

Legislative Council

Wednesday, 5 August 1981

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

QUESTIONS

Questions were taken at this stage.

DRIED FRUITS AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [4.57 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to amend the Dried Fruits Act 1947-1973 to enable the contribution by growers towards the expenditure incurred by the Dried Fruits Board in carrying out its functions to be set by regulation; and to enable the fee for registration of premises used for dried fruit packing or processing to be prescribed by regulation.

Expenditure incurred by the Dried Fruits Board in carrying out its duties and functions under the provisions of the Act is met from contributions made by growers. At present, the Act provides for a maximum contribution of \$4 per tonne of dried fruit produced by the growers during the last preceding years or, in the case of a new grower, \$4 per tonne on the quantity of dried fruit estimated to be produced by him during the current year. The board has requested that this maximum contribution be increased to \$8 per tonne to enable the increasing cost of administering its responsibilities under the Act to be met.

Growers' contribution rates have not been increased since 1974; and the Western Australian branch of the Australian Dried Fruits Association agrees that it is necessary for the board to be able to increase its income periodically to offset inflationary trends.

The board has requested also an increase in the fee charged for registration of premises where dried fruits are processed or packaged. This fee, which is presently \$2 per annum, is to cover the cost of inspections undertaken by the board to ensure that premises and equipment are suitable

for the production of dried fruits of standards specified by regulation. The board has asked that the fee be increased from \$2 to \$5 per annum.

In order to avoid the necessity to amend the Act when further variations in the contribution rate or registration fee become necessary, it is proposed that provision be made in the Act for the rate and fee to be prescribed by regulation. The Bill sets out the amendments to section 16 and 26 of the Act that are needed to achieve this.

Provision has been made for this legislation to be brought into operation on a date to be fixed by proclamation. This will enable the necessary regulations to be made after enactment, but before commencement, and to come into operation on the same day as the Act:

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. T. Leeson.

SEEDS BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.01 p.m.]: I move—

That the Bill be now read a second time.

This Bill provides for the repeal and re-enactment of the Seeds Act to permit the introduction of new concepts in seed marketing and was prepared following extensive consultation with representatives of the seed industry.

Development of this legislation commenced some years ago. It has been fostered by the Australian Seeds Committee in order to ensure that, as far as possible, the various States' legislation is compatible, to permit free trade of seed with a minimum of authoritarian intrusion. The Australian Seeds Committee has representation from all States of Australia.

It became obvious from early deliberations that the present legislation was not in line with the needs of the industry of the late 1970s and beyond, and with current overseas seed marketing practices.

The present Act contains a number of provisions which are impracticable and which need revision. Amongst these is a total prohibition of sale of seed having physical qualities of germination and pure seed content below prescribed standards.

There has been a real desire in the industry to permit the sale of previously legally substandard, but nevertheless valuable, seed provided the seller made the buyer totally and truthfully aware of the actual quality of the seed in question, and in any case there was a need for this information to be available to buyers.

The sale of seed mixtures is also effectively prohibited in the present Act by the prescription of a maximum level of crop seed other than the predominant one which can be included in seed offered for sale.

These are the major thrusts of the new legislation. The Bill provides for the sale of all seed, regardless of its germination and pure seed content, provided that the actual details of these characteristics are stated on a label fixed to or accompanying the seed.

In 1978 a document outlining the conceptual changes which had been recommended by the Australian Seeds Committee was prepared by departmental officers. The content of this document was circulated and discussed with representatives of the farming community and particularly with those involved in the seed industry.

A number of submissions and suggestions were subsequently received and given careful consideration and further discussed at the 1979, 1980, and 1981 meetings of the Australian Seeds Committee. This process of consultation with the local farming community and seed industry and with other States has enabled the Government to bring forward legislation which is very much in line with the views of all those involved.

Of utmost importance in this legislation is the introduction of labelling requirements for all seed offered for sale for sowing. These requirements are detailed in part II of the Bill.

The labelling requirements will not apply to a prescribed person or a class of person who sells or treats seed which is not intended for use within Australia. An example of this is a firm exporting seed for other than planting purposes, a seed cleaning works, or a firm involved in the production of stock feed which results in the devitalising of the seed.

It would not and never has been practicable to extend the Act to cover these types of operations. The present Act has never been enforced on export sales of seed, even though it provided for an offence for the sale of technically substandard seed, based on the prescribed standards.

All small household packs of seed, such as vegetable seed, are excluded from the provisions of part II as well as seed which is sold to persons

who do not intend to use the seed for sowing. Such a situation would occur where seed is sold for stock feed or for drought relief from a seed export firm.

The Bill provides a safeguard for the seller who, under such circumstances, would be required to obtain a declaration to this effect from the buyer who must accept responsibility for the quality of the seed.

The labelling requirements are specific and are detailed in the Bill. There is no intention that every sack of an apparently homogeneous seed lot must be labelled.

The legal requirements would be met by a single label accompanying an assemblage of sacks, all bearing the same designation.

In particular, the legislation will require a statement naming any prescribed chemical additives, such as fungicides and insecticides, and the name of major crop seed components together with their respective proportions and the minimum proportion of each which is germinable.

Fungicides and insecticides are hazardous materials and buyers should be advised if they are present in a seed lot.

The label also must bear a statement giving the name and the maximum proportion of prescribed weed seeds contained in the seed. Although it would be advantageous if the weed seed list was uniform throughout Australia, this situation is not attainable due to the differing climatic and cropping regimes of each State. Lists will, however, be as uniform as possible.

Prescribed prohibited weed seeds, which would include all those detailed under the Agriculture and Related Resources Protection Act, will not be permitted in any seed sold, as will declared pests or diseases.

The Bill contains a unique provision, introduced at the request of the industry, in which the words "select quality" may be included on the label provided the quality of the seed to which the label refers is equal to or greater than prescribed quality levels, which would be set to define normally good quality seed.

The provision enables a seller of good quality seed to make a general claim about his seed, giving the opportunity for purchasers to be reassured without a close scrutiny of the actual details which would still be marked on the label. Such a situation would apply normally to sales of cereal crop seed, to merchants marketing full processed "graded" seed and to seed meeting the requirements of the seed certification schemes, which are described in the Bill.

The Bill maintains most of the powers of inspectors and seed analysts contained in the present Act. However, the power to seize seed suspected of being in contravention of the Act has been clarified. An inspector will be able to order the holding of such seed only until the statutory time limit for bringing a prosecution forward has expired or until the determination of an order or a prosecution, whichever occurs first.

Part V of the Bill provides for an agent and a principal seller to be equally responsible, unless the principal can substantiate that his agent acted outside his authority. An agent can bring forward his principal in his defence and if the court accepts the situation it can acquit the agent and convict the principal.

Where a person is convicted of an offence against the Act the seed lot involved shall, at the discretion of the court, be forfeited to the Crown and dealt with by the Minister. Alternatively, the court may order a seed lot to be treated or, except for seed containing prohibited seeds, returned to the property on which it was grown. In this manner more discretion has been given to the court than is available in the present Act. The court will in future have such power only upon conviction.

The necessity for the Department of Agriculture to provide a seed analysis service has been maintained to assist seed sellers with labelling of their seed.

In all determinations of the accuracy of label statements the Bill provides for prescribed tolerances between the statements and relevant analysis results.

The power to make regulations has been widened to provide for the labelling concept and to link the seed certification schemes with minimum quality standards equivalent to those to be prescribed for select quality seed.

The express power to charge a fee for seed certification services also has been included in the scope of the regulations, rather than by ministerial approval as has been the practice.

Provision for the registration of seed treatment works processing certified seed has been included. With a trend towards specialisation in seed processing, this power is seen as a necessary adjunct to the seed certification schemes.

The opportunity has been taken in preparing this Bill to revise the penalties in line with current monetary values and with the severity of the offence.

It is believed that this Bill represents a consensus of opinion as expressed by

representatives of the farming community and of Government.

It offers important and significant improvements to the system of seed marketing in Western Australia, and introduces a new concept in which the purchaser of seed will be given vital information on which he can value his purchase and base his seeding operation.

It avoids the legal wastage of seed of a quality below arbitrarily set standards, while maintaining those standards through the select quality label. This is considered to be particularly helpful for buyers who are not used to making such detailed decisions, preferring to accept that select quality seed is of good quality.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Brown.

WHEAT BAGS REPEAL BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.11 p.m.]: I move—

That the Bill be now read a second time.

The Bill provides for the repeal of the Wheat Bags Act 1928.

The Act requires that, for purposes other than seed or feed, every grower of wheat sold in bags shall stamp the bags with his name and address or with his registered brand under the Brands Act 1904. This requirement is obsolete and has been for many years.

The original Bill was introduced in 1928 to provide purchasers of wheat with documentary evidence of the person from whom they purchased the seed.

At the time there was apparently a considerable amount of concern at the standard of some wheat contained in unbranded bags including a number of instances where "earth, machinery parts, and other foreign matter" had been found in bags of wheat. Of course, this gave no opportunity for purchasers to locate the offenders or to reject such growers' seeds in the future.

The considerable amount of thieving in connection with wheat was also a factor as it was considered the branding of bags would enable them to be more readily traced.

Today there is no need for an Act requiring all bags of commercial wheat to be branded with the name and address or stock brand of the grower, and I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Brown.

