

# Legislative Council

Wednesday, 29 April 1992

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**THE DEPUTY PRESIDENT** (Hon Garry Kelly) took the Chair at 2.30 pm, and read prayers.

## DEPUTY PRESIDENT - CORRECT TITLE OF POSITION

**THE DEPUTY PRESIDENT:** Last evening I said that the correct title of the position that I now hold is Deputy President. I do not care what people call me in a personal sense, as long as it is not late for breakfast! However, a number of members have been using "Acting President", and for the sake of accuracy I refer members to Standing Orders Nos 32 and 33.

## PARLIAMENTARY COMMITTEES - JOINT STANDING COMMITTEE ON DELEGATED LEGISLATION

### *Health (Cervical Cytology Register) Regulations Report Tabling*

**HON TOM HELM** (Mining and Pastoral) [2.34 pm]: I am directed to present the eighth report of the Joint Standing Committee on Delegated Legislation, on the Health (Cervical Cytology Register) Regulations 1991. I move -

That the report do lie upon the Table of the House and be printed.

Questioned put and passed.

[See paper No 121.]

## MOTION - COMMITTEES OF THE HOUSE

### *Premier's Comments Concern*

Debate resumed from 28 April.

**HON P.G. PENDAL** (South Metropolitan) [2.36 pm]: I made the point yesterday in my speech that the Premier was in no position to be using the sort of unparliamentary language for which she was condemning other people for using. I made the further point that it was the Premier who made considerable public play of the fact that parliamentary standards were falling to such an extent that we went to the extent in Western Australia of appointing the Parliamentary Standards Committee under Hon Kim Beazley. I found it curious that the Premier placed such a priority on this matter that she undertook, when she tabled the report in May 1990, to ensure there would be a full parliamentary debate on the contents of that report and thereby on the broad topic of parliamentary standards. I found it curious because it took two years for the Premier to get around to scheduling that debate. Of course, that debate is to take place in the other Chamber in a week or so. That says something about the Premier's view of how serious a matter it is. One would think that if the contents of this report were sufficiently urgent to have said in May 1990 that it required parliamentary debate that debate would have taken place sooner than a two year time span. Therefore, I do not think the Premier is half serious about the matter.

Hon George Cash: Certainly not given the unparliamentary language she was using in the other place.

Hon P.G. PENDAL: Exactly. I drew attention to that when I made a submission to the Parliamentary Standards Committee in a letter dated 24 May 1989. Members will note with relief this letter because it comprises only two substantial paragraphs and I can read it fully into the record. Those two paragraphs state, in part, that -

... I have to say I find it hard to take this inquiry seriously when only a few days ago the Premier himself referred to one senior M P as "a dill" and in recent months one senior Minister called an Opposition M P "a liar" during a radio interview.

I believe improvements in standards can best come about by example. I think the behaviour of the Premier and the Minister fall short of those standards and cast real doubts on his desire for improvement.

The position has not altered. Two years down the track, when we are about to debate that issue we should expect something better of the Premier than her reference to members of the Opposition as necrophiliacs. Not only was the Premier guilty of that language but also she has defended her use of that foul language. Ministers in this House have defended the Premier - this paragon of virtue so far as parliamentary standards are concerned. Government members in this House have defended the Premier's use of such a foul term.

I wish to repeat another point because it bears repetition. Several weeks ago it was national news in this country when Dr Hewson referred to sections of the Labor Party as the closest thing to the Mafia in this country. For that, he was roundly condemned by the media across Australia.

Hon Mark Nevill: It was a disgraceful comment.

Hon P.G. PENDAL: Does Mr Nevill approve of the Premier's use of similarly disgraceful language, such as the reference to necrophiliacs? Does the member support that sort of talk?

Hon Mark Nevill: It depends on the context.

Hon George Cash: It appears Mr Nevill does approve.

Hon Mark Nevill: If I called Mr Pendal an idiot that does not mean he has a certain IQ level.

Hon P.G. PENDAL: That is precisely the double standard about which people on this side of the House are complaining. The Premier cannot have it both ways.

My final point yesterday before debate ended was that the media properly reported in a harsh way on the matters regarding Dr Hewson. Where was the media attention and focus when the Premier made her foul mouthed reference to members of the Opposition as necrophiliacs? Minor reference was made to the matter in *The West Australian*. However, no reference was made in any other news medium. I am appalled to think that the media has once again allowed the Premier off the hook when she was guilty of this slur, not only on members of the Opposition but also on the institution of Parliament itself.

All of that comes back to the motion moved by Hon George Cash yesterday. We all know that the nub of the matter was the sense of frustration out of which the Premier acted because one parliamentary committee in particular was getting close to the truth. Therefore the Premier took the view that if one could discredit the people who would report, one could discredit the report into the bargain. I made the point also yesterday that the Premier came from a good school in that respect.

The Minister for Education yesterday interjected and misunderstood - that is the most charitable I can be - the comment I made. I was not talking about any schools the Premier may have attended; I was talking about the political school in which she grew up. That is, the school of ex-Premiers Burke and Dowding, neither of whom has a reputation to which one would want to attach oneself. Premier Lawrence will end up travelling the same path.

The motion is about defending the rights of parliamentary committees to find the truth, no matter how uncomfortable that is for the Government of the day. The Premier and other Ministers; the Leader of the House, and Ministers and members in this House, can do all they like to discredit the parliamentary committee system, but will not be successful.

Hon B.L. Jones: How can the member besmirch reputations by putting these false images on them? That is all the member is concerned about. The member is trying to drag them down by tying them to these things.

Hon Mark Nevill: It is muck raking.

Hon P.G. PENDAL: We were told four years ago when we started our campaign to appoint a Royal Commission that we were muck raking. There was plenty of muck to rake, and many things have been uncovered as a result. Members of the Government will find no defence in interjecting in that fashion. The fact is that the more the Government is determined to cover up the situation the more members on this side are determined to uncover those matters.

The motion by Hon George Cash is a good one. If anything, it is overdue because of the constant, unremitting attacks by members of the Labor Party on the parliamentary committees which are set up with the blessing of both sides of the House and then found to

be somehow deficient when they begin to get to the truth. I support the motion.  
 Debate adjourned, on motion by Hon Tom Stephens (Parliamentary Secretary).

## **PUBLIC AND BANK HOLIDAYS AMENDMENT BILL**

### *Introduction and First Reading*

Bill introduced, on motion by Hon John Halden (Parliamentary Secretary), and read a first time.

### *Second Reading*

**HON JOHN HALDEN** (South Metropolitan - Parliamentary Secretary) [2.46 pm]: I move -

That the Bill be now read a second time.

The second schedule of the Public and Bank Holidays Act 1972-1983 presently provides that the public holiday for Australia Day shall be taken on the Monday on, or the first Monday following 26 January. As members would be aware, this holiday marks the landing of the first fleet at Sydney Cove.

The question of when Australia Day should be celebrated has been a matter of debate across Australia over the years. The National Australia Day Council and the Returned Services League have urged the States to move the customary observance of the Australia Day public holiday on a Monday to celebrating the day and taking the public holiday on 26 January irrespective of the day of the week on which this date falls.

The movement for this change has gained momentum, especially since the very successful holding of the public holiday in Western Australia on Tuesday 26 January in 1988, when such special arrangements were made because of the significance of the Australian Bicentenary celebrations.

The Government has given careful consideration to the matter and is strongly of the opinion that the interests of the State and its citizens would be best served by changing the existing arrangements and legislating for the holding of the public holiday for Australia Day on 26 January, except where this date falls on a Saturday or a Sunday, in which case the holiday would be on the following Monday. A similar system already operates in New South Wales, Queensland and the Northern Territory.

It is hoped that uniformity of practice will be achieved across Australia so that Australia Day is celebrated on the same day nationwide. Official functions to mark Australia Day in Western Australia take place on 26 January rather than on the designated public holiday. The matter has been considered by the Tripartite Labour Consultative Council and there was general support for the celebration of the holiday on the day on which 26 January falls. The Premier has already announced the Government's intentions in this matter and I am pleased to say that they have been well received by the community.

I commend the Bill to the House.

Debate adjourned, on motion by Hon George Cash (Leader of the Opposition).

## **ROAD TRAFFIC AMENDMENT BILL**

### *Introduction and First Reading*

Bill introduced, on motion by Hon Graham Edwards (Minister for Police), and read a first time.

### **MOTION - DISALLOWANCE**

*Road Traffic (Infringements) Amendment Regulations (No 2), Road Traffic Code Amendment Regulations (No 4) and Road Traffic (Driver's Licences) Amendment Regulations (No 4)*

Order of the Day read for the resumption of debate from 28 April.

Debate adjourned, on motion by Hon Tom Stephens (Parliamentary Secretary).

## MOTION - DISALLOWANCE

*State Energy Commission (Electricity and Gas Charges) Amendment By-laws (No 2)  
and State Energy Commission (Electricity and Gas Charges) Amendment By-laws*

Order of the Day read for the resumption of debate from 8 April.

Debate adjourned, on motion by Hon Tom Stephens (Parliamentary Secretary).

## ADDRESS-IN-REPLY - TWELFTH DAY

### *Motion*

Debate resumed from 28 April.

**HON JOHN HALDEN** (South Metropolitan - Parliamentary Secretary) [2.51 pm]: It gives me pleasure to congratulate the Governor on his Speech and on his term as Governor, which is likely to end shortly. I am sure all members of this House and the other House have appreciated his efforts and hold him in high regard. I also congratulate Hon Jim Brown on his retirement. Hon Jim Brown was one of those rare members who had served in both Houses of the State Parliament. I will not fall into the trap in which Hon Tom Stephens found himself when trying to remember how many members had sat in both Houses, but it is a feat of which to be proud. Hon Jim Brown had the political skills to work successfully in both a single electorate and across a number of electorates. His interest was clearly in representing the people of the Agricultural Region of this State. Although my views and his differed on farming matters - probably because my views were not based on any great knowledge of the matter and more on a belief than anything else - he was always prepared to put forward his views, to have his say and after doing that to let the matter lie. I hope he has a very successful, long and happy retirement.

I also congratulate the new Deputy President, Hon Garry Kelly, for his accession to the distinguished position of Chairman of Committees. That is probably enough of the customary niceties.

Hon P.G. Pental: Mr Kelly does not want you to say too much about him; he is still pretty sore.

Hon JOHN HALDEN: Hon Phillip Pental has raised the issue of Hon Garry Kelly and the Australian Labor Party's preselection for the South Metropolitan Region on a number of occasions.

Hon P.G. Pental: And your part in it.

Hon JOHN HALDEN: I do not wish to evade any question, and the reality is that the Australia Labor Party won three South Metropolitan seats last time and it will win three seats again. On the basis of the problems the Liberal Party has in South Perth, Hon Phillip Pental would not want to get too far into that issue.

Hon P.G. Pental: The Liberal Party does not have a problem in South Perth.

Hon JOHN HALDEN: I will tell Hon Phillip Pental about his Liberal friends in South Perth. Clearly they talk to me more than they talk to him. The people who have lived in the area for 20 years and who did not get preselected do not like the idea of an import being brought into South Perth.

Hon P.G. Pental: Hon John Halden was an import and they still think he is a bit of a clown.

Hon JOHN HALDEN: Unlike Hon Phillip Pental I was successful in getting there. You could not knock the President off.

Hon P.G. Pental: I have been a member for 12 years.

Hon JOHN HALDEN: Not on the top of the ticket. Hon Phillip Pental held a function at his office.

Hon P.G. Pental: Which your wife would not attend.

Hon JOHN HALDEN: She did not get an invitation.

Hon P.G. Pental: I sent her an invitation. If she did not get it I will make sure she gets two invitations next time.

Hon JOHN HALDEN: My wife was somewhat offended by the fact that she did not receive an invitation.

Hon P.G. Pental: It was a very good show.

Hon JOHN HALDEN: The new candidate for South Perth decided he would tell people what the Liberal Party was all about. His main plank is that he would take women out of the work force and cut kids' wages. That is what a person stands for when he comes from Peppermint Grove and lives next door to the Hancocks. The composition of people in South Perth will change. They will reject the Liberal Party because it does not have what it takes. They may not vote for the Labor Party - I will be the first to concede that - but with Mr Grayden encouraging Independents to run and with me also encouraging a few Independents of quality to run in this field, I wonder how long the Liberal Party will last? Will we see another Floreat or Ashburton? We will see whether the Liberal Party can do better than it has done so far, because it has not done too well. The Liberal Party has a track record - except for Mr Pental's ability to mouth off, which is unmatched - of being a loser. Hon Phillip Pental might not like my standing here and speaking but it is my turn.

Hon P.G. Pental: Would Hon John Halden convey to his wife my regret that she did not receive the invitation. It was certainly sent and it was a nice show. It cost me a lot in Chardonnay. I will make sure your wife is invited next time.

Hon George Cash: Having dealt with those seats you might now like to talk about Geraldton and the Labor Party's dismissal of Jeff Carr.

Hon JOHN HALDEN: I am so glad the Leader of the Opposition and the deputy Leader of the Opposition decided to introduce the question of the Geraldton by-election. That was a watershed for the Labor Party, a low point. On April 1991 we picked up 18 or 19 per cent of the primary vote and one year later in April 1992 we picked up 47 per cent of the primary vote in Ashburton. The Labor Party polled 54.18 per cent of the two-party preferred vote.

Hon Tom Stephens: That was a massive swing to Labor.

Hon N.F. Moore: Rubbish!

Hon JOHN HALDEN: The swing against us was a little more than three per cent.

Hon Tom Stephens: Since the Geraldton by-election there has been a 30 per cent swing to Labor.

Hon JOHN HALDEN: Amazingly it was the smallest swing against a Government in a by-election.

Hon Derrick Tomlinson: Hon Tom Stephens is as great a statistician as he is a theologian.

Hon Tom Stephens: Hon Derrick Tomlinson should do the calculations; it represented a 30 per cent swing since the Geraldton by-election.

