quote the full report of the remarks you read to the House, Sir.

Mr Rushton: What has this to do with the matter before the Chair?

Mr Tonkin: The Speaker raised it.

Mr B. T. BURKE: After you had ruled there was no point of order—

Several members interjected.

Mr B. T. BURKE: The Minister can hand it out but he cannot cop it. That is his trouble.

Point of Order

Mr HASSELL: On a point of order, Sir—

Several members interjected.

The SPEAKER: Order!

Mr HASSELL: —you made a request to the House in an attempt to bring the House back to some semblance of sense and dignity. It does not mean—

Mr Tonkin: Speak to your Minister then.

Mr HASSELL: —that the member for Balcatta or any other member can use the opportunity to debate an issue which is totally irrelevant to your ruling.

The SPEAKER: It is true that the only purpose of my reference to the part of *Hansard* which I read was to try to take some heat out of the situation. I did allow the Minister for Labour and Industry a fair amount of latitude for the same reason; that is, I wanted to take some heat out of the situation. I am allowing the member for Balcatta a fair amount of latitude for the same reason. Hopefully we will reach the situation where this matter will be finished with. Frankly, I am sorry that the situation has arisen, and I hope that members of the House will assist me to dispense with it as quickly as we can. The member for Balcatta.

Debate (on dissent motion) Resumed

Mr B. T. BURKE: I agree with you entirely, and I thank you, Sir. I remind the House that this matter has its origins in the intemperate statements of the Minister for Labour and Industry. He knows he made these statements. They could not be the subject of a point of order or a dissent from your ruling subsequently. I will now refer to the *Hansard* report to which you referred, Sir. After you had given your ruling, the following interchange occurred—

Mr GRAYDEN: On a point of order, Mr Speaker, I want to take exception—

Mr B. T. Burke: Over how many hours?

Mr GRAYDEN: The member for Morley made some sort of statement to the effect—

Mr Davies: What is your point of order?

Mr GRAYDEN: I was hoping to accommodate him and I am prepared now or at any future date but—

Mr Jamieson: Yes.

Mr B. T. BURKE: That is consistent with the sort of thing that has spurred the Minister on to seek to ask the question of you

when quite clearly it is not competent for him to do so under the Standing Orders. It is no good arguing about the Standing Orders and his right to ask the question when he has no right whatsoever to threaten continually and repeatedly physical violence to members of this House, because he does not have the intellectual substance necessary to support his argument. Now he is being forced into corrupting Standing Orders to demonstrate his pugilistic prowess.

Mr Speaker, if this Government will not do anything about a Minister who threatens assault continually on other members, then it is up to the House to do something about the matter. The Minister should be turned out, because he relies on his fists and not on his brains.

Several members interjected.

The SPEAKER: Order!

Mr SHALDERS: I move—

That the House do now divide.

Motion put and passed.

Question (dissent from Speaker's ruling) put and a division taken with the following result—

Ayes 17

| | |
|----------------|-------------|
| Mr Barnett | Mr Jamieson |
| Mr Bertram | Mr Pearce |
| Mr Bryce | Mr Skidmore |
| Mr B. T. Burke | Mr Taylor |
| Mr T. J. Burke | Mr Tonkin |
| Mr T. D. Evans | Dr Troy |
| Mr Grill | Mr Wilson |
| Mr Harman | Mr Bateman |
| Mr Hodge | (Teller) |

Noes 27

| | |
|----------------|-------------|
| Mr Clarko | Mr O'Connor |
| Mr Cowan | Mr Old |
| Mr Coyne | Mr O'Neil |
| Mrs Craig | Mr Ridge |
| Mr Crane | Mr Rushton |
| Dr Dadour | Mr Sibson |
| Mr Grayden | Mr Spriggs |
| Mr Grewar | Mr Stephens |
| Mr Hassell | Mr Tubby |
| Mr Herzfeld | Mr Watt |
| Mr P. V. Jones | Mr Williams |
| Mr MacKinnon | Mr Young |
| Mr Mensaros | Mr Shalders |
| Mr Nanovich | (Teller) |

Pairs

| Ayes | Noes |
|----------------|-------------------|
| Mr Davies | Mr McPharlin |
| Mr H. D. Evans | Sir Charles Court |
| Mr T. H. Jones | Mr Laurance |
| Mr McIver | Mr Blaikie |
| Mr Carr | Mr Sodeman |

Question thus negatived.

Questions Without Notice Resumed

FOOTBALL GRAND FINAL

Televising

8. Mr GRILL, to the Deputy Premier:

In view of the fact that the Western Australian National Football League has announced it is not prepared to allow telecasting of this year's league football grand final, therefore depriving most country people of the opportunity to witness the event, would he be prepared to convey the following requests to the Premier for his consideration and reply—

- (a) Would the Government be prepared to immediately negotiate with the league with a view to allowing a telecast of the event to country areas not proximate to the metropolitan area?
- (b) In the event that the league requires some compensation for any envisaged loss in gate takings as a result of such a telecast, would the Government be prepared to make payment of such compensation from the reserves of the Totalisator Agency Board or from some other Government-controlled source?

Mr O'NEIL replied:

- (a) and (b) I thank the member for Yilgarn-Dundas for some notice of his intention to ask the question. As he pointed out, he is simply asking me to convey the request to the Premier and Treasurer, since the matter falls within his jurisdiction, especially in respect of funds. I will be happy to convey that request to him.