WESTERN AUSTRALIAN INSTITUTE OF TECHNOLOGY AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by the Hon. D. J. Wordsworth (Minister for Lands), read a first time.

Second Reading

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [5.13 p.m.]: I move—

That the Bill be now read a second time.

The main purpose of the Bill is to make changes in the membership of the Council of the Western Australian Institute of Technology and to tighten up certain conditions of membership of that council. In addition, a change is being made in the title of the institution by amending the word "the" from upper to lower case.

The PRESIDENT: Order! Honourable members are asked to refrain from the very audible private conversations that are occurring and allow the Minister to explain this very important piece of legislation.

The Hon. D. J. WORDSWORTH: Amendments relating to the membership of the council of WAIT are as follows.

The Bill deletes the Director of Technical Education as an *ex officio* member of council, but retains the Director General of Education or his nominee as an *ex officio* member.

Two additional members are proposed; namely, one who is a member of the full-time salaried staff, other than academic staff, and one who is a member of the Alumni Association. In both cases they are elected by people who comprise their constituents.

A new section—9A—is introduced to specify conditions under which members hold office on the council.

In general, members who are appointed or who are elected, other than the student member, hold office initially for a basic term of three years, and may be re-appointed or re-elected for a total of three successive terms. Following the expiration of three successive terms, the person must stand down for 12 months before being eligible for further consideration.

In the case of the student member of council, the period of office is for one year, and he may be re-elected once only at the expiration of that term.

Provision is made for the term of office of an appointed member to be less than three years where this is desirable to ensure continuity or uniformity or in the case of a member who is representing a branch of the institute, where that branch ceases to exist.

A further amendment reduces the allowable period of absence without leave for council members from six to three meetings; and also makes more precise the requirements whereby a member ceases to hold office on council if the basic qualifications or appointment have changed.

Proposed new section 10A includes the existing provision that a vacancy which occurs before the effluxion of time of a member's term will be treated as a casual vacancy and filled accordingly. However, the second part of the amendment provides that such a casual vacancy need not be filled if it occurs within six months before the expiry of the term of office of an elected member, so as to avoid the need to hold unnecessary elections within a short period of time of each other.

Members will note that certain sections of the principal Act are to be repealed. These sections, in the main, relate to transitory provisions which no longer apply.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. R. Hetherington.

LEGISLATIVE COUNCIL

Reading of Newspapers: Statement by President

THE PRESIDENT (the Hon. Clive Griffiths): Honourable members, I want to ask you to bear in mind something of which I have reminded you on several occasions. It is a matter everyone seems to have forgotten. It has always been considered to be out of order for members to read newspapers whilst sitting in their seats in this Chamber. That has been a long-standing convention, and I ask members to comply with it.

I do not make the rules, but it is my function to ensure the rules we have are complied with. Should any member disagree with a rule, that does not give him the right to break or even bend that rule; but it gives him the right to endeavour to change it if he so desires.

In the meantime I ask members to refrain from reading newspapers.

LOCAL COURTS AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by the Hon. I. G. Medcalf (Attorney General), and read a first time.

EDUCATION ACT

Disallowance of Regulations: Motion

THE HON. R. HETHERINGTON (East Metropolitan) [5.20 p.m.]: I move—

That Education Act Amendment Regulations (No. 8) relating to the conduct of teachers, made under the Education Act, 1928-1979, published in the *Government Gazette* on 16 July 1981, and laid on the Table of the House on Tuesday, 4 August 1981, be and is hereby disallowed.

I am reminded that on 2 October 1979 I moved for the disallowance of a regulation. That referred to an amendment to regulation 134 of the education regulations. At that time I read out a report of the Legislative Review and Advisory Committee, which was highly critical of that amendment. I assumed that when I was speaking perhaps I was wasting my time because a rapid further amendment might be forthcoming; but in fact, despite the quite strong criticism of certain words in regulation 134 as it was then, no move has been made by the Government to amend it. I feel it is remiss of me that it has taken me so long to notice this. However, I notice it now because we are dealing with a new amendment to regulation 134, plus amendments to other regulations which it seems to me the Government has introduced in indecent haste for unfortunate reasons. I think it might be a good idea if we did disallow those regulations on this occasion.

I think too, oddly enough, we might be doing the Government a good turn because I am given to understand that under the amendment to regulation 31—which says that a teacher shall not fail to carry out his normal teaching duties in respect of his pupils—certain teachers have been fined already for failing to carry out their duties. In fact this raises the question that those teachers may care to take the matter to litigation to ascertain what are normal teaching duties.

I attended a meeting last night at the Kewdale High School. That meeting of teachers and parents overwhelmingly supported the action taken by teachers. The deputy principal of that school has been fined for failing to carry out duties additional to the duties of a deputy principal, as seen by some people. Other teachers who were prepared to carry out their normal

duties argued that they were fined because they refused to carry out duties additional to their normal duties. I think indicative of the reason these amendments were brought in and the way they have been used against teachers who are taking industrial action, is the fact that this doubt is present immediately, and the whole thing might fall through.

I think it might be a good thing if it did fall through, because I would argue that the action taken under the regulations in question was undesirable at the time because it stood in the way of possible negotiation. I believe if the regulations were disallowed and, therefore, the action taken under them ceased to be valid, it might open the way for further negotiation between the Government and the Teachers' Union.

I have been assured by people in the Teachers' Union to whom I have spoken that their desire has been, and still remains, to negotiate with the Government; and it seems to me that one of the unfortunate things about the whole series of events that has brought this regulation into being is that the Minister for Education has not seemed on the face of it to be terribly anxious to negotiate, because negotiation means the possibility of somebody giving ground. The Minister has stated his position early and hard, and he does not seem at any stage to be prepared to budge from the position he has taken.

I would argue that the use of these regulations has merely exacerbated the already unfortunate situation about which I wish to talk at some length.

The other thing, of course, that is upsetting some people who are aware of what happens among other unions is that teachers are now being fined on charges of misconduct for what is basically industrial action, and these charges will go on their records to be held against them for the rest of their teaching careers. So this Government is now taking against teachers, action for misconduct on matters which are primarily industrial matters. Let us not forget it is primarily in one sense an industrial matter that we are facing at the moment although, again, primarily it is not an industrial matter in the accepted sense. It is not an arbitrary act or whim of the teachers.

It is very interesting that the present Minister for Education has managed to unite the Teachers' Union in a way I have never before known it to be united. He has got the union to turn towards what he regards as militant action when it has never been noted for its militancy.

The Hon. D. J. Wordsworth: I think it is in disarray.

The Hon. D. K. Dans: I thought the Government was in complete disarray.

The Hon. R. HETHERINGTON: The union is not in disarray. Certainly if I were a member of the Government and I managed to get the teachers to support their union to the extent they are supporting it now on an issue, and to get the parents to support teachers to the extent they are supporting them on an issue, I would be very worried and I would certainly not go around saying it is all the result of some kind of Marxist attitude of the militants of the Teachers' Union. I have met some Marxist militants at various times, such as Mr Brennan, who is well known for his Liberal militancy. As far as I know, he is a member of the Liberal Party, but I honour him just the same because I have met him and talked to him on educational issues, and on a whole range of issues he and I are in complete agreement.

The Hon. D. J. Wordsworth: How do you regard your political beliefs in this subject? Are they Marxist, or what?

The Hon. J. M. Berinson: Now you have started something!

The Hon. R. HETHERINGTON: I have informed the House before of my political beliefs. However, in response to the interjection of the Minister for Lands, which is of his usual high standard, let me inform him I am a social democrat—or a democratic socialist if one likes—and I have always been one. For the benefit of the Minister for Fisheries, etc., I am apparently also now a republican; so that I am now going to publicly advocate what I have always privately believed. However, that is not what we are talking about.

The Hon. G. E. Masters: You are a socialist republican.

The Hon. R. HETHERINGTON: If the Minister is going to toss little light-hearted remarks across the Chamber which assume that I am a militant, he is welcome to do so, but it is not a very sensible thing to say and if it is going to be the standard of the debate then I am not surprised, Mr President, that our education system is in such disarray at present. The person who has most responsibility for the disarray in which we find our education system is the person who introduced the regulations that I am now discussing, and that is the Hon. Minister for Education. He is the person who has set out to bring about confrontation between himself and the Teachers' Union, and he has managed to do

that quite successfully. However, I do not think he perhaps expected to bring about the kind of confrontation that he has now got between himself and a great mass of parents. You will notice, Mr President, just in case any smart people want to take me up on that, I did not say "the great mass of parents"; I said "a great mass of parents". I do not know how great the mass is, but I certainly know that last night I was at a P & C meeting where the overwhelming majority of parents had taken a stand at the meeting and were in support of the teachers and were against the Minister and the Government.

The Hon. Neil Oliver: Was it within your electorate?

The Hon. R. HETHERINGTON: It was.

The Hon. Neil Oliver: Were they Labor Party or Liberal Party supporters?

[Resolved: That motions be continued.]

The Hon. R. HETHERINGTON: One of the things which interests me is the number of people I have met who have said that although, hitherto, they have supported the Liberal Party, they now intend to support the Labor Party. I met somebody else on this issue who said he wanted to join the Labor Party after having supported the Liberal Party for a number of years.