Hon Derrick Tomlinson: That would be right; Hon Tom Stephens is performing another miracle with statistics.

Hon JOHN HALDEN: The realities are that this three per cent swing is the smallest swing in a by-election against a Government of the day since federation. Members opposite who ran the campaign should think about that. Mr Pental is a bit quiet.

Hon P.G. Pental: I didn't run the campaign, but I thought it was a very good one.

Hon JOHN HALDEN: We all know it was not much of an effort.

Hon P.G. Pental: I thought it was a pretty good effort.

Hon JOHN HALDEN: There were some significant factors in the Ashburton by-election which I will meld into the speech I intend to make. I am glad the Leader of the Opposition and the deputy Leader of the Opposition have led us down this path because it gives me the opportunity to outline some significant reasons why the Government was able to win the seat of Ashburton. Quite clearly the Labor Party has a leader. Members opposite do not have a leader.

Hon Reg Davies: Neither do I.

Hon P.G. Pental: Hon Reg Davies is the leader.

Hon W.N. Stretch: He has not had a challenge yet.

Hon Bob Thomas: If their leader got more support than he does they would be performing better than they are.

Hon JOHN HALDEN: That is another issue quite separate from the Ashburton by-election.

I will talk now about the exit poll which was commissioned by an anonymous person, although I will suggest later whom that may have been. The most favoured person to lead this State is Carmen Lawrence. It does not matter what sneaky little tactics the Liberal Party use -

Hon P.G. Pandal: Why doesn't Hon John Halden tell us about Burke and Dowding? They have been discredited for the most vile things.

Hon JOHN HALDEN: Hon Phil Pandal is not the Royal Commissioner. He may like to be judge and jury but he will never be, thank goodness, because there would never be a fair hearing.

Hon P.G. Pandal: I would like to be executioner.

Hon JOHN HALDEN: I have seen Hon Phil Pandal operate at branch meetings and that is how he is described. The problem is that he cannot deliver the final blow.

Hon Tom Stephens: He keeps cutting off his own head.

Hon JOHN HALDEN: Yes. The Ashburton by-election showed significantly that the Government has a leader and the Opposition does not. The Opposition has chosen to go down that path and the ride is becoming bumpier every day. The exit poll, to which I referred earlier, showed that although Barry MacKinnon may be the Opposition's preferred leader, the public do not agree. The exit poll was conducted by an anonymous person, but I have a fair idea of who that person is. Would I be correct in suggesting that the poll was conducted by a member of the Opposition?

Hon P.G. Pandal: It was actually paid for out of the leader's account.

Hon JOHN HALDEN: My guess is that it was conducted by an old leader of the Opposition, and I bet I know his name.

Hon P.G. Pandal: I think Brian Burke is behind this sneaky scheme.

Hon JOHN HALDEN: Clearly, there is a lack of credibility in the leadership of the Liberal Party. It does not matter whom the Liberal Party puts forward, it will never succeed with the leaders it has at the moment. The front bench of the Opposition is in tatters; its members are not up to it. In the last few days of the Ashburton campaign their standards sank to great depths. The Opposition tried to dig up all sorts of things about WA Inc and presented them to the people of Ashburton. We know the result. We know what is happening at the Royal Commission. The people of Ashburton, like members of this Government, want to get on with it. We know that mistakes have been made and we do not hide behind illusions about that.

Hon N.F. Moore: Not much!

Hon JOHN HALDEN: The processes to correct mistakes made in the past are progressing. We do not deny anything. The reality is that this is not a Burke or Dowding Government, it is a Lawrence Government. The State is facing difficult economic times and there is a high rate of unemployment, yet the Labor Party can still win a by-election with the lowest percentage since federation. Is that not a message for the Opposition? I have counted the numbers on many occasions, as I have done now, and it is time the Opposition thought about its strategies because they are not working at the personal or issue levels. I will now concentrate on the issues level. Two significant issues were raised during the Ashburton campaign. One of those was the goods and services tax.

Hon N.F. Moore: Just a minute! You are the person who told us about the exit poll. You should tell us what the exit poll said about the GST.

Hon JOHN HALDEN: I do not know what it said about the GST.

Hon N.F. Moore: It said that it was not an issue; it was four per cent.

Hon JOHN HALDEN: Four per cent would have been handy for the Liberal Party.

Hon N.F. Moore: It was a long way behind industrial relations which, as you know, was the important issue. It was a long way behind unemployment.

Hon JOHN HALDEN: I am happy for Hon Norman Moore to make my speech for me; however I cannot miss mentioning the issue of industrial relations. There were two issues in the Ashburton campaign that stood the Government apart from the Opposition: The GST and industrial relations.

Hon Bob Thomas: And WA Fightback.

Hon JOHN HALDEN: Yes.

Hon Reg Davies: What is your analogy of the by-election at Wills?

Hon JOHN HALDEN: I am happy to provide an analogy of the Wills by-election. It resulted in a 70 per cent non-Liberal vote. It was won by a nonaligned left winger.

Hon Tom Stephens: An independent Labor candidate.

Hon JOHN HALDEN: Hon Tom Stephens can call it what he likes.

Hon Reg Davies: It was won by an Independent.

Hon JOHN HALDEN: I know Hon Reg Davies' passion for Independents. The reality is that there is no comfort in the result of the Wills by-election for the Liberals or the Government; but the Government will learn from it.

Last year I spoke in this House on the GST and said that it was not a saleable proposition and that the people would not accept it. I predicted that it would ultimately lead to the downfall of the Opposition parties' electoral chances. That is beginning to come to fruition. It should be accepted that the GST is a new inequitable tax which shifts the responsibilities in a regressive way and that it will be difficult for the Opposition to sell, even with all of its cries about the benefits that will be afforded to lower income earners. The Opposition's presentation of the selected shopping basket shows clearly -

Hon Derrick Tomlinson: Whose shopping basket? Was it not the Federal Treasury's shopping basket?

Hon JOHN HALDEN: It was John Hewson's shopping basket to start with. It was compiled by a promotional company, and the vast majority of goods within the basket were goods such as Harpic and dog food. I do not know how many tins of dog food Hon Derrick Tomlinson lives on.

Hon Derrick Tomlinson: It makes excellent pasties.

Hon JOHN HALDEN: That pastie is about to be fed to Hon Derrick Tomlinson. The reality is that with the GST people living on meagre incomes and pensions will be faced with the prospect of 15 per cent increases in the cost of their daily requirements.

Hon Barry House: That is a lie.

Hon JOHN HALDEN: It is not a lie.

Hon Barry House: It is a misrepresentation of the truth.

Hon JOHN HALDEN: It is not. Basic commodities will cost 15 per cent more with a GST.

Hon W.N. Stretch: You are absolutely wrong.

Hon Tom Stephens: He is not. You don't understand your own package.

Hon JOHN HALDEN: I invite honourable members opposite to sell it to the community. I am selling the message of what the GST will mean to the electors of Melville and the South Metropolitan Region. The people of Willagee are not fond of the concept of having to pay an extra 15 per cent for the basic necessities of life. That was highlighted in the successful political tool put out by the Seamens Union of Australia. It released a \$5 note which had been reduced in value to \$4.25 by virtue of the GST. That is what the GST means to the average working family in this State.

Hon N.F. Moore: You tell blatant lies.

Hon JOHN HALDEN: The Deputy President would not be happy to hear Hon Norman Moore say that.

Hon N.F. Moore: I am not talking about you personally, but about your organisation.

Hon JOHN HALDEN: I invite Hon Norman Moore to get out on the hustings again and put his side of the story, and I will put the Government's side and we will see who wins.

Hon N.F. Moore: Provided you tell the truth.

Hon Tom Stephens: We will be telling the truth.

Hon N.F. Moore: You didn't in Ashburton. You told lies. I can prove it, and if you had open minds you would listen to my argument. You said that rents would increase by 15 per cent and they will not.

Hon JOHN HALDEN: The GST will be a difficult proposition for the Opposition to sustain because it is flawed. It is nothing but a regressive tax that will disadvantage the poor and greatly appreciate the capital assets of the rich.

Hon N.F. Moore: How will the rich get richer?

Hon JOHN HALDEN: The taxation rates will be lower.

Hon N.F. Moore: That is right.

Hon JOHN HALDEN: That is for the rich.

Hon N.F. Moore: For everybody.

Hon Tom Stephens: Mr MacKinnon has said that it will be good for people earning \$75 000 a year.

Hon JOHN HALDEN: I am glad Hon Tom Stephens has reminded me of that. Mr MacKinnon went to the Pilbara and totally misrepresented the goods and services tax. He told a gathering of people whom he thought earned more than \$75 000 a year that they would be better off with the GST. It is only the people in that salary bracket who will benefit, no-one else. That is what the GST is about. I hope that the Opposition continues to run with its GST policy because it will be very interesting. Last time I raised this subject members opposite were actually prepared to concede that selling the GST would be very difficult. They have now moved away from that and are now trying to defend it. I will encourage them to go down that path because the more they do so the more the Labor Party will have the wood on them. It will be delightful and I am only too happy for them.

Hon George Cash: Did you read this morning's *The Australian Financial Review*?

Hon JOHN HALDEN: No.

Hon George Cash: I suggest you read the article by Ken Dodd under the headline which states that the GST is not as bad as all that. You might educate yourself if you read it and it will help you to get away from reading these prepared speeches from the Ministry of the Premier and Cabinet.

Hon JOHN HALDEN: Is the member implying that my handwritten notes are a prepared speech from the Ministry of the Premier and Cabinet?

Several members interjected.

Hon JOHN HALDEN: I know that my speaking about the GST gets up Hon George Cash's nose but he must do better than say that my speech has been written by the Ministry of the Premier and Cabinet. It will not work. My speech was written by me. It is a simple speech and it is delivered by probably a simple person, but the message is the correct message.

Hon George Cash: Read this morning's *The Australian Financial Review* and you will change your tune. Ring Paul Keating and ask him what he thinks about the GST. He supports it.

Hon JOHN HALDEN: At the end of the day the only people I am interested in when it comes to the GST are the people who will vote for or against it. I am not fussed about what Paul Keating or members opposite think about it. People will not vote in favour of the GST. Members opposite know that and they must get their party's hierarchy to understand that. The member raised Paul Keating's attitude; the Labor Party did flirt with the idea, but it got smart.

Several members interjected.



Hon JOHN HALDEN: Hon Bob Thomas made a reasonable interjection and I congratulate him for doing so. He said that instead of introducing a GST Paul Keating introduced a fringe benefits tax and a capital gains tax. Those taxes are designed to be progressive taxation mechanisms, not regressive like the GST. The Australian Labor Party rejected the idea of a consumption tax in 1985 because it was a regressive tax and it could see what it would do to the average working family in this country.

Hon N.F. Moore: So he brought in another tax. Ask Mr Stephens and Mr Taylor what they think about that.

Hon JOHN HALDEN: Opposition members should sell their policy and I will sell the Labor Party's.

Several members interjected.

Hon Tom Stephens: That is not true. It is in regard to its impact on the north west and modifying the scheme so that it does not become a source of disadvantage to the people in the north west.

The DEPUTY PRESIDENT (John D.J. Wordsworth): Order! The member on his feet has the floor, not other members.

Hon JOHN HALDEN: I think members are doing very well and it might be an idea if I sat down and let them continue.

Hon George Cash: The interjections make more sense.

Hon JOHN HALDEN: The unfortunate fact is that I have to sit in this place and listen to members opposite.

Hon George Cash: You should apologise for not having read this morning's *The Australian Financial Review*.

Hon JOHN HALDEN: I do. I am sorry I have not had the time to read it. I had to be at my electorate office at 8.00 am today because I had a constituent appointment and subsequent to that I had three other appointments. I then had to attend a luncheon with a constituent group from my electorate. I am sorry I did not have the opportunity to read that paper before 2.30 pm.

Hon George Cash: That probably explains your ignorance about the Liberal Party's taxation reform.

Several members interjected.

Hon JOHN HALDEN: It is interesting that Hon George Cash refers to an article in a newspaper -

Hon J.M. Berinson: He cannot refer to anything in his party's policy!

Hon Tom Stephens: They are running scared of their party's policy.

Hon JOHN HALDEN: I will refer to an article from *The West Australian* dated 25 April which is titled "The case against Fightback" -

*The GST and the Fightback! Package - a Nightmare Australia Must Avoid*, by Austin Donnelly. Published by Boolaroong Publications.

Dr John Hewson is having a rough time selling his sweeping Fightback package to the electorate.

Opinions on the economic benefits of a goods and services tax vary.

But Austin Donnelly, a respected investment adviser and the author of 36 textbooks on financial matters, has no doubts.

In his latest offering, he says the proposed Fightback package, if it is introduced, would be a disaster.

Several members interjected.

Hon JOHN HALDEN: We can swap authors if members opposite like. To continue -

He says that it would erode the nest eggs of many Australians and that the compensation package offered by the Coalition will be inadequate.

It will increase inflation and do this by increasing the cost of necessities such as bread, milk, fruit and vegetables, while reducing the price of luxuries.

I come back to the issue of regressive and progressive taxation.

Hon W.N. Stretch: By how much will it be increased?

Hon JOHN HALDEN: I do not have the figure with me.

Hon W.N. Stretch: It is four per cent, not 15 per cent.

Several members interjected.

Hon Kim Chance: It has to be 15 per cent.

Several members interjected.

The DEPUTY PRESIDENT: Order! I will not have several debates taking place in this House at the one time. It is very difficult for the Hansard reporter and the member on his feet.

Hon JOHN HALDEN: The article continues -

He says that supporters of the package have "Goebbelled" the public.

It will be enormously difficult for members opposite to sell the GST package. We can swap authorities but the basic issue is not about that; it is about the type of taxation system that members opposite want and the type of taxation system that we have put in place and desire to retain. That system is basically fair: Those who can afford to pay the most, do so. That has been this party's tradition since its inception and it does not waiver from that. It does not matter how members opposite try to sell their package, it will not be successful.

Hon Tom Stephens: Is it not true that they had to bring in someone else to try to sell the package?