I do not know how many such people there are; the fact remains there are a number of people of all political persuasions who are very perturbed at what is going on at present, and I am one of them. I would be pleased if the Premier would step in in this matter and take over from his Minister for Education and try to conduct some negotiations with the Teachers' Union, with WACSSO, and with concerned parents who do not want to see the situation continue as it has to the present day.

As an indication of the kinds of things that are happening, I was very interested to attend a meeting of parents at a school in my electorate. The meeting was held before the teachers took any action. I arrived at the meeting some five minutes late to find that everybody had already made up their minds to withdraw their children from school for one day in protest at the Government's proposed savings in the area of education spending.

The Hon. N. F. Moore: That was a very considered decision.

The Hon. R. HETHERINGTON: It was a highly considered decision. I was left in no doubt as to how the meeting felt about the matter. I believe when there is such spontaneous anger and distrust it gives all of us a reason to pause and think about why this has come about and wonder

whether there is something else the Government might do other than carry on with confrontation and with its spending cuts.

I have read through the various Press statements of the Minister for Education, and I find he talks about expenditure being reduced by three per cent, by \$25 million, and by \$15 million; it seems to vary from day to day. Just what the Budget will contain, I do not know. In fact, only today in reply to one of my questions I was informed that the answer could not be provided until the Budget came out. However, the Minister for Education seems to know what the Budget will contain as far as his department is concerned. In fact, so much does he know that at once he has set about implementing cuts in expenditure. He is not prepared to wait until the Budget comes out before he implements staff and spending cuts. The Minister argues that this will improve things; it may, or it may not.

This whole sorry affair which led to the introduction of these amendments to the Education Act regulations began in the beginning of June with an announcement by the Federal Government that it intended to cut expenditure and would reduce education grants. Intermixed with this was the announcement of a Grants Commission recommendation to reduce funding to this State by either \$162 million or \$182 million—I am not sure which. So, there seems to be a certain amount of panic on the part of some people in the Government.

We then saw the Federal Government establish its so-called razor gang. One of the things I found very distressing about its activities—quite apart from its recommendations—was to see a photograph of the members involved, smiling happily from the front page of the newspaper, making a joke of the whole business. I do not find the position our nation is in after some years of Liberal Government in Canberra and in Western Australia anything to make a joke about.

The Hon. D. J. Wordsworth: For goodness sake, lift your standard of debate. You do not know whether the photograph was taken when they were making the announcement.

The Hon. R. HETHERINGTON: Least of all do I see anything amusing in the situation regarding education in this State or the country as a whole. I am quite prepared to accept that the Minister for Education is worried about the situation. Let me give credit where it is due: I was quite pleased to read in the newspaper yesterday that the Minister intended to fight Canberra over the conditions placed on grants to this State to be spent on the transition-to-work programme. The

Minister believes—as I believe—that what we are doing here might be better than what the Commonwealth proposes, and that money might be saved and better spent in other ways.

The Minister was alleged to have made some remark about centralism. Of course, I have pointed out before that the co-operative federalism which was lauded so well by the Premier of this State and which was supposed to be implemented when the Fraser Government came into power is rapidly looking like non-co-operative centralism. It is the kind of centralism I do not care for at all; I think it would be much better if we went back to the kind of federalism we enjoyed under the Whitlam Government.

I mention this to indicate I am not always at odds with the Minister for Education and that sometimes I believe he listens to the right advice and makes the correct decisions. In the matter of the transition-to-work programme, I believe he is adopting the correct approach, as far as I can understand from what I read in the newspaper; of course, I understand also newspaper reports are not always accurate.

This situation began with the problems which looked like emanating from the cuts Canberra intended to introduce to general State funding and to funding of Government school education. Although the Commonwealth in fact is making no increase in actual terms to its overall grants for Government school education in the next financial year—which means with inflation there will be a real loss—for the first time the amount granted to non-Government schools will be greater than the amount granted to Government schools. The Commonwealth Government is interested in providing flat rate increases to non-Government schools, some of which do not really need the money.

The Hon. A. A. Lewis: Would you name those schools?

The Hon. R. HETHERINGTON: At the same time, however, it is not very anxious to increase funding for Government schools, which I think is a great pity.

The Hon. D. J. Wordsworth: Do you feel the Federal Government is specifying how much money should go to Government schools?

The Hon. R. HETHERINGTON: The Federal Government is doing two things: It is making general grants to the States as it normally does—and those grants are being reduced—and it is making specific educational grants, as it always does. I realise, of course, that as far as the general grant is concerned, it is for this Government to sort out how the money shall be distributed.

The Hon. D. J. Wordsworth: Your innuendo was wrong.

The Hon. R. HETHERINGTON: I was not making an innuendo; I was talking about direct Government grants. If I did not make that clear, I apologise to the Minister.

The Hon. D. J. Wordsworth: You said, "grants by the Federal Government to the State for education".

The Hon. R. HETHERINGTON: As the Minister has interjected to ask me what I meant and as I have now explained it to him, I think it might be a good idea if he accepted my explanation instead of accusing me of all sorts of things I was not trying to do.

The Hon. A. A. Lewis: You do not need to try.

The Hon. R. HETHERINGTON: Be that as it may, the fact remains there are budgetary pressures on the State Government. It is particularly ironic that this is happening at a time when we hear so much about the "resources boom". I do not intend to debate that matter, but it does seem to me that in this very wealthy country we are not spending on education the money which we could spend. I have said that quite consistently since 1977, when I first came into this House. I remember in one of my earlier speeches I argued to this House that even if we accepted the Federal Government's attitude to financial cuts in general, and to its economic squeeze, we should still spend more money on education. I was pleased that for some years, although I have never been completely satisfied with the present Government's educational policies, there seemed to be some consensus on the matter.

It would seem to me if the Government found itself in a difficult position it might be a good idea to put the facts before teachers instead of simply telling them what was going to happen, and if it consulted with the Teachers' Union before it decided what action to take. I have always believed—and again have advocated it consistently since I have been in this House—in consultation and negotiation with the people Government decisions are going to affect. Sometimes the Government gets away with it, but at other times there is a bit of a backlash, and vigorous opposition is encountered. I believe always in negotiation, and I believe the Teachers' Union is anxious to negotiate.

The Hon. N. F. Moore: Come off it!

The Hon. R. HETHERINGTON: Of course it is; there is no doubt about it.

The Hon. A. A. Lewis: Confrontation, all the time.

The Hon. Peter Dowding: Look who is talking.

The Hon. N. F. Moore: Who is on strike?

The PRESIDENT: Order!

The Hon. R. HETHERINGTON: I am interested in the interjections because—

The PRESIDENT: I am not!

The Hon. R. HETHERINGTON: I am sorry about that, Mr President. The thing which interests me is that it is an old psychological trick to transfer one's own views to other people. I would not be at all surprised if the people who are shouting "confrontation" about the Teachers' Union were themselves in confrontation with the teachers. We want to bring these people to heel.

The Hon. D. J. Wordsworth: Is that why you are shouting it?

The Hon. Peter Dowding: Make a constructive interjection, not a load of baloney.

The Hon. D. J. Wordsworth: You have accused the Minister for Education of confrontation.

The Hon. R. HETHERINGTON: Yes I have; he has a long history of confrontation. As I have mentioned, I was appalled when he was appointed Minister for Education because—

The Hon. A. A. Lewis: You were sad you did not get it.

The Hon. R. HETHERINGTON: If members could refrain from making cheap jibes, they might raise the tone of this House. I suppose that is too much to expect.

The fact remains that the cuts were announced after the Premier had gone to Canberra to do battle with the Federal Government and came back more or less defeated, like most of the other Premiers.

Then we found that the Minister for Education did not merely start by saying "We are in trouble, we have to try to do something about it." He attacked first, and this was only the beginning. He said "We have to save \$25 million; we can save \$10 million in various ways and now we have to save another \$15 million". Then he started to attack the teachers for going to the Teachers' Tribunal with a pay claim. His attack was not always strictly accurate. In fact they were putting up a claim to the Teachers' Tribunal for a 15.7 per cent increase. The teachers were prepared to compromise on a consent agreement of a 5.7 per cent increase which would bring them into a parity with teachers in New South Wales. In other words, if a claim of 15.7 per cent was pursued by the unions—and considering the way

unions operate—the teachers would be satisfied with a 5.7 per cent increase which would bring them into parity with New South Wales. That was what they were aiming to do.

The Government talks a great deal about law and order. It also talks a great deal about going before the umpire; but the Minister made the situation clear after the teachers went before the umpire, because he threatened that there would be possible dismissals. At one stage he said 1 000 graduates would not be employed. I hope the following was a slip of the tongue; the Minister said that not only were teachers asking for a 15.7 per cent increase, but also they were asking for an additional 5.7 per cent increase and this would cost \$45 million and teachers would have to be sacked.

This is wrong and if one reads anything that the Teachers' Union has said, one finds it has been consistent in saying that it was putting in a 15.7 per cent pay claim and that it was prepared not to proceed with it if it could receive an increase of 5.7 per cent.

The Hon. D. J. Wordsworth: That is, the teachers would be content with their 5.7 per cent. Would you allow Mr Grayden the same leniency about what should be expected?

The Hon. A. A. Lewis: That does not suit his argument.