The DEPUTY PRESIDENT: Order! The member on his feet can make his own speech.

Hon JOHN HALDEN: I am glad Hon Tom Stephens has raised this matter by way of interjection. It is interesting that the Liberal Party has now called on its previous environment spokesman to try to sell its GST package. It does seem very strange to me.

Several members interjected.

Hon N.F. Moore: It is like the person who ran your campaign in Ashburton.

Hon JOHN HALDEN: We picked a winner!

Hon Tom Stephens: We saw that the National Party had good people for Geraldton and we thought we would get the same people for us.

Hon JOHN HALDEN: It is strange that "Red Fred" has been elected to come to the aid of the Liberal Party, but the party does have some problems. John Hewson is limping and he has more problems than one can point a stick at. He simply cannot control the issues of this debate in the Federal Parliament and the Liberal Party is losing. It has appointed its previous environment spokesman to assist it - good luck to him because he is probably more capable than most of the other members on the Opposition side.

Hon Norman Moore mentioned the Ashburton by-election. Quite clearly, the issue in that election was industrial relations. The conservatives have made yet another mistake. As I pointed out by way of interjection when Hon Bill Stretch addressed this House in this debate, the conservative's Fightback WA package fails to mention the word "union". It is not by accident that they did that. They did not do that because they were silly. It was a deliberate step designed to isolate the group which represents the interests of workers in this State.

Hon W.N. Stretch: Some workers.

Hon JOHN HALDEN: I concede that.

Hon W.N. Stretch: What percentage of the work force is now unionised?

Several members interjected.

Hon JOHN HALDEN: I believe 49 per cent.

Several members interjected.

Hon JOHN HALDEN: I am happy for others to make their speeches, but I will continue with mine. The matter of enterprise bargaining is one that the Opposition has encapsulated in its policy document at both the State and Federal level. It is based on the New Zealand system. Basically, it gets rid of the union movement and enterprise bargaining and involves little, if any, involvement of the Industrial Relations Commission. That is significantly different from the policy of my party. The Opposition's policy boils down to employers and employees negotiating wages and conditions, presumably - although this is not clear - with some minimum conditions set.

Hon Barry House: Why have we seen two resignations from the bench of the Industrial Relations Commission lately involving people critical of Peter Cook, Keating and others?

Several members interjected.

The DEPUTY PRESIDENT (Hon J.N. Caldwell): Order!

Hon JOHN HALDEN: The minimum conditions set in New Zealand are exactly that - minimums. A minimum wage applies only to those over the age of 20 years. Penalty rates, holiday leave loading and a whole range of other industrial conditions instituted over a long time have been abolished. It is unclear what workers are entitled to by way of long service, annual, maternity and sick leave. The same applies to the package put forward by the Opposition here. The New Zealand model has the single minimum condition or safety net of a minimum wage for those over the age of 20 years. What are the conservatives in New Zealand clamouring for now? What are the employers in New Zealand clamouring for? A reduction, if not the abolition, of that minimum wage. Why is that? Because they believe household domestic staff are too expensive at \$240 a week. It may be that such a situation was tolerated in South Africa until recent times; that is, domestic staff being paid low wages and being exploited to the high heavens. The day that approach comes to this country, or to New Zealand, will herald a sorry state for workers and those who are less well off.

Hon N.F. Moore: What about the unemployed you worry about so much - that 11 per cent of our population who have no job because of your Government? And you are worried about minimum wages! That shows the level of your concern.

Several members interjected.

The DEPUTY PRESIDENT: Order! The debate will return to the member on his feet.

Hon JOHN HALDEN: It is interesting that Hon Norman Moore seeks to use that old tactic. It is a tactic despised by those of us who have a history of involvement in the Labor Movement on one side or the other. He seeks to play worker off against worker and tries to play the unemployed off against the employed. He seeks to divide and conquer; that is the name of the game here. Hon Norman Moore is trying to make those without a job despise those with a job. That is the sort of community the Opposition wants to build. It should go right ahead and try to do so. That is not an approach that any Parliament or political party should push, because in a sense that is what this argument is about - a divide and rule mentality.

Hon N.F. Moore: The Prime Minister is the greatest divider who has ever existed in this country. He talks about one nation but is the most divisive Prime Minister in our history.

Hon JOHN HALDEN: I have always admired the man who can control the agenda.

Hon Barry House: And John Hewson has done that beautifully.

Hon JOHN HALDEN: He is doing well, I must admit. I have not seen him exhibit any control of the agenda since Mr Keating became Prime Minister. I recently had the pleasure of sitting on the floor of the House of Representatives during question time and it was remarkable to see -

Hon Fred McKenzie: He cannot control tariffs with the coalition.

Hon JOHN HALDEN: I will come to that in a moment, Mr McKenzie. The Opposition shows an inability to control the Parliament or any agenda and that is reflected clearly on the floor of the Federal Parliament.

Hon Tom Stephens: He won't even look at Keating.

Hon JOHN HALDEN: That is correct. The body language of the Leader of the Opposition is one of turning half side on or turning his back to the Prime Minister.

Several members interjected.

Hon JOHN HALDEN: I turn to what is happening to industrial relations in New Zealand. Members should be under no illusion as to what is happening in New Zealand because what is happening there is what members opposite propose should happen in this State.

Hon N.F. Moore: Have you read widely about New Zealand and all sides of this argument?

Hon JOHN HALDEN: I cannot claim to be versed in all that has been written about it.

Hon N.F. Moore: I am sure Hon John Halden is taking a balanced approach.

Hon JOHN HALDEN: I try.

Hon W.N. Stretch: Have you looked at its export performance?

Hon JOHN HALDEN: The New Zealand Government turned the unions there into societies so that awards established over 60 or 70 years became worthless. It is denying the automatic right of employees of a union to have access to business sites. It has removed the union's automatic right to look at wages and time books and has made it difficult for people to lodge occupational health and safety claims because, in essence, they have to negotiate those conditions with their employer in the first instance. One can imagine what an employer replies when an employee says that something is dangerous. Under an agreed bargain contract the employer will say, "Go back to work." People will not be able to call on a union to come on site, because unions are not allowed on site. As a result, there will be no justice even on the most rudimentary issues of industrial rights. New Zealand's performance following those significant economic reforms shows that it is really not doing that much better than it was before. What is the unemployment rate at present?

Hon Bob Thomas: It is 15 per cent.

Hon Tom Stephens: What is the immigration rate?

Hon JOHN HALDEN: I think it is about the same.

Hon Cheryl Davenport: The unemployment rate is 19 per cent.

Hon JOHN HALDEN: Hon Bob Thomas says the unemployment rate is 15 per cent, but Hon Cheryl Davenport now tells me it is 19 per cent as a result of this new industrial relations-economic package that members on the other side would implement in this State.

Several members interjected.

The DEPUTY PRESIDENT: Order! Members will cease interjecting.

Hon JOHN HALDEN: Thank you, Mr Deputy President.

The economy of New Zealand is somewhat similar to ours. It is not blessed with the same resources but it faces some of the same geographical and restructuring problems. Members opposite would suggest that we go down that road of extra high unemployment, lower wages, reduced working conditions, reduced spending power and presumably, based on that, reduced ability for consumer spending; and who benefits? Very few.

Hon Bob Thomas: Nissan will relocate over there.

Hon JOHN HALDEN: Some companies may well relocate to New Zealand, but the average New Zealand worker will benefit little. Although manufacturers may decide to relocate to New Zealand, that country's workers and families will not be able to afford the produced commodity. We must be smarter than that in developing a holistic approach to the economic development of the country. The Opposition must look at these matters very carefully. One issue which united the Labor Party and the Labor Movement was industrial relations. If members want to see what the Labor Party and its kindred organisation, the Labor Movement, can do they should look at Ashburton. The Opposition took us on on that front, where we are not most vulnerable but rather most united. With all the differences that may exist in a political organisation as broad as the Labor Party, in the last few years the thing that has united us more than anything else is the Opposition's industrial relations policy and its absolute contempt for the union movement by not even mentioning it in its Fightback WA document concerning the future of this State.

I turn now to the Opposition's Fightback package as it applies to my own electorate, and in particular I refer to its policy on Homeswest. There are considerable areas of Homeswest

accommodation in my electorate, stretching from Willagee and Manning all the way down through Kwinana, and shortly to Rockingham. The Liberal Party's public housing policy proposes to give 50 per cent discounts to people to buy housing, thereby reducing the stock of Government housing, and to turn that money into new accommodation. However, as is often the case, this matter was not carefully thought through. The first hurdle the Liberal Party encountered was that discounting the sale price of public sector housing is prohibited under the Commonwealth-State Housing Agreement; so the Liberals will have to overcome that. Assuming that they can, the next hurdle, which is the crucial one, is that if they sell off significant proportions of public housing, discounted, their ability to replace the necessary number of housing units will be limited. The effect will be a rundown in the number of homes available in the public sector. It must be realised that four out of five people who live in public sector housing would not be able to afford a house, even discounted by 50 per cent, as there is no way any institution would be prepared to assist them in taking out a loan.

The Liberals' idea was that the stock of Government housing would be sold off at about 10 per cent a year, but if it were sold off at that rate people who cannot afford any other accommodation would be taken out of that housing sector. They would be displaced, because very shortly public sector housing would become scarce, or the maths have not been done properly, and there is only a small proportion of public sector housing available anyway. I suggest that what is proposed by the Liberal Party is not socially or economically feasible, nor viable. There is no doubt that to do what has been suggested would not assist waiting lists; rather, it would lengthen them. It would put those who can least afford housing into the private market, where housing is dearer. So at the end of the day those people will not benefit and, to talk in taxation terms, we would have a system which is basically regressive, and it would not assist those people whom it is designed to assist.

The Liberal Party must very carefully go through its sums on the issue of public sector housing. Members opposite may like to go to the Thatcher model of the United Kingdom, under which public sector housing was sold off, but that has resulted in a burgeoning number of homeless people. The public sector there has reduced its commitment and its responsibility to providing housing to people on lower incomes and the results are graphic. We have all seen scenes of people living in boxes in subways in London. If that is what members opposite want, let them be honest about it. Let them talk about selling off the Government housing sector and about the Government's getting out of that sector of the economy.

Hon George Cash: It is fair to say there are more homeless children now on the streets of Perth, living under bridges and certainly in boxes, than there were when the Liberal Government was in office.

Hon JOHN HALDEN: That is a very good point and one that I cannot deny; but that was 10 years ago.

Hon W.N. Stretch: You have been in Government since.

Hon Mark Nevill: It is a problem all around the world.

Hon JOHN HALDEN: That is right; it is a global problem.

Hon George Cash: You can't dismiss it as easily as that.

Hon JOHN HALDEN: The issue must be addressed, not by ill considered schemes such as I believe this one to be, but by a commitment to increase the stock of public housing rather than reduce it. This Government has instituted buy-back arrangements which have been taken up quite successfully, particularly in country areas. A number of public sector houses have been sold because the demand for public sector housing in many small rural towns is no longer as high as it is in the metropolitan area or in major regional country towns. Therefore, to shed our commitment and responsibility in those areas is appropriate. I do not think members opposite have any problem with that; when we have announced those policies they have supported them, and that is reasonable. However, the Liberal Party policy on public sector housing is flawed.

I have previously talked in this place about the Willagee redevelopment. At the beginning of the Willagee project Doug Shave, the member for Melville, vehemently opposed the project. He and I had a number of battles in the local newspaper. I am pleased to say that the project has gone ahead. Although I must admit I took a bit of pain over the issue in some of the

Press, today I can honestly say that the redevelopment in Willagee is to the credit of not only the Government but also Homeswest. I had the opportunity of talking to people as they visited the office in Willagee. Those people were not housed by the project at that time but were to be given accommodation in either the next stage or the stage after that. The interest and commitment that those people expressed in their new homes, such as carrying out alterations, and their absolute delight at their getting out of 1950s Austrian prefabricated houses - cold in winter and hot in summer, which were falling to bits - cannot be overstated. They showed absolute pleasure at having reasonable accommodation for the first time in a long time. It makes someone such as me, who obviously had a bit of a tussle getting the matter raised with and accepted by the Government and the community, very happy. It reinforces the reasons that some people become politicians. Politics is not necessarily an easy road, but it is satisfying to see people benefiting from such projects, if one is not as cynical about the political process as we normally are.

The redevelopment at Willagee does not stand alone. Such redevelopments are occurring throughout the metropolitan area. There is no doubt that there is a process of urban consolidation. Although the population density will increase, those on low incomes will not have to live on the fringe of the metropolitan area. People who are young, old, or have families or whatever, will be able to live close to their employment and families and will be able to do so without having huge financial commitments. This can be done through the very deliberate policy of the Government. I must also congratulate the Minister for that policy. The idea that we can continue to allow an urban sprawl and absorb the costs of that sprawl must eventually be challenged. We can all agree on the difficulties of challenging it, and also on the difficulties of getting the community to accept reasonable degrees of urban consolidation.

The Government is leading the way in Willagee, Rivervale and Belmont. I am not sure whether members opposite have seen the new housing stock, but it is very good housing and is something that any politician ought to have a look at to see the standards that are now being put forward by Homeswest. It is the market equivalent to anything in the private sector, as it should be. It is not that long ago that the then Housing Commission built what I consider were some very poor and shabby constructions and housed people in them throughout the metropolitan area. Members do not have to look much further than the suburb of Lockridge to see examples of this. I know that Hon Fred McKenzie agrees that some of those large blocks of flats had significant problems, both socially and with maintenance. The new developments by Homeswest are very exciting examples of how we ought to be progressing with our housing policy in this State. It is also pleasing that Homeswest is looking at other types of developments. It is looking at the redevelopment of the Fremantle wool stores as a new way of bringing people into inner city Fremantle so that Fremantle will not suffer the same fate as the city of Perth. That is an appropriate development. The approach by Homeswest to develop the old railway institute site in Wellington Street is also worthy of praise because it shows that the Government is appropriately leading the way. The Government is entering the market and showing others that there is a market for inner city urban living, that a broad spectrum of people can be attracted to inner city living, and that it will bring something back to the city.

Hon Fred McKenzie: The city is dead on the weekends.

Hon JOHN HALDEN: Exactly.

*Sitting suspended from 3.45 to 4.00 pm*

Hon JOHN HALDEN: Before the House suspension for afternoon tea I was talking about the intervention of Homeswest in the market and that that was a very reasonable and astute example of how financial and social engineering can occur in a Government sector. It is an example of areas which this Government, and Labor Governments traditionally, have shown great strength of character in developing. In fact, many of the projects developed have become the status quo throughout this country.

I refer now to another part of the Opposition's Fightback package - the debt reduction - and again I do not think it is necessarily well thought out or costed.

Hon P.G. Pandal: You should know about the debts which you have created.

Hon JOHN HALDEN: We can swap information about that. I refer to the North West Shelf

gas project for which the Liberal Government paid too much. It did not negotiate it properly and had to be bailed out by the Labor Government under a new agreement. Any time Hon Phillip Pandal wants to talk about debt we can swap information. Without a doubt that project was a mess and the Labor Party sorted it out, as Hon Mark Nevill said earlier. Hon Phillip Pandal raised the matter and it is true to say that if that agreement entered into by a Government of his political persuasion -

Hon P.G. Pandal: Supported by the Labor Party.

Hon JOHN HALDEN: It was supported in principle, not in the word to word detail of the contract which the Liberal Party blindly entered into. Had the contract not been renegotiated this State would be broke. The Opposition and the Labor Party know that.

Hon P.H. Lockyer: Don't talk about the North West Shelf sending this State broke.

Hon JOHN HALDEN: I am happy to swap information. Members opposite would be better off if they let me make my speech. The Opposition's Fightback package proposes that by the year 2010 the State will be debt free.

Hon P.G. Pandal: Yep!

Hon JOHN HALDEN: Listen to the little parrot over there. The basis of the Liberal Government's proposal is that for its first four years in power it would not pay any debt. After that, it would pay off debt until the year 2010. In other words, the Government would pay between \$500 million and \$650 million a year, based on how the debt was calculated and what sectors of quasi Government it included in the debt formula.

Hon Derrick Tomlinson: That is almost equal to the rate at which your Government accumulated debt.

Hon JOHN HALDEN: What would Hon Derrick Tomlinson, who so boldly interjected, cut to pay between \$500 million and \$650 million a year?

Hon Derrick Tomlinson: All the wasteful programs your Government introduced to accumulate the debt.

Hon JOHN HALDEN: Would he really want to cut the health budget of this State by half every year?

Hon Derrick Tomlinson: It cannot be cut any more.

Hon JOHN HALDEN: Would he want to cut it by half until the year 2010? Of course he would not. Would he want to cut the education budget by half?

Hon Derrick Tomlinson: You trimmed all the worthwhile programs and brought in a lot of rubbish.

Hon JOHN HALDEN: Of course those budgets cannot be cut any more.

Hon Derrick Tomlinson: We will cut out the wasteful programs and reorganise the priorities.

Hon JOHN HALDEN: Where does the member propose that will happen? His rhetoric about wasteful programs is fine; however, he is not being realistic. I challenge members opposite to tell me specifically where they will cut between \$500 million and \$600 million per annum from the State Budget from 1995 to 2010.

Hon Kim Chance: It is enough to deep sewer all of Perth in a year and a half.

Hon JOHN HALDEN: I do not doubt that. I cannot understand why the Opposition is so averse to the idea of debt. Why does it want to be debt free? Debt is involved even in the family budget. If we look at that situation from a simplistic micro level to a macro level -

Hon Derrick Tomlinson: If you were counselling a family would you not talk about manageable debt?

Hon JOHN HALDEN: Of course. In this State Budget we are talking about manageable debt. No matter what members opposite may say, it is manageable debt.

[Leave granted for the member's time to be extended.]

Hon JOHN HALDEN: I thank my colleagues on both sides of the House for supporting me in my bid to continue. I will only take as long as members make me.

Hon Mark Nevill: We are eager to be stimulated.

Hon JOHN HALDEN: I am pleased about that. Debt free State finances are not sustainable. Why should future generations not pay for the resources they will enjoy? Obviously they should. Those debts must be paid and the results will be enjoyed by future generations. Infrastructures are put in place to be enjoyed by not only Joe Blow today but also by society in the future.

Hon Derrick Tomlinson: You are not spending on infrastructure. That collapsed by 50 per cent under your Government; that is the problem. You are using capital loans to pay recurrent costs.

Hon N.F. Moore interjected.

Hon JOHN HALDEN: What would Hon Norman Moore do to restructure the Public Service? Would he sack people? I am sure that would be his attitude; however, it is not one the Labor Government will accept. If people are to be made redundant, it must be with a reasonable package which will provide for their security. Whatever position Hon Norman Moore takes, it would ideologically be to the extreme right which would see people living on bread crumbs. The Labor Party will not accept that; restructuring will be done on a fair and considered basis.

Finally, I congratulate the Premier, the Minister for Police and the Cabinet on their recent decision about the tribunal to be established concerning complaints against the police.

Hon E.J. Charlton interjected.

Hon JOHN HALDEN: What did Barry MacKinnon propose; two extra people? We must be fair. I am glad Hon Eric Charlton raised that.

There is yet again a sizable difference between that which the Government proposed and that absolute nothingness that the Leader of the Opposition proposed. His proposal was that the current situation would remain except that, instead of having the Ombudsman, there would be a three person tribunal. He proposed absolutely no more scrutiny to ensure the authenticity of the process than two extra people. I note that members opposite are quiet about that. It is only right that they should be because that is exactly what that proposition was.

Hon George Cash: We have asked our members not to interject because we want you to finish as soon as possible. We have the management of the House structured.

Hon JOHN HALDEN: To quote the Leader of the Opposition, the Address-in-Reply is the most important debate in this House. I am exercising what he sees as the House's right.

The tribunal has been called for by the community, which requires that complaints against police not only be perceived to be dealt with but are dealt with. It is fair for the community to request a system in which it has confidence. I am sure that the proposal put forward by this Government - one in which I must admit that I have played a role in talking to people - is a very good proposal. Hopefully the community will see that we have made an effort to try to comply with its desires to have a system which is open to scrutiny and is accountable and which the police themselves have confidence in. Investigations of complaints against police will be done by police. However, they will be overseen by a variety of other people depending on the seriousness or otherwise of the matter. This is a long overdue reform and is a hallmark of the sorts of packages and policies that the Lawrence Labor Government is putting in place to set itself apart from any other Governments of this State.

I congratulate all those people whom I mentioned previously and I support the motion.

Debate adjourned until a later stage of the sitting, on motion by Hon Reg Davies.

[Continued on p 1428.]

#### **STANDING COMMITTEE ON LEGISLATION - LAND AMENDMENT (TRANSMISSION OF INTERESTS) BILL**

##### *Report Tabling*

**HON GARRY KELLY** (South Metropolitan) [4.13 pm] - by leave: I table the report from the Standing Committee on Legislation on the Land Amendment (Transmission of Interests) Bill and move -



That the report do lie upon the Table and be printed.

Question put and passed.

[See paper No 122.]

## **BUSINESS FRANCHISE (TOBACCO) AMENDMENT BILL 1991**

### *Second Reading*

Debate resumed from 2 April.

**HON MAX EVANS** (North Metropolitan) [4.14 pm]: The Opposition supports this Bill. The Bill is such that, when it was introduced into the other place on 7 November 1991, one would have thought that it was a most urgent matter. It was introduced to gain extra revenue for the State from penalties laid down in the Business Franchise (Tobacco) Act. It came to this House on 2 April but still there was no great panic to get this Bill through. As stated in the second reading speech -

This Bill amends the Business Franchise (Tobacco) Act to authorise the imposition of a penalty when an assessment is raised because a licensee understates the value of tobacco products sold during the sales period on which the licence is based. Under the current provisions, where a licensed supplier understates the value of tobacco products sold, with a consequent underpayment of the licence fee, the Commissioner of State Taxation is authorised to issue an assessment for the amount underpaid. However, the Act does not impose any penalty on taxpayers who evade their licence fee obligations in this way.

The original Act was introduced in the 1970s when the Government introduced tobacco licence fees. Historically, Tasmania imposed a tax on tobacco which the High Court ruled it could not do because no State could raise a tax on tobacco sales. A licence fee was then set on the sales of tobacco products for a 12 month period to June, but that fee was paid during the next year. If the sales totalled \$10 million in one year, the licence fee, which in those days was 10 per cent, was \$1 million paid the following year. Therefore, the trader would put 10 per cent on the value of his sales. However, by the time the fee had to be paid, sales had probably increased to \$12 million and by the time the 10 per cent was added, the sales would total \$13.2 million. Therefore, although only a \$1 million fee was paid, \$1.32 million would have been collected. In the early days, the wholesale tobacconist made a lot of money because of inflation on cigarettes and the licence fee being based on the previous year's sales. Some wholesalers were making more money from that than they were from selling cigarettes.

**Hon J.M. Berinson:** Why did that not balance out when they came to the next year's payment?

**Hon MAX EVANS:** In the next year he would have \$13.2 million worth of sales and the licence fee for the year after would total \$1.32 million. However, with inflation the sales for that year would have increased to \$15 million. Therefore, he would collect \$1.5 million but would have to pay only \$1.32 million because of the lag in the system. The Government rectified the problem later and therefore does not have to panic today. It decided that it would carry out an assessment every six months, which was reduced to a three monthly assessment and now the licence fee is paid on sales for the previous month. The anomaly in the old system was that, if a wholesaler lost a large customer such as one of the large supermarkets which might buy \$1 million worth of tobacco products, the wholesaler did not have the \$1 million sales for the next year on which he would be assessed for the next year's fee. He therefore lost a lot of money.

**Hon J.M. Berinson:** I do not understand that. You have just said that the trader collected the amount in the year of sale, so that must have been available to the State Taxation Department the following year.

**Hon MAX EVANS:** If he lost a major customer his sales dropped. If he had \$10 million worth of sales in one year and \$9 million the next year -

**Hon J.M. Berinson:** Yes, but the \$10 million included the \$1 million he collected in advance of next year's payment.

**Hon MAX EVANS:** His next year's fee would be \$1 million and he would collect only

\$900 000 on his \$9 million sales. Therefore, he would go backwards. That was the problem with the Act. If the amount of the sales dropped the following year there was no way the figure could be picked up.

Hon J.M. Berinson: Did you not explain before that the payment of a licence fee always followed its collection so that the trader was never asked to pay anything that he had not already collected?

Hon MAX EVANS: He picked up the first year on a zero base. In the following years he was assessed on the previous year's sales but collected the fee through sales. If sales increased, he made a profit, but if the sales dropped, he lost money. That was the worry that existed in the old days when the fee was paid every 12 months. The wholesaler may have lost a large supermarket such as G.J. Coles Pty Ltd which might be 40 per cent of his sales. If his sales went from \$10 million one year to \$6 million the next year the wholesaler would only collect the licence fee on \$6 million worth of sales and not on the \$10 million that he had collected the previous year. With all of the remodelling of the Act to deprive the wholesaler of those abnormal profits, it is amazing that the penalty factor was never picked up. It is important that the statistics that were given on the sales for the previous year, quarter or six months had to be exactly right because it was on that basis that the licence fee for the next year was assessed. In 1983 the Government increased the tax on cigarettes by 25¢ on each packet. In the first year it received an additional \$30 million from that increase and in the following nine years the annual income averaged \$40 million. Therefore, the Government has gained \$360 million additional tax from the sale of cigarettes, which is more than previous Governments received from the additional levy. It appears that Hon Margaret McAleer and others who smoke are happy to have made this great contribution to the revenue of the State. The additional tax levied gave the Labor Government a huge increase in revenue from the business franchise tobacco licence fee.

This legislation will give the Commissioner of State Taxation the power to assess a penalty for the understatement of sales in a previous period on which a licence was based. The proposed amendment will redress a deficiency in the Act by providing the commissioner with the authority to impose a penalty equal to the amount of any increase in a licence fee resulting from a reassessment. The amendment will also authorise the commissioner to remit the penalty in whole or in part where the circumstances warrant. That is a good thing, because abnormal circumstances might arise - for example the person may have taken over the business from another - and an innocent error could be made. It was stated in the second reading speech -

These changes will bring the Business Franchise (Tobacco) Act into line with the legislative penalty provisions of other self-assessed returns-based taxes. The penal provisions will not apply to a reassessment of licence fees issued prior to the amendment coming into force.

I have one further query for the Attorney General, although I do not expect him to provide the answer in the next five minutes. How many assessments have been raised since 7 November for which penalties cannot now be assessed? Normally there is a great panic by the Government to get these Bills through to increase revenue, but that did not occur on this occasion. The Liberal Party supports the legislation.

Question put and passed.

Bill read a second time.

#### *Committee and Report*

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

#### *Third Reading*

Bill read a third time, on motion by Hon J.M. Berinson (Attorney General), and passed.

### STANDING COMMITTEE ON GOVERNMENT AGENCIES - SOUTH WEST DEVELOPMENT AUTHORITY

#### *Report Tabling*

HON N.F. MOORE (Mining and Pastoral) [4.26 pm]: I am directed to present the report

of the Standing Committee on Government Agencies relating to the South West Development Authority. I move -

That the report do lie upon the Table and be printed.

Question put and passed. [See paper No 123.]

### ADDRESS-IN-REPLY - TWELFTH DAY

#### *Motion*

Debate resumed from an earlier stage of the sitting.

HON REG DAVIES (North Metropolitan) [4.27 pm]: I, too, take this opportunity to thank the Governor, Sir Francis Burt, for his Speech on the occasion of the opening of this session of Parliament on 12 March. As did other members, I record my sincere appreciation to His Excellency and Lady Burt for the distinguished and dignified way in which they have carried out the vice regal duties in this State. Their contribution to Western Australia in this role has been an example to people everywhere, and I know history will treat them very kindly. I also wish them well in their future retirement.