The Hon. R. HETHERINGTON: What I am saying is that I am trying to develop an argument that teachers going before the tribunal are prepared to compromise with a 5.7 per cent increase, and I am not saying the Minister should necessarily agree with that. Certainly I do not think he should expect teachers to withdraw their claims from a properly constituted tribunal, because if he does he is threatening them. He should accept that they should go before an umpire and see what he has to say. However, he immediately started to put pressure on the teachers and tried to blame them for what was going to happen. I said this in a Press report which was not published, as has been the case with most of the Press releases which have been submitted by Opposition members.

The Hon. N. F. Moore: It is the same with the Minister, too.

The Hon. R. HETHERINGTON: I realise that he has not had all his Press statements released. They are voluminous and certainly if they were all published the newspaper would have nothing in it but the Minister's comments.

It is unfortunate that the shadow Minister for the major Opposition party does not get some of his statements published so that people can see

that the Labor Party, too, has a view. I do not necessarily expect people to agree with that view, but it would show that the Labor Party does have one. This business of the schools at present is not just a disagreement between the teachers and the Government, although of course this is one of the reasons that we have this regulation. It pays the Government politically to treat it as such.

The Government would be happy to treat it merely as industrial action by the union which is out to confront the Government. Immediately I talk about confrontation I get this chime from Government members in the House that it is the union which is confronting. That is not the way I see it. The union is now confronting; however it did not start out to do this but to make a wage claim.

The Hon. N. F. Moore: It has been looking for an issue for years. They have been saving their \$10 for this.

The Hon. R. HETHERINGTON: The gentleman may see it that way, but I do not. It concerns me very much and it concerns members on this side of the House, because it is a most important matter. It concerns also the parents of the children who are going to our schools because education is a very important matter, and it concerns the children who are being educated.

One of the things that is happening with these cuts being implemented in education expenditure is that some of the children most in need are being hit the hardest. I am talking about some of the smaller remedial classes, which are disappearing under the present cuts, and the reduction of 170-odd teachers which has occurred in the Education Department.

I know that one can talk quite easily about 3 per cent; and one can talk easily about a percentage of teachers and say that they are just not being replaced; and one can talk about—as the Minister does—not reducing any school teaching staff below the formula. I know that too; that is not in dispute. But when all that is done, a series of little issues are adding up to something pretty disastrous for some of the children in our schools.

If in fact, because a teacher goes on long service leave and is not replaced, nine year 8 mathematics classes are broken up and turned into eight, then there is the situation where, because the classes are doing projects at different rates, some children are seriously disadvantaged.

The Hon. A. A. Lewis: At what level is this decided—headmaster level or—

The Hon. R. HETHERINGTON: Superintendent level.

The Hon. A. A. Lewis: —does the Minister for Education decide these things.

The Hon. R. HETHERINGTON: The superintendent.

The Hon. N. F. Moore: You know very well that classes can be adjusted by headmasters.

Several members interjected.

The PRESIDENT: Order!

The Hon. R. HETHERINGTON: Sometimes of course principals have no option—

The Hon. A. A. Lewis: You said the superintendent did it; now, did the superintendent or the principal do it?

The Hon. R. HETHERINGTON: Why does not the member listen?

The Hon. A. A. Lewis: I cannot hear you for one thing.

The Hon. R. HETHERINGTON: I am not surprised the honourable gentleman cannot hear me because it is difficult to do so over his own muttering and mumbling.

The Hon. A. A. Lewis: Could you speak up?

The Hon. R. HETHERINGTON: I will say it again for the honourable gentleman. I do not want to raise my voice unduly because I do not want to get annoyed over this issue. In this particular instance a direction was issued by the superintendent and staffing as such could not be done in any other way. I do not care whether it was done by the superintendent, the principal, or the Minister himself. The point is, it comes down to inconvenience. When this occurs we have a great deal of disruption to the children in those particular classes.

When a physical education teacher at a primary school is transferred to replace a teacher-librarian at another primary school and he is then replaced by a teacher-librarian at the school he has just left, that involves a great deal of disruption. This is one of the things that has happened when other staff are not replaced, and there are lists of them which I am sure the honourable gentleman has been sent by various principals, like I have. It often involves remedial classes, because the teacher in charge of the class is taken away to carry out other duties. Certain schemes and programmes which are conducted by youth education teachers have to be abandoned because these teachers are taking other classes.

It usually means that many of the little refinements—and there are many of these—have to be abandoned and it is not in the best interests of those children who are most in need. The same thing applies to children with special learning

difficulties, such as those children who need remedial reading and remedial activities; and the teachers who were looking after smaller classes of eight or 10 have to go back to a normal-sized classroom. It is one of the problems that is happening. I am aware that the Minister has decided that the Education Department will introduce the cuts this year.

Another situation which has arisen is that when school numbers drop by two, three, or four below the formula teachers who would be left there till the end of the year are having to leave, and this means re-timetabling. I know, and I think the Minister himself has said, that in the last year there were 3 000 transfers through the department, and the Teachers' Union did not protest that they were disruptive. However, when we have these additional disruptions, they become the last straw. It is unfortunate that now, instead of teachers waiting until the end of the year, they are being transferred as the school numbers drop below the formula.

In fact, I was quite appalled when I read the Minister's letter, which, unfortunately, I do not have in my file or I would read it to the House. However, no doubt most members have seen it. That letter directed to schools set out how the cuts would be introduced. The letter and the implementation of its contents have produced all the problems, protests, backlash, and worries and the necessity in the Minister's mind to introduce the regulation I am trying to have disallowed.

This letter indicated that when people retired or resigned or went on long service leave, as people do in August and September in the Education Department, they would not be replaced.

If they had to be replaced because there was a special need—and there are schools such as the Bentley Senior High School which has been bashed about rather well one way and another, and which would have had no manual arts teacher at all if the department had not regarded it as a special case—teachers would be transferred from the administration. As Professor Hill from Murdoch University said recently, in doing this all the gains of 10 years are being lost, and I will dilate on that a little more after the tea suspension.

Sitting suspended from 6.01 to 7.30 p.m.

The Hon. R. HETHERINGTON: Before the tea suspension I mentioned that Professor Hill, Professor of Education at Murdoch University, supported the teachers in a way I found quite surprising. He said they could do nothing else but take the action they did. His claim was that the confrontation had been forced by the Government

as part of its confrontation with Canberra in regard to the whole business of funding. I will not say that is right or wrong. I am not quite sure why the Government produced the confrontation, but I think it is quite obvious that the Government did produce it. The Government is trying to blame the teachers and has now brought down these rather draconian regulations.

The Hon. V. J. Ferry: I am glad you have got onto the regulations. You haven't for the last hour of your speech.

The Hon. R. HETHERINGTON: I mention them every now and again.

The Hon. A. A. Lewis: In passing.

The Hon. R. HETHERINGTON: In fact, I see them in the context of a whole history of action. Such regulations should not be brought in lightly. However, I think these were brought in mistakenly and on the spur of the moment. They are the result of a whole situation, and are being used to hammer the teachers.

One thing does concern me, and this was mentioned by Professor Hill. It is something speakers from the Government side and officers of the Education Department referred to. It is something that the department is proud of, and that is the building up of support staff and advisory teachers. A number of advisory teachers has been built up, and in a number of areas they advise and help teachers in schools. This system was regarded by the department as one of the great things to happen in Western Australia. These advisory teachers now have been sent back into the schools.

For the Minister for Education to state as he has, "Well, the people we are sending back into the schools are first-class people, at the top of their profession", is to miss the whole point. We know they are first-class people and we know they will make good teachers. Nobody argues about that, but the argument put forward is that they would do a better job as advisory teachers than they are doing in their present positions. Other teachers will lose their support and our education system will drop back 10 years by the action taken by the Government.

The Hon. N. F. Moore: How have you got 10 years out of it?

The Hon. R. HETHERINGTON: It will be difficult to build the system again, and I am very concerned about that. In many ways I agree with Dr Mossenson. However, I do not always agree with him or agree that we have the best department. In fact, I strongly disagree with him quite often, but I am quite willing to agree with the great service he has given this State. One of

the things that made me sad personally when we lost the last election—apart from the politics—is that I would have enjoyed being the Minister for Education with Dr Mossenson as the Director General of Education.

The Hon. A. A. Lewis: Eh?

The Hon. R. HETHERINGTON: I would have been the Minister if we had won the election. An association with Dr Mossenson would have been most fruitful.

The Hon. A. A. Lewis: It wouldn't have been that, surely.

The Hon. V. J. Ferry: It is your ego.

The Hon. R. HETHERINGTON: It has nothing to do with my ego. It is a matter of facing facts.

The Hon. V. J. Ferry: You had to win the election first.

The Hon. R. HETHERINGTON: As I was saying, not working with Dr Mossenson is one of the things I regret. I am not ashamed of that; I think Dr Mossenson would be a good person to work with. I have been told by the Hon. Graham MacKinnon rather strongly—a bit bitterly because he thought I was criticising Dr Mossenson unduly—that Dr Mossenson is a good person to work with.

The Hon. R. G. Pike: He would have been much better than Pearce.

The Hon. R. HETHERINGTON: I am not asking for the Hon. R. G. Pike's opinion.

The Hon. R. G. Pike: But you will get it.

The Hon. Peter Dowding: We can't stop you.

The Hon. R. G. Pike: I know you can't, and you will get it.

The PRESIDENT: Order!

The Hon. R. HETHERINGTON: I think it could be argued that I might have done a better job than the present Minister as well. It is a pity our education system is under attack by the removal of an excellent programme. As I said, it is hard to once again build up such programmes, but I hope we can do something about that.

I will refer to something about which I am pleased. After returning from having dinner at my home I listened to the news and was glad to hear that the Teachers' Union asked teachers in the three schools on strike to go back to teaching.

The Hon. Peter Dowding: It was very responsible.

Government members interjected.

The Hon. Peter Dowding: With a lunatic like Grayden running the department—

Withdrawal of Remark

The PRESIDENT: Order! I ask the honourable member to withdraw that comment. It is totally out of order to make a comment such as that about a member in another place.

The Hon. PETER DOWDING: I withdraw the remark.

Debate Resumed

The Hon. R. HETHERINGTON: I was pleased to hear that the Premier has done what I said before tea I hoped he would do. He is intervening in the dispute and negotiations will take place tomorrow.

The Hon. N. F. Moore: He offered to meet them a long time ago.

The Hon. R. HETHERINGTON: He has now offered to meet them and they have agreed to meet him, and I think that is desirable. I hope something good comes out of it.

Something of which I am aware, although I do not think it is something of which people who criticise teachers are aware, is that teachers are distressed by the situation in which they have found themselves. They are supporting their union because they believe they must in the interests of the children they teach. They are not really militant unionists, but people sticking by a principle and finding their position most difficult. Certain teachers are aware of the fact that they have put their jobs on the line, and they have done so without any joy at all. They regard the matter seriously and are serious about the fact that what they are trying to achieve in this instance—that is, the preservation of good things in our education system—is in the interests of the children they teach.

Since all these things are happening, it would be a good idea for us to disallow the regulations. If the talks are successful they will not be necessary and, perhaps, there will be time to frame better regulations. Whichever way one considers the regulations, they are not good; they are quite draconian in nature.

I was quite interested to hear the remarks made by dedicated teachers who in principle support their union. The information I have is that it is not a small group of militants to whom union headquarters is dictating. There was a very strong flow of support from teachers generally, and the union executive was pushed into action. A real backlash has occurred to the Government from teachers and parents. The actions taken by teachers were taken by dedicated, responsible, and serious people. Members in this House may

or may not believe the teachers' actions were reprehensible or wrong, but if they accuse many of the people taking those actions of being irresponsible militants they are wrong. The teachers are honest and dedicated people who normally would not take such action; they feel they have been pushed into a corner.

The regulation will not help the situation because it comes at the end of a series of threats. One of the things of which the teachers are aware in regard to this kind of regulation is that the Minister has threatened them with what he will do if they receive pay rises. It appears that graduates will not get jobs and, perhaps, school teachers will lose their jobs. What he did to cleaners and the caretakers at schools is another example. When they received a rise in their hourly rate, when the umpire said they deserved something better in regard to wages in order that they could exist properly with increasing costs of living, the Minister cut down the number of hours they worked to ensure they were paid no more than before. If that was not confrontation or failing to accept what the umpire said, I do not know what is. It is not surprising that teachers feel threatened by some of the actions of the Minister, and it is not surprising that they found these regulations provocative.

The whole history of this building-up of confrontation is a most unfortunate one, and I believe it has been fostered by the Minister. I am not saying anything against him personally when I say he has not been successful as a Minister for Education; I have said so before and probably will say so again. Sometimes he does not understand the ramifications of his policies. It is one thing to look at broad statistics, but another to look at three per cents, talk in terms of \$15 million and say, as I heard at one meeting, "One hundred-odd personnel, but only 64 are moving out". The fact is that 64 people were involved, not personnel, and some of those people were in charge of useful programmes which will now fold up. Some of them were developing new curricula which will now not be available. Key people were transferred to the advisory teacher positions and in a very real sense were improving the quality of our education system.

An important point I bring before members is that with the structural changes in our economy we must improve our literacy and numeracy rates over those which pertained in the past. As I have pointed out previously, and as I will point out again—I hope it seeps through in due course—what we have done in the past is not good enough for the future. No longer do we have unskilled and semi-skilled positions in labour-

intensive industries to mop up the people whom our education system has not been able to help as well as it should have. Now we need the range of opportunities the education system was providing, or preparing to provide, but such things have been cut back.

It was rather unfortunate from the point of view of the Government that this crisis broke just after a general rise in council rates and charges, bus fares, electricity charges, and other charges. On top of that we found the Education Department increasing charges for camps, and decreasing the amount of equipment being put into schools and the subsidy on school books.

In other words, this affects the poor people of the community, and these are the people in my electorate. Someone made a jibe earlier and said that somehow the people in my electorate are inferior, radical, militant, or Marxist. Many of the people in my electorate are poor, and therefore they are feeling the pinch. This is the last straw. They had hoped that their children would do better than they themselves had done, and now they see Government services introduced by the department being cut back. I will quote again A. D. Lindsay's statement, "Only the wearer knows where the shoe pinches."

It is one thing for the hierarchy of the department to work out percentages, and places where cuts can be made, but it is another thing for one to be at the bottom and have to pay extra money for these same services, or to see one's children losing the chance of attending remedial mathematics or English classes, or enrichment classes. I hope no-one tells me we should get back to basics.

Just the other day I was thinking about my own education—it was pretty basic. I learned grammar and mathematics at school and I am grateful for that, but most of the enriched parts of my education were learned after I left school. I am pleased to see that many of the things which would have made me a better and more enriched person are now being offered in our schools. Many more young people are staying on at school than was the case when I was young.

Then at a time of economic crisis, when people are being attacked from all directions, we have these cutbacks. The reaction from teacher and parents has been anguished and spontaneous, and I hope members remember this. They may or may not think that the reaction of the teachers and parents is correct. They may think that what the Government is doing is the only possible thing to do. However, the reaction of the people who are being hit is a genuine reaction.

The reaction on the part of the parents has not been whipped up, and I hope nobody tells me that when I attend parents and citizens' meetings in my electorate I act as a demagogue and stir things up. The reaction is sad, hurt and genuine, and so the people must be talked to. No doubt it could be said that a few teachers are exploiting the situation. I will bring out my Ben Chifley quote on this occasion: "Wherever there is a fire you will find a Communist there pouring oil on it." Of course some people around the place will be pouring oil on the fire, but the anguish is real and it must be considered. There must be careful discussions.

I know that sometimes the Premier can negotiate, and I hope that his discussions with the Teachers' Union are fruitful and that they allay fears. The Minister took the attitude of saying, "This is not the way to do it; do it as I tell you to, or I will bring down regulations." If an approach were made to the Teachers' Union it might have some fruitful views to put forward. On the other hand, it may have no suggestions, in which case it would not be able to face the Government negotiators. However, let us try negotiation, and perhaps then there will be less ill-feeling in the community and more consensus.

The Hon. N. F. Moore: Where do you think the Government should cut its expenditure?

The Hon. Peter Dowding: Press secretaries for starters.

The Hon. N. F. Moore: We are talking about millions of dollars.

The Hon. Peter Dowding: What about the extra Ministers and members?

The Hon. R. HETHERINGTON: I do not have the figures to be able to take part in a detailed across-the-board discussion about whether cuts should be made and if so where. I do not have the expert advice which is available to the Government. I do not know how the Government could find another \$15 million or \$25 million for schools. I am not standing up here and laying down the law about how it should be done. All I am saying is that a very unfortunate situation has arisen and that it has upset many people. I am one of those people and I would be pleased if the Government—and particularly the Minister for Education—would consult more, dictate less, and be less aggressive towards people who disagree with it. The Minister described the people in the Teachers' Union as a Marxist group; that is so ludicrous that one cannot take the man who made such a statement very seriously.

The Hon. Neil Oliver: He probably was not referring to the executive. Perhaps he was

referring to the fact that the union was applying for affiliation with the Trades and Labor Council.

The Hon. Peter Dowding: How does that make them Marxist?

The Hon. R. HETHERINGTON: The remark itself was ludicrous, and if any member defends the Minister's statement in this House, that member's statements would be equally ludicrous.

The Hon. Neil Oliver: I would be interested to hear your comments on it.

The Hon. R. HETHERINGTON: It would be a good idea to disallow these regulations. It would cool the situation. It would mean that the fines would not need to be paid, and it would remove from the Education Department rather dubious and ambiguous regulations.

I have never been happy about the fining of teachers. A superintendent may decide to report back to the director general about certain teachers, and the director general then fines them. I have made those comments before in this House, and I will not dilate on them now. It is very difficult to know what are normal teaching duties. It would have been a good idea to proceed more slowly with the introduction and use of such regulations.

I pay tribute to the director general once more. He was reported in the Press—and I believe this report is correct—as having advised the Minister to cool off for a while. In fact, he got the Minister to cool off, and that cooling off period was valuable. I believe that had the fines not been levied so quickly, the situation now would not be so critical.

I know quite a few teachers, and I know people who know teachers. I have received telephone calls from all sorts of people. I received a telephone call from an anguished parent whose daughter, a graduate of a teachers' college, had been promised a job this month when a teacher went on long service leave. Suddenly that job was not available. These young graduates and their parents also feel anguish.