This is probably not the time to canvass names to fill the position of Governor when it becomes vacant, but I have always been happy with the previous practice of appointing prominent ex-servicemen to the post.

Hon P.G. Pandal: Word has it that Mr Berinson has got the job, so I would not bother.

Hon REG DAVIES: However the break from that tradition in recent years has proved to be an outstanding success.

Hon Mark Nevill: You were never a general.

Hon REG DAVIES: Is it necessary to have been a general to be appointed to Governor? I was as good as a general.

We are now entering a new era and, rather than scrutinise individuals to find a person to fill this important and prestigious position, perhaps we should reflect modern thinking and encourage the Government to choose somebody from a group within the community that has not previously been represented in this high office. For example, Western Australia has yet to appoint a woman as Governor, in spite of the fact that we trust women with almost everything - including life itself.

Hon Fred McKenzie: Or perhaps an Aboriginal.

Hon REG DAVIES: The appointment of an Aboriginal as Governor has probably been considered. Although this Government has not yet seen fit to install a prominent member of the Aboriginal race in this high office, perhaps it is time to recognise the important contribution these first and true Australians have made to the Western Australian culture. Perhaps we should think about acknowledging our growing ties with South East Asia. A Western Australian with an Asian ancestry may indicate to the rest of the world our complete acceptance of multiculturalism. I advocate that rather than promote names in the Parliament, as has been done in the past, we should encourage the Government to consider the options that I have outlined.

Hon B.L. Jones: Which of those options do you favour?

Hon REG DAVIES: I would rather not say. I am just saying that we should give the Government some options rather than float the names of those people with whom we wish to curry favour. The most important aspect of this debate is that at least we still appear to acknowledge the position of Governor in Western Australia and are not advocating any cutting of ties with our Sovereign, as appears to be the case federally, particularly by our Prime Minister. I believe that Mr Keating has completely misread the mood of the people of this country when he promotes independence for Australia and promotes with great enthusiasm the need for a new Australian flag. Last Saturday was Anzac Day, that one day of remembering after a year of forgetting. It is a day that we set aside to remember the deeds of those who fought and died, because their actions have become an inspiration for generations of Australians. To many in this country, Anzac Day is Australia's only true national day. We were told as Australians, from the very first news of the assault on the

Dardanelles in 1915, that our country had attained nationhood. If Anzac Day is about nationhood, it is also about our national flag, which has been a symbol of the Australian nation and of our national unity for over 90 years. Throughout our history, men and women have expressed their feeling for this country by showing honour and respect for our national flag, and those people who watched the old diggers march on Saturday would have readily observed just how proudly they marched behind our flag.

I do not know whether members are aware that the Australian flag was first raised officially at the local post office, in Townsville in North Queensland by the then Governor General on 16 September 1901 and has been flown there ever since.

Hon Kim Chance: Are you suggesting that was the same flag?

Hon REG DAVIES: I am suggesting that it is our national flag. Our flag has had minor modifications over the years as the nation has grown. As the independent States have been recognised the flag has changed slightly as other points have been added to the federation star.

Hon Kim Chance: Simple changes.

Hon REG DAVIES: Yes; minor modifications to the flag. If we got another State, we would obviously expect another point to be added to the star.

Today, some Australians believe that the British Empire is non-existent and that we should delete from our flag the Union Jack. There is a suggestion that we should change the flag which has served us so well and for which armies have fought and died. The flag is the symbol of our hard won nationhood. That is a decision that future Australians will have to make, but I have strong views about maintaining the existing flag. All persons who attended Anzac Day marches in small country towns or cities anywhere throughout Australia or in New Zealand would have noticed how proudly the diggers marched behind their flag. Some of them probably even remembered how much the flag really meant to them. One is almost moved to tears when one hears the story of the Changi prisoners of war who risked their lives to knit an Australian flag which they had to keep hidden for fear of death. Their knowledge of its existence is what kept them going.

We stood by and said little when we allowed Labor Governments to change our national anthem, and even to change the words of the national anthem. Without a whimper, we allowed our national colours to be changed from blue and gold to green and gold because the Prime Minister of the day was not aware that our national colours were blue and gold, as depicted on the Order of Australia and on all our medals and ribbons.

Hon J.M. Berinson: Don't you believe, looking back now, that the change of the national anthem was well accepted and reflected the public view?

Hon REG DAVIES: I am very proud of "Advance Australia Fair", but the point I make is that we just stood by and allowed one man to make that decision. We also allowed him to change the words to non-sexist language. That should not have occurred in that way. We should at least have had some say about our national anthem. If things do not get in the way of efficiency, why change them? Why not keep them if they do not hurt anyone and if they instil pride and esprit de corps in a community or nation?

Hon J.M. Berinson: I forget the process of the change to the national anthem but I remember that there was a public -

Hon REG DAVIES: Originally we were talking about having a national anthem and a national song. The Australian public agreed by plebiscite that -

Hon J.M. Berinson: That is what I was getting at. We attempted to measure the public response.

Hon REG DAVIES: The public agreed that we would keep "God Save the Queen" as our official national anthem and have "Advance Australia Fair" as our national song, thereby having two formal national songs, as we had with our national colours. The national colour of Australia has always been blue and gold. We also have a sporting colour, which is green and gold. The Prime Minister of the day did not know that, and he suddenly decided that green and gold would be our national colour. We let that happen; we did not really care, did we?

For the benefit of all those Australians who are shouting to change our flag, I will conclude with a poem which I read in the Letters to the Editor section in *The West Australian* on Wednesday, 22 April, which is entitled "Our Flag" -

Our flag bears the stars that blaze at night  
in our southern skies of blue,  
And that little old flag in the corner  
that's part of our heritage too.  
It's for the English, the Scots and the Irish  
who were sent to the ends of the earth,  
The rogues and the schemers, the doers and dreamers  
who gave modern Australia birth.  
And you who are shouting to change it,  
You don't seem to understand.  
It's the flag of our law and our language,  
not the flag of a faraway land.  
There are plenty of people who'll tell you  
that when Europe was plunged into night,  
That little old flag in the corner  
was their symbol of freedom and light.  
It doesn't mean we owe allegiance  
to a forgotten imperial dream.  
We've the stars to show where we're going  
and the old flag to show where we've been.

I support the motion.

**HON MARK NEVILL** (Mining and Pastoral - Parliamentary Secretary) [4.40 pm]: I support the motion. I am also pleased to welcome Hon Kim Chance to this Chamber.

**Members:** Hear, hear!

**Hon MARK NEVILL:** It has been a long wait but Hon Kim Chance certainly deserves his election to this House, having contested many elections in the agriculture region and in the wheatbelt over the last 15 years. I am pleased to see him here. At the same time, I should note that the retirement of Hon Jim Brown is a great loss to this place. He shared the South East Province electorate with me between 1983 and 1989. One did not need to work very long with Hon Jim Brown to realise he was a very astute politician. I emphasise that his retirement from this House is a loss but one which in due course Hon Kim Chance will rectify.

I must also express my appreciation to the Governor, Sir Francis Burt and to Lady Burt for a job well done. They have been a great credit to their positions in this State and have continued a run of very successful occupants of Government House. As mentioned by Hon Reg Davies, our break from Governors with military backgrounds has been very successful. In recent years we have had very good Governors with military backgrounds, such as Sir Wallace Kyle, who was originally a goldfielder. Before that we had that imperial cringe where we thought that our major military officers were not quite good enough and we had to get the real thing from Great Britain. I can remember at that time talking to the Shire Clerk at Boulder, Ray Hadlow, who in a discussion said that he believed that Australians did not know how to do the job of Governor properly. He thought we had to get someone from England who knew how to do the job, and his preference was for a retired military person. A very good break from that was made with the appointment of Sir Wallace Kyle because not only did he have that background but also he had a very strong Australian background. In the public mind that helped many people to accept that expatriate Australians at least could do the job as well as some of the previous Governors.

**Hon Derrick Tomlinson:** You would not include Sir James Mitchell in the category of imperial military men?

**Hon MARK NEVILL:** No. The member's knowledge of Sir James Mitchell is probably greater than mine. There are exceptions, but I am talking in generalities at the moment. We should perhaps progress even further. We seem to have always had lawyers involved in the position of Governor or Lieutenant Governor. Perhaps there were good constitutional

reasons, but I do not believe we should unnecessarily restrict ourselves to lawyers.

Hon P.G. Pendal: I think you have upset Mr Berinson. He was counting on that job.

Hon MARK NEVILL: I do not rule out the position of Lieutenant Governor for a lawyer.

Hon Derrick Tomlinson: Or for Chief Justice.

Hon MARK NEVILL: I doubt very much whether Hon Joe Berinson would accept that position. We have an excellent Chief Justice at the moment. I do not think he needs to be replaced. I have heard no comments other than those full of praise for the current Chief Justice.

Professor Gordon Reid did a brilliant job as Governor, accompanied by his wife. I was amazed at the effort, skill, time and care they put into the job whenever I saw them acting in their Vice Regal capacity.

Hon B.L. Jones: Mrs Reid has continued in that way in her public life.

Hon MARK NEVILL: Yes. However, we should look broader afield when considering appointments to the position of Governor. We have dispelled the myth that we must have Governors who are academics or who are former military people. We should look wider afield.

Hon Derrick Tomlinson: Perhaps we should be looking for another myth.

Hon MARK NEVILL: Most of us create our own myths and believe them. Perhaps another will give us some hope or something to strive for. We should look to areas of local government, to people involved perhaps in charitable work, to people who have shown great compassion and humanitarian values.

Hon Derrick Tomlinson: To people in the goldfields?

Hon MARK NEVILL: I could name 20 people in the goldfields who would make excellent Governors. I am sure that Hon Derrick Tomlinson could name a few people in his electorate.

Hon N.F. Moore: Will you name one?

Hon MARK NEVILL: No, I will not name a prospective Governor. I have given support to the nomination of some people but I do not believe that any person has an exclusive mortgage on that position. We should be quietly - perhaps not as publicly as the Press - putting names forward, so that we end up with the best choice available. It is clear to all members on both sides of the House that the politics of a person do not matter; we should be looking for certain qualities that transcend political parties.

I would like to address a number of matters tonight, but I do not know whether I will have time cover them all. I turn first to the matter of feral animals which has interested me for many years. There seems to be a new dimension entering debate in recent years: The animal liberation view. Some of the people who hold that view seem to regard the destruction of any animal as unacceptable no matter how humane is that destruction; some of the extreme members of that group would not allow the destruction of any feral animal. We should ignore the extreme animal liberation view entirely, but we should accept that when we destroy animals we should do so as humanely as possible. All feral animals in Australia should be controlled, even eradicated. As a geologist and someone who has lived in just about every nook and cranny of the State, I can describe to most people here the distribution of feral animals in most areas of the State.

Hon N.F. Moore: If they were eradicated would that wipe out the pet food industry?

Hon MARK NEVILL: The bulk of the industry comes from the culling of kangaroos -

Hon N.F. Moore: They could also be feral animals.

Hon MARK NEVILL: - and from the knackeries. I would not regard as feral the animals kept in captivity. Many horses, including race horses, are sent to the knackery and end up as pet food, but that is not really part of my argument. We will always have domestic cats and dogs and domesticated goats and pigs.

Hon N.F. Moore: What about horses and donkeys?

Hon MARK NEVILL: Numerous attempts have been made to harvest donkeys in the

Kimberley, but without success. The member might know more about recent times, but about 15 years ago a couple of pet food setups in the Kimberley were killing donkeys to obtain the meat for pet food. The men involved broke out in horrendous boils; it was a salmonella problem. The whole process fell in a hole. I have not heard of anyone systematically taking donkeys for pet food. Donkeys are widely distributed throughout the Kimberley and significant numbers are found in the East Pilbara between Marble Bar and Telfer. I believe there are a few further south but not in great numbers. More than 100 000 donkeys are in the Kimberley, particularly in the plateau areas. They should be eradicated.

I want also to discuss tonight the problem of feral cats and, to a lesser extent feral foxes. We know that cats have been in Australia from early times, with some suggestion that they came from Dutch shipwrecks in the early 1700s. We know that Captain Cook offloaded 20 cats in Tahiti in 1774. It is possible that Macassar sailors brought cats to the Northern Territory, and D.W. Carnegie's book *Spinifex and Sand*, which was published in 1898, indicates that he came across two Aboriginal women at Winnecke Hills between Wiluna and Halls Creek in whose campfire was the remains of a feral cat. It is quite clear that before the turn of the century feral cats had penetrated every nook and cranny in Australia. It is quite probable that they were here before the British settled in Australia. They occupy every range of ecological habitat. Their tracks can be seen in mangrove swamps, on dunes in the inland desert areas and on beaches. They are known to eat more than 100 native species of birds, up to 50 different types of mammals and 50 different types of reptile and frog, and as research continues on the content of their intestines the number of animals upon which we know they prey increases. We know that they have a significant effect on many endangered mammals, including the bilby and numbat. Even where some of these endangered species are reintroduced into the wild their numbers have been severely reduced and in some cases wiped out by feral cat and probably fox attacks. It is estimated that one in three households in Australia has a cat and some researchers have estimated that cats bring home five to 10 birds a year. Some people say that if a cat is well fed it does not attack birds. Our two cats - which incidentally are removed from the house as soon as I come home - are overfed and occasionally I see a few feathers littering the front and back lawns; and I am rarely home. Members can imagine the impact that cats have on suburban birds. They probably wipe out just about every bird born in built-up areas. A survey of the cat population was conducted in Townsville, Queensland and it was estimated that in a town of 120 000 people there would be 12 000 cats. That is, the cat population would be something like 10 per cent of the human population. A city the size of Perth would have upwards of 100 000 cats. There would be many foxes in the metropolitan area and as I see member for Cockburn, Mr Bill Thomas, walk into the Chamber, I am reminded of a conversation we had in which he mentioned that he saw two foxes crossing Canning Highway near Wireless Hill in Applecross. I am sure that foxes live in built-up areas and not just in bushland such as Wireless Hill. I saw an excellent English documentary film which showed foxes living in towns and foraging in rubbish bins.