I am aware of all these problems in the community. I understand also that the Government has found itself in a "Catch 22" situation—its great and powerful friends in Canberra failed to be as co-operative as they promised in their federalism. The Government has been put in a very difficult situation. However, we could do without the bluff-and-bluster method of solving the problem and get down to more conciliation, discussion, and negotiation. I cannot take seriously anyone who

tells me that this militant Teachers' Union has just been sitting back waiting for an issue.

The Hon. N. F. Moore: Of course it has.

The Hon. R. HETHERINGTON: Of course it has not.

The Hon. N. F. Moore: Of course it has—it has been saving its money for it.

The Hon. R. HETHERINGTON: I would not think it has enough money for what it is facing now.

The Hon. N. F. Moore: It is running out of money; that is why it wants to negotiate.

The Hon. R. HETHERINGTON: If this is a long-laid plot of the Teachers' Union, it is highly incompetent.

The Hon. N. F. Moore: You know it has been planning this for months and months.

The Hon. R. HETHERINGTON: I do not know it and I cannot believe it. I cannot say any more to the honourable member—perhaps I have said too much already.

Government members: Hear, hear!

The Hon. R. HETHERINGTON: The regulations have been counterproductive in many ways. Members of the Teachers' Union were not allowed to go into schools, and therefore, they have stood on the grass verges and used loud hailers. This has given them a little bit of propaganda advantage—one is never quite sure how these things can backfire.

Regulation 31 is amended by the insertion of paragraph (2) which states—

A teacher shall not fail to carry out his normal teaching duties in respect of his pupils.

That really goes without saying, but I suppose the department found it did not have a regulation to cover that particular issue. The proposed regulation 31A.(1) reads as follows—

31A. (1) A teacher shall not encourage, counsel or incite a parent to withhold his child from attending school.

In many ways I regard that as a propaganda amendment, to try to back up claims that many parents withheld their children from school because the teachers had incited them to do so. I know one school where that is not the case, and I know that the parents were divided on the issue. Some parents kept their children away because they did not want them involved. Some people kept their children away from school in protest against the cutbacks and the attitude of the Minister for Education. What the mix is, is anyone's guess; but it would be a foolish

Government which assumed that only a minority of parents were keeping their children away from school spontaneously and genuinely while the rest of the parents had somehow been manipulated by allegedly Marxist school teachers.

The Government would be fooling itself if it thought that way, and it could finish up in greater trouble than it is in at present. If there was a sudden outbreak of an infectious disease, surely the responsible teachers would counsel or incite parents not to send their children to school.

The next amendment reads as follows—

(2) A teacher shall not during normal school hours encourage, counsel or incite another teacher from a school other than the school to which the first-mentioned teacher is appointed not to carry out his normal teaching duties.

The amendment to regulation 134 will give the Director General the power to reduce a teacher from one position to another carrying a lower salary, to suspend him for up to 12 months, or to dismiss him. So the threat is there, and it was meant as a confrontationist threat.

On top of this, to gild the lily, we now find that teachers are not to be seconded to the union, and that the union dues will not be deducted from teachers' pays. It is all part of the one thing; it goes with the regulations.

If we knock out this brick, it might help the rest of the edifice gently to subside into some kind of sensible negotiations. This means, of course, that the first time the teachers take something that looks like militant action, the Government tries to cripple them as an industrial body. This shows very little understanding of the activity of unions or the rights of unions in democracy. No doubt, the people who are doing this would be the first to back Solidarity in Poland. I would remind members of this House that the RSL's motto is "The price of liberty is eternal vigilance". We have to keep the right of people to protest, even if the Government does not like it.

Governments are not always right. Governments are not elected to do anything they like between elections. The voice of the people is allowed to be heard; and certainly, as far as the parents are concerned, the voice of the people is being heard. The Government would do well to heed the voice of the people; and the members of this House would do well to disallow these regulations.

The Hon. H. W. OLNEY: I second the motion.

THE HON. G. C. MacKINNON (South-West) [8.02 p.m.]: Peculiarly enough, I am grateful to the Hon. Bob Hetherington for bringing forward

in this way the matter of the dispute between the Teachers' Union and the education administration. I followed his speech with great interest. Members will agree with me that the subject of his speech was the current dispute rather than the regulations. I will deal briefly with the regulations at the commencement of my remarks, and then I will proceed with one or two matters with which I would like to deal in regard to the dispute.

If one looks carefully at the regulations—and I will not read them, because the honourable member read them—one finds the first three underline the fact that the education system in this State is compulsory. It is compulsory for parents to send children to school or to have them educated.

The Hon. Peter Dowding: Why put it in then, if that is so?

The Hon. G. C. MacKINNON: I will deal with that in a moment. There is obviously a very good reason. That underlines the basic fact of our education system: it is compulsory. Therefore it follows that it is illegal for anybody to tell children not to go to school unless, of course, there is an overriding reason, which could be danger to their health, or the like.

The Hon. Peter Dowding: Or danger to their education system.

The Hon. G. C. MacKINNON: There is always the possibility of contagion and infection and the like, whereby children are told not to go to school.

The Hon. N. E. Baxter: That is official then.

The Hon. G. C. MacKINNON: But, it is illegal for a parent or a teacher, for any other reason, not to educate the children. Indeed, the department has a very good section for correspondence schooling by which some children are taught.

As it happens, I have visited almost all of the schools in this State, and I have visited a considerable number of the correspondence centres. Indeed, I am probably the only former Minister to have done an organised tour and taken the headmaster of the Correspondence School and a superintendent of education through all the correspondence areas. It was very arduous, but it was a tremendously interesting trip.

It is interesting to read the full regulations. They were written in the context of quite different conditions from those which we have today. Indeed, most of the regulations—far and away the bulk of the regulations in the book—are written for the protection of school teachers. A

considerable number of the regulations are written for the protection of school teachers against parents—from the wayward parents who believe that their children are being victimised.

I want members to remember the word “victimised” because I will return to that. How many parents have we heard saying, “My child isn’t getting a fair go at school; the teacher’s got a set on him”? How many members have heard that? I want members to bear that in mind, because I will return to that in a little while.

To protect the teachers, there are regulations which demand that a written statement has to be obtained from the parents, and the statement has to be signed in front of a commissioner for declarations. The statement has to be sworn, and all the rest of it. It is quite difficult to do anything to a teacher on the say-so of a parent.

However, all of a sudden we have found ourselves facing a vastly different situation. This is a situation in which teachers are instructing children not to attend school when it is their legal obligation to be at school. For whatever reason—and let us leave that aside for the moment—they are breaking the law and encouraging parents not to send their children to school.

The teachers are breaking the law in the clear sight of children of a most impressionable age. The teachers do not have a case because they are using my grandchildren and, Mr President, they are using your grandchildren. They are sending my grandchildren and your grandchildren home saying “The teachers haven’t got the money, and it’s the Government’s fault.”

The Hon. Peter Dowding: That is true.

The Hon. G. C. MacKINNON: We say “But darling, I’m part of the Government.” So we have a lot of very confused children.

The Hon. Neil Oliver: And parents.

The Hon. G. C. MacKINNON: Mr Hetherington spoke about the parents being on the side of this one and that one. How many parents have the worry that has been expressed to me, not once but a number of times, that people will not raise a finger, they will not write a letter, and they will not send their children to school for fear of victimisation?

The Hon. Peter Dowding: Rubbish!

The Hon. G. C. MacKINNON: Mr Berinson did not interject on that one because, historically, Mr Berinson knows the problems of victimisation.

The Hon. Peter Dowding: Pull the other one!

The Hon. G. C. MacKINNON: It is not a matter of “pull the other one” because, as a

matter of fact, I remember vividly going through a period in my schooling when I believed the teacher had a set on me, and I did not do very well at that school.

The Hon. Peter Dowding: Did they pass regulations on that issue?

The Hon. G. C. MacKINNON: That extended to the point that I was moved from that school to another one; and at the second school I won a scholarship. However, I still had the feeling of victimisation at the first school. We all know that, innocently or otherwise, victimisation is possible.

I will go further than that. I can tell, with as much authority as Mr Hetherington has spoken of things to which he referred, that in some of the schools there are very militant groups of teachers who are, in effect, standing over the other teachers at the schools.

The Hon. Peter Dowding: Whereabouts? Who told you? Name them.

The Hon. G. C. MacKINNON: I will name one person in a minute. If the Hon. Peter Dowding would just stop shrieking his head off, I could proceed. That sort of behaviour does not take him anywhere.

The Hon. Peter Dowding: You make scurrilous allegations you cannot justify. That is what enrages us.

The Hon. G. C. MacKINNON: I am suggesting what is possible.

The Hon. Peter Dowding: You are making an assertion of fact, and you cannot back it up.

The Hon. G. C. MacKINNON: Anyone who knows anything about human nature would have to admit the possibility. If we talk about scurrilous remarks, let us remember Mr Hetherington made some fairly forceful statements about Mr Grayden. As it happens—

The Hon. Peter Dowding: He is the worst Minister for Education there has ever been.

The Hon. R. Hetherington: Much worse than the present speaker.

The Hon. G. C. MacKINNON: Let me leave Mr Grayden right out of the question because I do not regard it as a political problem in its proper sense.

The Hon. Peter Dowding: Would you give him any guernseys for his behaviour?