Hon P.G. Pandal: There might be a few around Parliament House.

Hon Kim Chance: Dingoes maybe.

Hon MARK NEVILL: Domestic cats provide a reservoir for feral cats. When one looks at the number of cats destroyed in a year in a city it probably represents up to one-third of the cat population; so if there are 12 000 cats in a city, about 4 000 more would be destroyed. Many of the cats that turn wild end up in the bush. I was asked recently to rid a pensioner's home of a number of cats while she was hospital. I hired a cat trap from the Kalgoorlie-Boulder City Council and set it up in her backyard. I caught eight cats. It was fairly obvious that most of them were wild but not all of them were frightened of humans. The very last cat I caught was what I would consider a true feral cat; it was a female and much more muscular than the other cats. As soon as I went near that trap it threw itself around in a frenzy.

Hon R.G. Pike: So you did not put your hand in and take it out, you squib.

Hon MARK NEVILL: I dutifully picked up the trap and delivered it to the ranger, who destroyed the cat. The last thing anyone should do is touch a cat, even a domestic cat, if it is cornered. Domestic cats are providing a reservoir for feral cats. In a political sense we need to start looking at this problem and taking some action. Cats are responsible for the transmission of infectious diseases which can kill native animals and livestock. Cats have an

effect on other animals, particularly in built up areas. If the number of honeyeaters has been reduced by cats, obviously this has an effect on the pollination of flowers and the production of seeds and all sorts of other ecological effects which we can do without.

**[Questions without notice taken.]**

Hon MARK NEVILL: I reiterate that there is a need for a political response to action which can be taken in respect of the problem of domestic cats in built-up areas becoming feral animals. I will suggest to the House a few actions which can be implemented to address this problem. In legislation addressing this problem we must ensure that the regulations controlling the ownership of dogs and cats are similar. A limit should be placed on the number of cats which can be kept on one property. If a person wants to keep more cats, those cats should be registered. A special registration fee should be applicable to desexed cats.

All cats should carry some form of identification which includes the owner's name and telephone number and the local authority registration number. The identification could be via a microchip, which would be possible these days, or by a simple tag. Every cat should wear a small bell on its collar and this appears to be a fairly common practice adopted by cat owners. If a cat wears a bell around its neck it makes it difficult for it to kill native birds and other animals. That must be a part of the legislation. I believe cats, like dogs, should be confined between dusk and dawn; a curfew should be imposed on them. I was disappointed some years ago when a provision for heavier fines to be imposed on people for their dogs being out between dusk and dawn was knocked out of the Dog Act. The fine remained the same as that for dogs caught out during daylight hours. Many people let their dogs off the leash at night to wander around the suburbs. It is expensive for councils to have rangers out at those sorts of hours. In my view the penalty for having an animal loose at night should be doubled for both dogs and cats.

It should be an offence for a cat to enter any person's property unless on a leash or under the control of its owner, whether in a carry basket or whatever. Councils should have the power to impound any cat found wandering around, hold it for a certain time, and destroy it if it is not claimed by the owner during that time. Any cat without a collar or means of identification should be destroyed unless there is scope for it to be rehoused. With those fairly simple provisions in place the domestic cat situation could be controlled. Such legislation would probably need a sunset clause so that after five years consideration could be given to how it was working and whether it should lapse or be amended if necessary.

A systematic program of trapping cats using box traps should be implemented. If members have ever taken a load of rubbish to their tip they have probably seen the cats scurrying around the place. Dumps are usually well infested with cats. I am in the process of getting together a program for the fringe dwellers of Kalgoorlie to trap feral cats around the edge of the town, particularly those at the rubbish tip. Any member who has lived amongst the Aborigines would know that one of their meat delicacies is cat. It is the preferred meat of the Aborigines, with whom I have spent a few years, in some areas of the Kimberley. It would be good to develop a system whereby those Aboriginal people are paid for cat scalps as a method of doing something useful and catching animals that are food for them as well.

I remember that in the early 1960s when I was at Balgo Mission south of Halls Creek a person told me a story about the very successful year he had trapping dingoes around Halls Creek. I believe about 3 000 dingoes were trapped that year. The Aborigines in the area were right into it. They were paid about a pound a scalp, which included the top of the head, the ears, and the back down to and including the tail. The scalps were taken to the local police sergeant who paid for them. In one year the number of scalps increased from 300 to about 3 500. The story goes that the sergeant was paying out a guinea for each dingo scalp and then putting the scalp into a 44 gallon drum in the back yard. The Aborigines were then going around and removing the scalps from the drum and re-presenting them at the counter a few days later. It took months for the police to wake up to what was happening.

A similar method could be introduced by putting a bounty on cat skins. Between the 1940s and the early 1960s a good market existed for cat skins, which were used in coats and such things. That market seems to have evaporated, which is a pity. A stigma now seems to be attached to wearing furs. However, I cannot think of anything more natural than people being rugged up in furs, and what better fur to be rugged up in than a cat skin or fox skin



coat? It is a pity that anyone who wears a fur coat now is considered to be subhuman. People should be encouraged to wear apparel made from the skins of feral animals such as cats and foxes because that would certainly generate a market for those skins.

We need to control both foxes and cats in the broader areas. A number of ways are available for that to be done. In some sparsely populated areas biological controls are the most useful, as they are in wet areas which are difficult to access. A number of viruses kill cats, such as cat flu or distemper, and a form of herpes makes foxes and rabbits infertile. Quite a bit of work has been done on engineered viruses in Australia to control rabbits, foxes and cats in particular. That is an important avenue of control. Research should be undertaken into baiting, trapping and shooting these animals at a local level to ensure a reduction in the number of feral animals.

Prior to the early 1970s strychnine was commonly used in baits, but it fell from favour, and quite rightly, because things such as wedge-tailed eagles ate it and died. Native animals were also killed by eating strychnine laced meat baits. The use of strychnine fell from favour and now 1080 is more commonly used because larger birds can tolerate it. A couple of years ago when I was living in Esperance during the cold months of June and July some South Australians came through and caught literally hundreds, if not thousands, of foxes. They got those foxes at a prime time when their coats were full. The Agriculture Protection Board was looking for those people because they did not have a permit to catch foxes. Evidently a market exists somewhere for those skins. Those people put strychnine in a butter bait, which I thought was quite clever, because the bait was put out at night when it was very cold and when the sun came out it melted and the strychnine went into the ground so that it did not become a problem for the birds or other native animals. Any fox or cat that takes a strychnine bait will be found within a few metres of that bait, so the person who left the bait does not have to look far for them. As long as the carcass is not left there to poison other animals it is a very effective way of ridding the area of foxes. The people who came through the Esperance area moved so quickly that they were gone before anyone could discover where they had been operating.

As a part of legislation campaigns are needed to encourage responsible cat ownership. As I said, I do not believe cats should roam around at night. There should be some method of either keeping them indoors or housing them outside at night so that trapping programs can be undertaken in urban areas to reduce the number of cats - and I am talking about box traps, not jaw traps. If the cat has a collar and a bell and an identification disc it could be taken to its owner or let free, or the shire could probably find out who owned it, but any cat without identification should be able to be taken to the shire pound and destroyed if there is no capacity to rehouse it.

I wish to talk about some other feral animals around the State. I was recently at Mt Barnett in the Kimberley, and I drove into the Adcock Gorge, which is not far off the Gibb River Road.

Hon Tom Stephens: When were you there?

Hon MARK NEVILL: Hon Tom Stephens does not like other members entering his private electorate! I was there the day the Chinese boat people landed, so it would have been in early January. I noticed what I thought were sheep in the distance among some cattle. I thought that was strange, so I looked through my binoculars and saw six or seven quite large feral pigs. They were about 200 or 300 metres away and my eyesight is not very good at that distance. I knew that there were quite a lot of feral pigs along the Fitzroy Valley but I had not seen any although I had heard of people shooting them. On this occasion I was a long way from the Fitzroy River and I imagine feral pigs are very well established in other areas in the Kimberley, unless I had stumbled across a very small group of wild pigs. We know there are many wild pigs down in Hon Bill Stretch's country. I nearly ran over one along the McAlinden Road near Muja. I was there because I have in-laws in Boyup Brook. I think people poison feral pigs by burying poisoned apples which the pigs dig up. Feral pigs are very difficult to wipe out, especially in the south west because of the dieback problem, and other than being very careful and shooting or poisoning them it would be very difficult to control that problem. It is amazing that we have wild pigs from one end of the State to the other.

I was camping at the Carnarvon Range about 200 kms north of Wiluna about 18 months ago,

and I spoke to a pastoralist there who had just shot 400 horses and about 200 camels. There are many wild horses in some parts of the north eastern goldfields along the Canning Stock Route, and I suspect there are quite a few at the other end of the Canning Stock Route in the Lake Gregory area. We know there are large populations of wild horses in the Northern Territory; I do not know how widespread they are in the Kimberley but they can be a problem if they are allowed to get out of hand. This pastoralist was quite concerned that the fact that he had shot these horses and camels would become public. My view was that he should have been quite public about it, and applauded for it. The animals were destroyed humanely and that is the best we can hope to do. There was certainly no market, at that stage anyway, for using them as pet meat because they had moved in off the desert onto the pastoralist's water points because of the drought at that time. On that trip I went to Windich Spring, a massive waterhole on the Canning Stock Route which Forrest discovered, and it was dry for the first time since the 1920s. It was just a massive, dry, calcrete waterhole, so all those camels and horses had moved onto the pastoralist's water points and were fairly easy targets. I could not understand why he was concerned about publicity, because if the animal liberationists want to object to the shooting of feral animals they should be listened to only in the sense that the destruction of those animals is as humane as possible.

As for camels, anyone who has worked out in the desert, as I did as a geologist, would know of the amazing number of camels there. I have seen a herd of up to 70 or 80 camels, and I have seen camels in the Great Sandy Desert at least 150 kms from water. It is amazing how they can survive out there. They stretch virtually from east of Marble Bar to Alice Springs.

Hon E.J. Charlton: Are they eight day camels?

Hon MARK NEVILL: What are eight day camels? I will tell the House an interesting anecdote about camels. Aborigines in the central desert will not eat camel. I could not understand this, but evidently when the missionaries went to Warburton they told the Aborigines about the three wise men coming to the east on camels, and the Aborigines have always associated camels with this sacred story and therefore do not eat them. It is an amazing story but I cannot imagine any other reason for their not eating camels, as they eat most other available feral animals.

Hon Tom Stephens: Particularly as camel is such a good tasting meat.

Hon MARK NEVILL: I will take Hon Tom Stephens' word for that. I am not aware that camels do a lot of damage. They are very soft footed animals, and in the few years I spent in the desert I never saw any obvious damage being done by them.

Goats are widespread throughout the Murchison and the Gascoyne and at the moment a major eradication program is being conducted by the Agriculture Protection Board and many pastoralists in the area, although I imagine that program has come to a halt because of all the rain that has fallen in the area. However, that program needs to continue. I think I mentioned in the House once before that I spoke to a pastoralist who thought feral animals should never be harvested because as soon as they are harvested they become husbanded and that is one certain way of not getting rid of them. We should try either to wipe them out completely or to ensure there is no incentive for them to breed up in numbers. Feral cats can be found in the desert, hundreds of kilometres from a water hole. As long as they have fresh food in mice, grasshoppers and the other creatures they eat, feral cats can survive without water. Domestic cats would become quite distressed without water, but feral cats quickly respond by feeding off the moisture from the food they eat. In winter dew is available, but in summer they obtain moisture from the prey they eat. If one takes a flashlight into the desert at night, one will see a cat or two patrolling the dunes and in the morning many tracks will be found.

We need to stop talking about the feral animal problem; we must address it through legislation. Members would be aware of the Shire of Sherbrooke in the Dandenong Ranges in Victoria which has innovative legislation to control domestic cats. We should consider that example carefully and introduce legislation into this House to control domestic cats and reduce the number of feral cats. People think that cats do no harm - they do not attack people or bark like dogs - but they wreak tremendous havoc on native fauna. The control of cats must be made a political issue, along with the control of foxes. We must start exterminating these creatures. A great deal of research has taken place in other States, and we should research viruses to exterminate the pests. The main method of control of these creatures is

through trapping, baiting and shooting, which should be encouraged. Also, we should encourage people to include fox furs in their apparel, which involves re-educating the public and changing attitudes.

The second matter I raise is the need for a fundamental change in our justice system. I had some experience recently when I spent a day in the Local Court in Kalgoorlie, and, frankly, justice as it is dispensed in Western Australia is quite irrelevant. I witnessed a case of Homeswest charging a woman for being behind in her rent. Two cases involving Homeswest were heard that day. This woman offered to pay \$100 a week, which was \$20-odd above her usual rent, to cover her arrears, but Homeswest was not satisfied with that; it wanted \$150 a week and she obviously did not have the capacity to pay. This single mother has two children and she informed the magistrate that the children had different fathers and that the child support agency was expecting to recover maintenance from the two fathers in six weeks. The Homeswest officer was adamant that the arrears payment should be \$150, but the magistrate made the order of a payment of \$100 a week to be reviewed after six weeks with a view to reducing the arrears. This woman told the magistrate that one of the reasons she fell behind in her rent was that a restraining order had been placed on her *de facto* husband who had bashed her. She had left the home and gone into hiding for a month, and this resulted in increased costs along with her Homeswest rent. All the information in that case was verifiable; namely, whether she had a restraining order placed on her *de facto*, and whether the child support agency had money coming through. This woman left the court in tears as she felt humiliated. The case should not have gone to a court of law but should have been dealt with by Homeswest, the woman and a mediator. It was a waste of the court's time as everyone was waiting for the next case.