The Hon. G. C. MacKINNON: I just suggested that we leave the Minister right out of it. It is not a political problem. Let us look at the situation—

The Hon. Peter Dowding: In all conscience, you could not defend him and his behaviour.

The Hon. G. C. MacKINNON: Is it possible in the Caucus to have reasonable debate with Mr Dowding present?

The Hon. R. Hetherington: Yes. He contributes all the time. He is most reasonable.

The Hon. G. C. MacKINNON: No wonder the members of the Labor Party come out looking frustrated.

The Hon. Peter Dowding: I can appreciate your embarrassment at Grayden in the Ministry.

The PRESIDENT: Order!

The Hon. G. C. MacKINNON: I am prepared to preface my remarks by saying that I accept all the concern and worry which the Hon. Bob Hetherington has told us about tonight; but let us look at the situation. We have a Premier who is also the Treasurer, whom we know is short of funds. Now, there are only two areas in any State Budget from which one can take funds. As it happens, in this Chamber we have two people who have been in those ministerial portfolios. They are the portfolios of health and education. There are no other areas from which funds can be secured.

Let us have a look at the Budget. What was Mr McNeill's total Budget? Chicken feed! What is Mr Wordsworth's? Peanuts—and the department has to earn most of it. What is Mr Medcalf's? In the Federal arena, defence is another area from which funds can be taken. We all know how defence has been chopped back in order to save money.

In the State we have health and education which are the only big spenders. The money has to be taken from those areas. The Minister goes in and he fights—

The Hon. Peter Dowding: What about the Premier's Department?

The Hon. G. C. MacKINNON: —and battles for every cent. There was a mention that some of the PR exercise ought to be cut. Let me accept for the moment that that is a good move. I will agree with that, if it gives us a little peace and quiet. What would we save in total if we cut out the PR offices? Are there 20 or 30 of them? Half of them are extension officers and the like. They are not real PR men attached to Ministers. Let us say there are 15 of them, and they receive \$30 000. It is peanuts!

The Hon. Peter Dowding: And the four additional members of Parliament, and the Ministers, and the departments, and their tenancies, and all the rest of it.

The Hon. G. C. MacKINNON: All right, we could reduce the amount by something under \$1 million. Where would that take us? Would that

solve the problems that we have at the moment? If that were so, what is the fuss about?

The Hon. Peter Dowding: Because you will not do it.

The Hon. G. C. MacKINNON: We are talking about an amount of money considerably more than that.

Let me continue if I may with what I was saying a moment ago. The Minister fights for money and gets his allocation of funds and then goes back to his department. And who are we talking about when we mention the department? We are talking about a man who Mr Hetherington has admitted is a first-class Director General of Education—Dr Mossenson—a man I am proud to be able to say I appointed. We are talking about a department which I happen to believe is, administratively, probably the strongest of any in this State.

The Hon. Peter Dowding: Notwithstanding the Minister.

The Hon. G. C. MacKINNON: In this exercise we can take out the Minister and put in the Premier to run it himself. I do not think it would make the slightest difference. These very concerned people in the department try to work out how they will spend the money. There are some economies which must be made.

Despite anything Mr Hetherington might have said, the union was in fact asked to make suggestions in this regard. I did not hear the union's answer, but I am told from teachers that it said it was not its job to economise. But it was asked. I happen to believe that it might have been more to the point if the principals' association had been asked to comment. I have the very firm belief that principals should not belong to the union. I have the very firm belief that unions ought to look after industrial matters, such as pay and conditions of employment, and not interfere with things like the actual layout of the Education Department, which ought more properly to be the concern of the principals. As the union did not think it was its job to economise, someone had to do it. Let us make no mistake about it, economies are needed.

Mr Hetherington casually mentioned equipment. I do not know of any school I have visited where, upon opening the storage cupboard, I have not had literally to dodge all the footballs, netballs, and nets that tumble out.

The Hon. H. W. Olney: Paid for by the P & C.

The Hon. G. C. MacKINNON: That is a smart remark from a man who has probably

visited a few P & C's in his own area at different times.

The Hon. H. W. Olney: And had five children go through the education system.

The Hon. G. C. MacKINNON: Not all the equipment is paid for by the P & Cs, because schools get special grants for this. As a matter of fact, the member brought up a subject that we ought to have a good look at, because if there were more people around like Mr Olney, trainee teachers and those who want to become teachers would not have the worries they have now.

Of course, drops in funding must occur when the birth rate takes a nose dive as it has in Australia. If members consider any demographic study they will find that is a fact. With more people like the Hon. Howard Olney and the Hon. Bob Pike we would have less worries. I am not too certain whether I would prefer to put up with the demographic problems or to have more Olneys and Pikes.

The Hon. Peter Dowding: You were going to tell us that the regulations were not necessary when it was already an offence.

The Hon. G. C. MacKINNON: That is the sort of thing that might be considered a smart-aleck trick for someone who has a top education coming from the boondocks. The member is a lawyer and he knows how we underline matters in Acts by regulations. If he is to be worthy of both his careers he should not say anything at all. I am desperately trying not to take notice of him, but he will speak in that bush-meeting voice of his and it is difficult not to be interrupted.

A couple of days ago I received a letter from a good friend of mine in which he spoke about young people having to reconsider their careers in the light of what was happening. I said in answer that I thought that was a pretty poor comment. I said that any young person should reconsider his career constantly as he progresses. It should have been obvious that at least over the last five years the immediate future of teacher education was fairly hazardous. In private conversations I have previously told him about an experience which Dr Mossenson and I had when we went through Canada. I think it was in Ontario alone that we found some 10 teacher training colleges had closed in a matter of two years. This happened not because of Government funding cuts but purely and simply because the pupils had stopped attending.

The Government considered it as the great failure of the "academic dream", in which it was believed by many people that education was the answer to all our worries and that if a person

gained enough qualifications he was sure to get a job. Suddenly when people were half-way through a three or five-year academic course at the end of which they expected to receive satisfactory remuneration, they found a friend who had left school during high school to become a plumber who was already earning more than they hoped to receive when they finished their course and gained a job. As a result they left school in their thousands.

This was accentuated by the fact that suddenly, with the downturn in population, places were not available for teachers. There were places for some teachers, because if members go through any school in any part of the world they will find certain classes with over what is considered a "desirable number" and many classes where the numbers do not reach that "desirable number", whatever it might happen to be. There is argument about this and if we listen to some people in the education field we are told that a desirable number is one teacher to one pupil. That is absurd because there would be no interchange of ideas.

I was told by someone the other day about a school in a certain area. He could have sent all the children to a public school, such as Wesley or Aquinas, paid the fees and saved money for the Government. I believe him because I remember a case where at one time a high school was promised in a certain area but did not eventuate and the people got stirred up about it. I explained the following exercise to them: We could have flown the children to Perth each term and boarded them at one of the colleges more cheaply than we could have built and staffed a high school in the area. We did not put in a high school and certain things led us to establish the isolated district matriculation scheme, which I believe is very successful. But I understand the school my friend was telling me about is still running.

In short, the Education Department is extremely generous, and anyone who moves around this State would know this. It has established classes for the assistance not only of handicapped children—the slow children that Mr Hetherington mentioned—but also for the gifted children. The philosophy of the Education Department has long since departed from the idea that the handicapped should get special attention. It has come to hold the philosophy that everyone should be given every opportunity to meet his full potential. I am delighted to say I had a hand in that.

Let me put a peculiar conundrum to members. Had the Hon. Bob Hetherington not gone only through the Press statements—I have many of

them here which have been put out by the Minister and the Government, and I agree there are far too many of them—but instead gone through the newspaper cuttings, he would have found that over the last year or so a peculiar pattern has developed. Roughly, it runs along the idea that the modern education system is a failure and that the biggest failures we have in the field of professionals today are the teachers. The belief is that they have not done their jobs in teaching the fundamentals of reading, writing, and arithmetic. It is alleged that the illiteracy rate among young people entering colleges and universities is disastrous and that some young people today who are being presented to these establishments cannot read, write, or do their sums properly. One reason for this is that they have not been taught properly.

Many people inside and outside this Chamber believe those stories. I spent long hours arguing against them and trying to convince people that that belief is wrong. I was abused for my convictions and told that I did not know what I was talking about. I believe I do know what I am talking about when I say the education system has never been better. I believe the system in force when I was a boy was cruel and heartless. It was a system where, when a child was about 12 years of age, the headmaster could say to his father that the boy might make a good carpenter if he was lucky and that he should be found a job as soon as possible.

I know many successful people whose parents took that advice and took their children from primary school. They went on to become very wealthy men and, indeed, occupied positions of great pre-eminence in this State—did they not, Mr President? Indeed, we can look at men such as Harry Dettman, a man who got his education in a one-teacher primary school. Let us assume those people were clever and perhaps brilliant. They had a lot going for them. But there were many run-of-the-mill fellows who succeeded under that system. So what is perfection in this field? It is a matter of opinion. I maintain we do not have to look at those people who are being denigrated as ogres, those people up there on the hill in the Education Department. They are some of the most concerned people in this State when it comes to education. They all have children, grandchildren, or families who go to school. Indeed, most use the State school system. They are very concerned indeed.

What I am more worried about than anything in this whole conflict is the fact that children have been shown in their classrooms the example of denigration of authority and, indeed, the total

negation of authority. No matter if a person swears on a stack of Bibles, he will not convince me that children who went on strike recently were not given the nod to do so. I simply will not believe it.