Recently a case arose in Esperance where a fisherman assaulted an inspector from the Department of Marine and Harbours; the fisherman threw the inspector into Bandy Creek Harbour. I know both people involved in this incident, which was taken to the local justice of the peace. The fisherman pleaded not guilty and elected to have the matter go to trial. The whole process the two people were sucked into was absolutely unnecessary. No provocation would warrant the fisherman's throwing the inspector into the water, but there may have been some extenuating circumstances. If the fisherman and the inspector had sat down with a mediator - maybe a police officer - and decided among themselves who was to blame, reparation could have been made by the fisherman. The fisherman admitted the charge but claimed there were extenuating circumstances. If reparation had been made, the charges could have been dropped. Instead, the charade will be played out in court.

The benefit of the system I suggest is that the penalty is passed to the victim, whereas in court the penalty goes to the Crown and the victim is left with no satisfaction other than a little revenge. The justice system does not restore peace, which is its intent. If an offender is punished and the penalty is paid to the Crown, peace is not restored between the proponents. Numerous situations arose in court that day which I felt were irrelevant. Much has been said lately about bringing the victim back into the criminal justice system. That is essential. Our justice system should revolve around reparation by the offender to the victim. It can take two forms: It can be material in many cases, but sometimes it can be symbolic. Not all victims of crime expect an eye for an eye and a tooth for a tooth. However, symbolic reparation can bring about peace between people and avoid the victim's being worried about retaliation later, which our justice system seems to foster because peace is not restored.

Over recent years the Government has moved in the right direction on this issue, but I believe far too slowly. Owing to reforms in Germany, its prisoner statistics have reduced from 50 000 to 30 000 and no major increase has occurred in crime. That can happen in this country by our adopting some progressive measures and ensuring that our young offenders particularly are not put into institutions unless that is unavoidable. Once they enter the institutions there is little hope left for them. The institutions do not rehabilitate; they tend to educate youths in crime. They cause youths to carry the stigma of a criminal record and of their having done time in gaol. The Government is making considerable progress in alleviating that problem by using the cautioning system and the development of community services and providing for fines rather than sending people to prison.

We should develop in this country a more sophisticated system of community service orders. That will not happen overnight. Our system is very rudimentary and in many cases it is poorly supervised. The people on community service orders should be required to undertake

myriad tasks in the community. They must be an accepted service in the community and everyone must be involved.

Hon B.L. Jones interjected.

Hon MARK NEVILL: I think that supervision of juvenile offenders once depended on which part of the State they lived in. They are supervised in the metropolitan area and in some country areas. Two or three years ago I received many complaints about juveniles on community service orders in some country areas who were not being adequately supervised.

Hon Derrick Tomlinson interjected.

Hon MARK NEVILL: I am ignorant of the situation here. Community service orders should apply when a crime is against society. They are a form of reparation to the community. Perhaps, in some cases, they should also apply when a crime is against a person. An item on the television program "60 Minutes" showed where a United States judge allowed victims into an offender's home to take whatever they liked for three months after the crime. Many people were enamoured of that approach, but I thought it was wrong. That was not reparation and it did not restore the peace; it was a form of retribution, which is very different from reparation. Reparation is a way of restoring the peace. Under the system in the USA just as much tension and hate will occur at the end of the day as occurred at the beginning.

The day I spent in court was an eye opener. I was there to advise some Aboriginal people whom Homeswest was trying to evicted from their home in Kalgoorlie. I am pleased to say that, ultimately, they were not evicted. Members may be aware that a feud took place in Kalgoorlie between two families. One house was badly damaged by one of the families; consequently Homeswest tried to evict both families when no evidence indicated that the other family had done any damage to the other house. In fact a restraining order had been issued against one of the people who attacked the house which was damaged. We were successful in defending that case. As I expected, the magistrate threw out Homeswest's case. Homeswest wasted an hour of the court's time. It had a poor case against one family and a much better case against the other with which it was successful. I think it was trying to make an example of the family whose case was thrown out of court. It is all right to make an example of someone if a good case exists. The ramifications of that situation could have been that if a person was a Homeswest tenant and someone threw a brick at his house, quite possibly Homeswest would try to evict that tenant. That general principle could have applied.

I learnt much from the day I spent in court. It encouraged me to put together a program which I would like to see implemented in Kalgoorlie over the next couple of years. I will arrange a meeting with the magistrate, some local lawyers and police officers to see whether the victim and reparation can be placed at the centre of the justice system.

Debate adjourned, on motion by Hon D.J. Wordsworth.

#### ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [5.58 pm]: I move -  
That the House do now adjourn.

#### *Adjournment Debate - Premier - Double Standards*

HON P.G. PENDAL (South Metropolitan) [5.59 pm]: I do not want the House to adjourn for at least a couple of minutes until I discuss a matter which could roughly fall under the heading of "double standard". I am aware that not long ago the Premier was asked whether the Government would support an Opposition motion for a Joint Select Committee of the Houses of Parliament to examine the allegations about sexual harassment concerning a member of Parliament. I heard in the Premier's response that her reason for not supporting the establishment of a Select Committee was that she had heard in the corridors that the sexual proclivities of some members of Parliament might ensure that the matter was not properly heard.

Hon J.M. Berinson: That is not what she said at all.

Hon P.G. PENDAL: That is exactly what she said.

Hon J.M. Berinson: Are you referring to the answer she gave in this afternoon's question session?

Hon P.G. PENDAL: Yes.

Hon J.M. Berinson: You are misrepresenting her.

Hon P.G. PENDAL: I am not misrepresenting the Premier. She made the type of innuendo that she has been complaining about for the past two weeks, hence my opening remarks about the double standard. That paragon of virtue gets into the gutter as much as any other member of Parliament whom I know. The public cannot continue to tolerate from that woman the gutter behaviour for which she condemns other people. I was there, and I heard what she said. For her to say that she had heard something in the corridors today was appalling. Everyone knows that that is a euphemism for something which may have been heard in the parliamentary bar. For all we know, it could be something she made up out of a very vivid imagination. If she is going to be critical of the media for peddling, in her view, unsubstantiated claims, rumours and innuendo for the past fortnight, she cannot have the luxury of coming back to the Parliament and saying no-one against whom the allegations were made would get a fair hearing because, from what I saw of her in the corridors -

Hon J.M. Berinson: That is not what she said.

Hon P.G. PENDAL: - the sexual proclivities of some members of Parliament would not allow -

Hon J.M. Berinson interjected.

Hon P.G. PENDAL: The Leader of the House should not tell me what she said, because I was there and I heard. The Premier continues to be guilty of the very offences to which she takes such exception when other people say such things or when the media report them. If that is not the mark of hypocrisy at its worst, I do not know what is.

Hon Mark Nevill: You are.

Hon P.G. PENDAL: Yet, she continues to be portrayed in that light and it is a light that she does not deserve.

I bring that to the attention of the House because I for one am becoming fed up with the double standards of this woman who holds herself out as the paragon of virtue when it comes to parliamentary standards and then breaks every one of them and gets herself into the gutter whenever it suits her base political motives.

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [6.02 pm]: It is remarkable to observe how often Hon Phillip Pendal misrepresented the Premier in such a short comment. Having heard him, I understand even better the Premier's concern to try to achieve some higher standards of conduct in the Parliament. I understand very well Mr Pendal's desperation to find some way to denigrate the Premier. He is not alone on his side of the House on that. Everyone understands why. It is because the Premier, with her well deserved standing, is practically burying everybody over there on her own.

Hon P.G. Pendal: She is a hypocrite.

#### *Withdrawal of Remark*

Hon J.M. BERINSON: Hon Philip Pendal's comment that the Premier is a hypocrite is unparliamentary and I ask that it be withdrawn.

The DEPUTY PRESIDENT (Hon Garry Kelly): In debate yesterday afternoon, the word "hypocrite" was used on numerous occasions and nobody objected to its use. When an objection was raised at a later stage during question time, I refused to make the user of the word withdraw it because it was not objected to when it was used. One word was withdrawn, however, and in demanding its withdrawal I advanced the view that I thought the member in question was being a little oversensitive. This is a debating Chamber and if members are going to ask for terms to be withdrawn every time a word is advanced, particularly after it has been used on a previous occasion, the Deputy President's and the President's jobs will be made very difficult. For that reason and because the term was asked to be withdrawn yesterday and the request refused, I will not ask for it to be withdrawn on this occasion.

*Debate Resumed*

Hon J.M. BERINSON: I raised the point of order only because of my understanding that the word is specified in Erskine May's *Parliamentary Practice* as being unparliamentary. However, I have not read it lately and if I am mistaken my objection was wrong. Alternatively, had it been withdrawn this House may have succeeded in changing the Erskine May standard.

Hon P.G. Pental: Are you challenging the Deputy President's ruling?

Hon J.M. BERINSON: Not at all. I am prepared to accept the ruling. It is perfectly within the capacity of this House to depart from standards established by other authorities. We are not bound by them; we are guided by them.

Hon George Cash: You are reflecting on the Chair.

The DEPUTY PRESIDENT: Order! I will determine who is reflecting on the Chair.

Hon J.M. BERINSON: Having been interrupted in the comments I was making, perhaps I should repeat the introduction. I was commenting on the fact that Hon Phillip Pental, in complaining about the Premier's parliamentary conduct, succeeded in misrepresenting her at least twice within two or three minutes.

Hon P.G. Pental: No, I did not.

Hon J.M. BERINSON: That establishes him as a prime hypocrite, and I take it that he accepts that description of himself as he has not interjected let alone attempted to raise a point of order.

Opposition members interjected.

The DEPUTY PRESIDENT: Order! Hon Phillip Pental has made his contribution to this debate. If the House is going to adjourn it must allow the Leader of the House to finish his comments. I appreciate that members will interject, but they must not make another speech. The interjections should be relevant and brief and not be an attempt to rehash the contribution that members have made already. I ask members to respect the traditions and conventions of the House.

Hon J.M. BERINSON: The Premier has been absolutely correct in deploring the way in which some recent comments surrounding the activities of the Whistleblowers Anonymous convener have been aired. It has been deplorable. It is very difficult even to understand what is being said. Today, for example, during comments on the "Sattler File", the convener of this Whistleblowers organisation almost explicitly claimed that a member of the Parliament had committed sexual assault. It was referred to as rape - a crime. I do not know what Whistleblowers are talking about once they talk about a crime in the context of the need for new legislation to protect whistleblowers. The accusation of a crime against anybody does not need whistleblowers legislation! What is needed is a proper accusation to the proper authorities, not simply the airing of this sort of scuttlebutt in the most inappropriate and deplorable way. I stand by the Premier in every single word that she said.

Although I heard the Premier's reply only in passing over the loudspeaker, I am very confident that she did not say as Hon Phillip Pental attempted to suggest that her opposition to a parliamentary committee was on the basis that no-one could get a fair hearing before a parliamentary committee. Her concern went further back in the process than that and pointed out that, given the anonymity of the accusers and the generality of the accusations, in her view it would be almost impossible for any member of the Parliament to confidently accept nomination to such a committee. That is a perfectly legitimate objection.

The Premier did not stop at that point of indicating her opposition to the committee. She went on to say that she had put in train amendments to the Equal Opportunity Act, which seems to have been at the root of many of these objections, to ensure that there will be no barrier to the lodging of any complaint with all the protection that the Equal Opportunity Act provides. In the one statement the Premier established quite clearly what the legitimate objections to a parliamentary committee in this circumstance were and, on the other hand, she pointed clearly to a definitive resolution of the problem that has been set up by all this scuttlebutt. To those members who did not hear the Premier's answer let me add to what I have said by referring to her indication that not only was it her intention to move to amend

the Act in the way that I have indicated, but also that she intends to take what I think all of us would regard as the exceptional step of giving legislation of that sort retrospective effect to 1985 when the Act was first passed. That is her objective and that is her solution to it.

Hon P.G. Pendal: For two years you did nothing.

Hon J.M. BERINSON: Hon Phil Pendal knows that everything that I have said -

Hon P.G. Pendal: Is rubbish!

Hon J.M. BERINSON: He knows that everything that I have said reflects precisely what the Premier said and accordingly that what he had to say was an entire misrepresentation of her position.

Question put and passed.

*House adjourned at 6.11 pm*

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**QUESTIONS ON NOTICE**

**BEELIAR REGIONAL PARK - PLANNING STUDY REPORT RELEASE**  
*Leschenault Regional Park - Establishment Action*

4. Hon P.G. PENDAL to the Minister for Education representing the Minister for Planning:

- (1) Further to the reply to question on notice 1289 of 3 December 1991 where the Minister said that the planning study for the Beeliar Regional Park had been completed, can the Minister advise whether this report is now available to the public and if so when was it released?
- (2) What action is under way in regard to the establishment of the Leschenault Regional Park, which the Government first announced in 1985?
- (3) Has the interdepartmental task force on regional parks completed its work?
- (4) If not, why not?
- (5) When will the report of the interdepartmental task force on regional parks be available for public comment?
- (6) Does the Government intend to introduce its regional parks legislation this year?
- (7) If not, why not?

Hon KAY HALLAHAN replied:

The Minister for Planning has provided the following reply -

- (1) The report is in the final stages of preparation following public comment on the draft report and is to be released shortly.
- (2) The Government's plans for parks in the Leschenault system are well under way. A management plan for the Leschenault Peninsula is soon to be published, while extensive rehabilitation and recreation development programs are well advanced. A new management plan for the Leschenault estuary has just been released by LIMA. A committee is examining the conservation status of the wildlife-rich northern section of the Leschenault Inlet with a view to appropriate tenure. Kemerton Park is overseen by a board and technical committees which are actively pursuing the recommendations of the 1989 Kemerton Park report. Wider studies of the Leschenault catchment are under way so the long term integrity of the waterway will be protected.
- (3) Yes. Final discussions are occurring between the Department of Conservation and Land Management and the Department of Planning and Urban Development.
- (4) Not applicable.
- (5) The Government will be considering this matter in the near future.
- (6) The Government will consider the timing of necessary amendments to legislation when it receives the task force report.
- (7) Not applicable.

**DOLA INTERNATIONAL - ROLE**

215. Hon BARRY HOUSE to the Minister for Education representing the Minister for Lands:

- (1) What is the role of DOLA International?
- (2) What is the structure of the organisation?
- (3) When was it set up?
- (4) What is the budget for DOLA International?



- (5) How many staff are attached to the organisation?
- (6) What projects is DOLA International currently working on?

Hon KAY HALLAHAN replied:

The Minister for Lands has provided the following reply -

- (1) DOLA International is the shortened name of a new program operating within the Department of Land Administration entitled land administration international program. The role of the program is to export Western Australia's expertise in land registration and land information systems to other countries in order to achieve financial benefits for both the Government and the private sector in Western Australia.
- (2) The program is managed by a senior departmental officer, Mr David Mulcahy. His position is entitled Executive Director, Legislation and International. He is supported by one other DOLA manager as well as two support staff.
- (3) Wednesday, 5 February 1992.
- (4) In this financial year the program is operating within existing departmental allocations. The budget for the financial year 1993-94 has not yet been finalised. Final funding and resources depends on the outcome of negotiations in respect of projects currently being managed by the program. A Cabinet minute will shortly be provided to Cabinet outlining ongoing operations and requesting appropriate funding arrangements for the program in the next financial year.
- (5) There are four staff attached to the land administration international program.
- (6) Cocos (Keeling) and Christmas Islands land tenure project.  
Vietnam land management system project.  
Government of Moscow land titling project.

In addition, the department is examining opportunities for the export of land administration expertise to other countries in need of this assistance.

#### SCHOOLS - ABORIGINAL REMOTE COMMUNITIES

##### *Traditional Language as a First Language - English as a Second Language*

229. Hon DERRICK TOMLINSON to the Minister for Education:

- (1) Are there schools in remote Aboriginal communities where traditional languages are the first languages of the pupils?
- (2) Are traditional languages used for instruction in those schools?
- (3) Is English taught as a second language in those schools?

Hon KAY HALLAHAN replied:

- (1), (3) Yes.
- (2) No.

#### R & I BANK OF WESTERN AUSTRALIA - RESERVE BANK OF AUSTRALIA

##### *Statutory Reserve Deposit Payment*

231. Hon MURRAY MONTGOMERY to the Attorney General representing the Minister assisting the Treasurer:

With respect to the payment by the Rural and Industries Bank of a statutory reserve deposit to the Reserve Bank of Australia -

- (1) Is the payment of the deposit by the Rural and Industries Bank compulsory or voluntary?

- (2) Is the deposit refundable upon request by the Rural and Industries Bank?
- (3) If no, under what conditions can the deposit be recovered by the Rural and Industries Bank?
- (4) Has the deposit been made?
- (5) If no, when will it be paid?
- (6) How much has been or will be deposited?

Hon J.M. BERINSON replied:

The Minister assisting the Treasurer has provided the following reply -

- (1) All banks under the Commonwealth Banking Act 1959 are required to maintain non-callable deposits with the Reserve Bank of Australia, at a level determined by the RBA with the approval of the Treasurer. Currently this level is equivalent to one per cent of Australian liabilities. In November 1991, an agreement was entered into by the R & I Bank, the RBA, and the WA Government regarding the prudential supervision of the bank. The agreement, which replaced a voluntary agreement between the RBA and the bank, allows the bank to be subject to the same supervision standards as other banks authorised under the Banking Act. A period of three years has been provided to progressively phase in the non-callable deposit requirement. Statutory reserve deposits are no longer applicable. This requirement was replaced in 1989 by non-callable deposit provisions.
- (2)-(3) Non-callable deposits are not refundable unless the bank experiences liquidity problems during RBA intervention.
- (4)-(6) A phase-in period of three years has been provided for the bank to meet the non-callable deposit requirement, which is currently one per cent of total Australian liabilities. As at 31 March 1992 the amount of the R & I's non-callable deposits was \$4.67 million or 0.08 per cent of Australian liabilities.

### QUESTIONS WITHOUT NOTICE

#### MOTOR VEHICLES - DRIVERS' AND VEHICLE LICENCE FEES

##### *Post Office Agents Collection Consideration*

122. Hon GEORGE CASH to the Minister for Police:

- (1) What fee is payable by the Police Department to post offices for the collection of motor drivers' and motor vehicle licences?
- (2) Will the Minister consider allowing post office agencies to collect motor vehicle and motor drivers' licence fees, thus providing a much needed service to areas in the metropolitan area not conveniently served by official post offices?
- (3) Is the Minister aware that Australia Post has indicated that it is in favour of post office agencies collecting motor vehicle and motor drivers' licence fees?
- (4) Is the Minister aware that other State Government instrumentalities, including the State Energy Commission of Western Australia, the Water Authority of Western Australia, Homeswest and the Fisheries Department, have contracts with post office agencies in the metropolitan area to collect fees on their behalf?
- (5) Is the Minister aware that most post office agents are open on Saturday mornings and are available at other times outside the usual business hours worked by both Government departments and official post offices and are, therefore, able to provide an additional service to the community in collecting Government fees?

Hon GRAHAM EDWARDS replied:

(1)-(5)

I thank the member for notice of the question but as it requires a fair amount of detail, I ask that it be put on notice. I will answer it as quickly as possible.

**TRAFFIC ACCIDENT - COLLIER ROAD-BEECHBORO ROAD, MORLEY**  
**7 SEPTEMBER 1991**  
*Injuries and Charges*

123. Hon GEORGE CASH to the Minister for Police:

- (1) Did a traffic accident occur on Saturday, 7 September 1991 at the intersection of Collier Road and Beechboro Road, Morley, at approximately 10.07 am?
- (2) What injuries were sustained as a result of the accident?
- (3) Was any person charged as a result of the accident and, if so, what was the charge?
- (4) Was a blood test taken from any of the parties involved in the accident and, if not, why not?
- (5) Has this case been heard by the appropriate court and, if so, what was the result of the case and the penalty applied?

Hon GRAHAM EDWARDS replied:

I thank the member for notice of the question.

- (1) Yes.
- (2) Donald Charles Mavor died from injuries received.
- (3) Yes. Michael Francis Hall was charged with dangerous driving causing death under section 59 of the Road Traffic Act.
- (4) No. The preliminary test on Hall showed negative and no further tests were made as his demeanour was normal.
- (5) Yes. Hall pleaded guilty in the Central Law Courts on 12 March 1992. He was fined \$2 500 and his motor driver's licence was suspended for three years.

**KWINANA INTEGRATED EMERGENCY MANAGEMENT SYSTEM REPORT -**  
**UNNECESSARY FOR PUBLIC RELEASE**  
*Minister for Emergency Services' View*

124. Hon P.G. PENDAL to the Minister for Emergency Services:

- (1) Was the Minister correctly reported in the *Sound Telegraph* of 22 April as saying that it was unnecessary for the Kwinana integrated emergency management system report to be released to the public because the public would not understand the complexity of some of the issues?
- (2) If so, how did the Minister come to such a view?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I was not correctly quoted; however, it is not my intention to release the report to the public. It is true that there are some very complicated issues in the report which must be dealt with. Those issues are to be dealt with through the emergency services and other organisations, including the Environmental Protection Authority, and that is currently occurring.

**KWINANA INTEGRATED EMERGENCY SYSTEM REPORT - UNNECESSARY**  
**FOR PUBLIC RELEASE**  
*Content not Fit for Public Consumption*

125. Hon P.G. PENDAL to the Minister for Emergency Services:

What does the report contain that the Minister feels is not fit for public consumption?

Hon GRAHAM EDWARDS replied:

It is a complex and detailed report, much of which is extremely technical and requires someone trained in, knowledgeable of and experienced in emergency service procedures to understand it. I am prepared to forward a copy of the report to the member and he can make his own judgment, but I would be prepared to do that only on the basis that he treat it confidentially. I extend an invitation to the member to pursue that matter with me.

**KWINANA INTEGRATED EMERGENCY SYSTEM REPORT - UNNECESSARY  
FOR PUBLIC RELEASE**

*Suppression of Similar Reports Practice*

126. Hon P.G. PENDAL to the Minister for Emergency Services:

Has it been the practice in the past to suppress the contents of similar reports?

Hon GRAHAM EDWARDS replied:

It is not a matter of suppressing reports. Indeed, this report has been made freely available to the local authorities in the area for their consideration and attention. I do not agree that it has been suppressed. However, in my view it is not a document for public consumption.

**PRISONS - WOOROLOO PRISON FARM**

*Upgrading - Beds Increase*

127. Hon E.J. CHARLTON to the Minister for Corrective Services:

- (1) Can the Minister confirm that the Wooroloo Prison Farm has been upgraded recently?
- (2) Can the Minister indicate by how many beds the Wooroloo Prison Farm has increased its accommodation space?
- (3) What was the cost of the upgrading?

Hon J.M. BERINSON replied:

I thank the member for some advance notice of this question.

(1)-(2)

During the last year 30 additional beds were brought into use at Wooroloo Prison Farm.

- (3) The cost of the materials was \$5 900 and labour was provided by departmental staff with some assistance from prisoners.

**SELECT COMMITTEE ON DE FACTO RELATIONSHIPS - REPORT STATUS**

128. Hon MURIEL PATTERSON to the Attorney General:

What is the status of the 1991 report of the Select Committee on De Facto Relationships?

Hon J.M. BERINSON replied:

The Government's consideration of that report is not complete. In order to put the position as clearly as possible, it is not likely that any legislative action on that report will be possible this year.

**PRISONS - PARDELUP PRISON FARM**

*Closure Announcement - New Metropolitan Prison Farm Announcement*

129. Hon GEORGE CASH to the Minister for Corrective Services:

- (1) Is the Minister aware that a Press report was circulated to some parties announcing that the Pardelup Prison Farm is to be closed and that the Government intends to build a \$35 million prison farm at a location in the metropolitan area?
- (2) Given that he has announced the closure of the Pardelup Prison Farm, when does he intend to announce the commencement of the construction of the new prison?

Hon J.M. BERINSON replied:

(1)-(2)

I am not aware of Press reports to the effect that the Leader of the Opposition has referred to. I should also correct his statement that I have announced the closure of the Pardelup Prison Farm. The position is as I made clear at a meeting last night with the shire, which was also a well attended meeting of local residents in Mt Barker, that from a departmental view and as Minister I have arrived at a position where I have recommended the closure of the Pardelup Prison Farm. I also indicated last night, and I should make it clear to the House, that no final decision on that question is to be made without my referring back to the Premier and in turn, I would expect, to Cabinet.

The further report that I am required to provide to the Premier is to ensure that the views of the shire, as well as others which I have canvassed directly with the Prison Officers Union, are fully known to Cabinet before it makes a final decision and can be taken into account. I have tentatively looked to further meetings with both the shire and the union on Thursday or Friday of next week. No final decision in respect of Pardelup will be taken until then.

I have indicated before that I was considering the future of Pardelup Prison Farm and, as I made clear at that time, that was in the context of a general review of projected prison requirements for the remainder of this decade. I would expect to be in a position to make a comprehensive statement on the Government's view in this respect within the timetable I foreshadowed a couple of weeks ago. I said at that time that I hoped to be in a position to make that statement within about a month or two, and that still remains the position.

#### **POLICE - REGIONALISATION OF TRAFFIC POLICE, COUNTRY AREAS** *Replacements Assurance*

130. Hon E.J. CHARLTON to the Minister for Police:

In view of the Police Department's decision to proceed with the regionalisation of traffic personnel in country Western Australia, will the Minister give an assurance that every effort will be made to replace the traffic patrolmen at the stations from which they have been taken with general duties policemen to ensure not only an adequate police presence, but also that the dual role of continuing traffic surveillance will be maintained in those areas?

Hon GRAHAM EDWARDS replied:

I draw the member's attention to the statement I made to the House. If he reads it he will find that the commissioner has already given that commitment. It is something which is desirable. I remind members that in the overall context of traffic regionalisation there will be a greater police presence in country areas anyway. I understand the nature of the member's concern and I draw his attention to my statement.

#### **POLICE - RETIRING POLICE OFFICERS** *Government Bonds Offer In Lieu of Lump Sum Superannuation*

131. Hon DERRICK TOMLINSON to the Minister for Police:

Will the Minister confirm that retiring police officers are being offered Government bonds in lieu of lump sum superannuation benefits?

Hon GRAHAM EDWARDS replied:

I am not a full bottle on my own superannuation, let alone the superannuation benefits of police officers.

Hon E.J. Charlton: You would get a nice lump sum if you retired now.

Hon GRAHAM EDWARDS: I have no intention of retiring now even though that is what some members would like me to do. If the member puts the question on notice I will provide him with a reply.

**POLICE - HIGH SPEED PURSUITS**  
*Discharge of Firearms Procedure*

132. Hon DERRICK TOMLINSON to the Minister for Police:

Are there any circumstances in which police officers engaged in high speed pursuits may fire upon the fleeing vehicle?

Hon GRAHAM EDWARDS replied:

I am not in a position to comment on all aspects of operational police matters.

The DEPUTY PRESIDENT (Hon Garry Kelly): Order! I draw the attention of Hon Bob Thomas to Standing Order No 79.

Hon GRAHAM EDWARDS: The member is asking me to respond in a hypothetical sense. If the member can refer to a particular incident -

The DEPUTY PRESIDENT: Order! The Minister said he is answering the question in a hypothetical sense. If he is doing that because it is a hypothetical question, the question is out of order and I suggest to the Minister that he should not answer it.

Hon GRAHAM EDWARDS: I am sympathetic to the question and I am trying to answer it in the best way possible.

The DEPUTY PRESIDENT: If it is hypothetical, the Minister does not have to answer the question. I ask Hon Derrick Tomlinson to rephrase his question so that it is not quite so hypothetical.

Hon DERRICK TOMLINSON: I ask the Minister for Police whether there is a procedure where record is made of the discharge of firearms by police officers during high speed motor vehicle pursuits?

Hon GRAHAM EDWARDS: There is a procedure in place whereby I have requested the Commissioner of Police to advise me at any stage that a firearm is discharged.

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