I would bet a reasonable amount of money that the majority of members here do not believe that either, and that they agree with me. What is going to happen next month or the month after when there is a situation of some urgency in a school and the teacher desperately needs to be able to exercise authority at that moment? Is he automatically going to get a response to his authority after showing that there really is no need to exercise discipline?

Is it going to work? I have some doubts. To my mind, that is a thing which is absolutely inexcusable. There has to be another method and the other method, of course, is for the school teachers to take their courage in both hands and go home. That I can understand; that is reasonable; but to encourage the children not to go to school, to be there and supervise and not teach, that is another matter. Mr Hetherington asks what we mean by "teaching". "Teaching" is giving the children the lessons as laid down in the curriculum.

The Hon. R. Hetherington: I did not say that at all. Do not misquote me. I do not accept that one.

The Hon. G. C. MacKINNON: Mr Hetherington is splitting hairs. He has lectured in politics for too long. The regulation says "shall not fail to carry out his normal teaching duties". That means he must conduct the class as laid down in the curriculum. Mr Hetherington has taught; he knows what normal teaching is. I have taught in the Army, or had to instruct, as we call it.

The Hon. R. Hetherington: You are still missing the point.

The Hon. G. C. MacKINNON: I did not miss the point. Mr Hetherington is really going off into polemics.

The Hon. R. Hetherington: Bringing politics into the House? You might call it hair splitting, if you like. I am being legalistic.

The Hon. G. C. MacKINNON: As I have the member's permission to do so, may I call it hair splitting? Mr President, you will recall Mr Cooley standing up here and talking about scabs and you will remember my automatic reaction and how I hated the expression because I was aware of the absolute, grinding hatred and victimisation and cruelty it has caused. That word conjures up a vision of a man who has taken a job, sometimes in sheer desperation, who has been branded by his

fellow workers as a scab and has been hounded from one end of this country to the other to the point where he eventually commits suicide.

The Hon. Peter Dowding: Stop dramatising.

The Hon. G. C. MacKINNON: I know of that. Mr Cooley used to come in here and talk about scabs and victimisation and members of the ALP with one exception used to hound us because we objected to it. Mr Dans, I think, did not like it, and expressed his dislike of the term. I am quite sure Mr Hetherington does not like the term either, and was not as vociferous in his condemnation of such people. Members opposite know, as I know, of the effects of that sort of thing; and, Mr President, I sense this same attitude coming into this strike.

I have had not one but many parents coming to me and saying "Mr MacKinnon, I cannot do anything about this." One lady said to my wife the other day "I have 10 grandchildren in this district. I am terrified of one of the teachers taking a set against one of them if I took any action." Do not make any mistake about it, every person in this Chamber has been to school. They know the situation.

Mr President, let me say that in my three years as Minister for Education—in which position I thoroughly enjoyed myself—I found that the bulk of teachers in this State were very reasonable and decent people; indeed, the majority were so intelligent that they voted Liberal.

The Hon. Peter Dowding: They will not be doing it next time, you can be sure of that.

The Hon. A. A. Lewis: What about football coaches?

The Hon. G. C. MacKINNON: One can get football coaches from South Fremantle and Claremont—

The PRESIDENT: I ask the honourable member to proceed.

The Hon. G. C. MacKINNON: I thank Mr Hetherington for the opportunity to say a few words about the strike per medium of the regulations. Mr Hetherington pointed out a fairly involved example of how teachers were being transferred and cross-transferred to make classes and he mentioned—and I am sure it was just a slip of the tongue—that a superintendent had reorganised a class.

The Hon. R. Hetherington: It was not a slip of the tongue.

The Hon. G. C. MacKINNON: Superintendents might help a little bit but the principals have the right to reorganise the class. If a principal wants to put in a remedial class he can

do so. It is a matter of reorganising his class. The Education Department has not said the schools will not have remedial teachers or will not have a remedial class. It is up to the principal to reorganise that and therefore there will be problems for a little time while they sort themselves out. Of course there will be problems—

The Hon. R. Hetherington: Now and in September when more people qualify.

The Hon. G. C. MacKINNON: Some principals are good and some are not so good, and some will need a little help. Maybe the superintendent did help on an off-day, and there will be some problems to be sorted out. But, in the meantime these regulations are necessary to have some means of disciplining staff who decide to set themselves up as being greater than the director general.

I said earlier that I did not see this so much as a political problem as an administrative one because the political decision was made when the Government decided that our system should be a centralised unitary system in which the employment of staff is vested in the director. That is not the more common method of running an Education Department. It is not the system used in the United Kingdom or maybe in all of Europe, in Canada and America, where education is run by district schools in which there is a principal and a board locally elected, sometimes at the same time as the local authority, which employs staff.

The Teachers' Union does not employ staff; the Director General of Education does. Whether the Teachers' Union had enough sense to realise what was going to happen, I do not know, but it was as clear as the nose on anyone's face the day it started on this course that it was a problem between the director and the Teachers' Union. There is no way that the Director General of Education can be seen to allow himself to fail in this; otherwise we have to totally change our system of education; there is no alternative. Make no mistake about that.

The Hon. Peter Dowding: If you want a confrontation, confront them and screw them to death. That is what you think is the right thing. We do not want anything.

The Hon. Tom Knight: You are just saying that.

The Hon. G. C. MacKINNON: Mr Dowding is expressing his philosophy, not mine. He makes enough noise. There is only one situation Mr Dowding can walk into where loud noise and a brilliant brain can get him through anything. I

admit he is a very smart fellow, but the problem is he spends too much time yelling at people who have not had a comparable education, and he would be much better if he dropped his voice a bit and tried to get a few people on side. He has put up some quite good ideas in this House that have been turned down, even by his own colleagues, because of the way he put them forward.

The Hon. Peter Dowding: I have never heard them.

The Hon. G. C. MacKINNON: I have sat down and seen this and it will continue as long as his attitude continues.

The Hon. Peter Dowding: You can refer me to Hansard.

The Hon. G. C. MacKINNON: However, that is not what I am talking about. I am talking about the Teachers' Union. It saw this situation coming because there were many people on the day this started who were saying what I have just said: that it was as sure as the sun will rise tomorrow where the union was going. It has to come back to the Director General of Education because that is where the Government has put the authority. The only alternative is to change the system.

The Hon. Peter Dowding: If the Minister had any sense he would have educated us.

The Hon. G. C. MacKINNON: It is not a matter of the Minister having any sense. The Minister made the policy a long time ago when he gave his authority.

The Hon. Tom Knight: I just said "Yes".

The Hon. G. C. MacKINNON: I think I have made myself clear to Mr Hetherington. He is the person who has to answer me and tear me to pieces.

The Hon. R. Hetherington: I would not dream of tearing you to pieces. I will just disagree with you.

The Hon. G. C. MacKINNON: The honourable member should bear in mind that the old regulations were really made with a totally different aim. They were made when there was no need to say that a teacher had to teach when he went to school. This situation of trying to usurp the power and role of the Director General of Education is quite new and, indeed, so is even the major disciplinary regulation, section 134. Really it has as its basis the protection of the teacher rather than his discipline. The union was asked to help and I have mentioned that also.

Mr President, I come back to my real worry: I am grateful to Mr Hetherington for mentioning the possibility—and it remains only a possibility—of an insidious sort of victimisation of

children who did not stay away from school, whose parents are known to be against the union's action. By making that clear we may in some small way avert the problem because I see it as a very real possibility. If it happens, then these regulations will really be needed. Therefore I hope the House will vote for their retention.

THE HON. F. E. McKENZIE (East Metropolitan) [8.43 p.m.]: I support the motion, and in doing so I want to make one comment in relation to education in this State, and more particularly in Australia. I do agree that many of the Government's problems in relation to education funding are created by the Federal Government because of the cutback in funds to the States. Nevertheless, members of this Government have repeatedly supported their counterparts in the Federal Government and now they find themselves in a position where they must accept, whether they like it or not, the cutbacks that have taken place.

Since the Liberal Government in Canberra was elected we have had cutbacks in other fields. We have had severe cutbacks in housing, urban transport funding, and now education, and, of course, road funding and other matters. It is all part of the philosophy of Liberal Governments, Federal and State. They are hell-bent on screwing the economy to overcome the problem of inflation.

I do not know for how many more years they want to attempt this. Meanwhile, everybody in the community suffers. Have a look at education funding in Australia in terms of gross national product. Let us look at OECD figures, some of which I will quote: In Canada, 4.46 per cent of the expected gross national product is spent on education; in Norway it is 4.25 per cent; in Finland it is 4.06 per cent; in the Netherlands it is 3.90 per cent; in Sweden it is 3.79 per cent; in the USA it is 3.70 per cent; in Yugoslavia it is 3.58 per cent; in Austria it is 3.18 per cent; in Switzerland it is 3.16 per cent; and below all those comes Australia.

The Hon. N. F. Moore: How old are those figures?

The Hon. F. E. McKENZIE: They are the most recent ones available.

The Hon. N. F. Moore: What year?

The Hon. F. E. McKENZIE: I am not sure. They are the most recent ones available.

The Hon. N. F. Moore: They are two or three years old.

The Hon. F. E. McKENZIE: Unfortunately I do not know the date of them, but if the honourable member can get more recent ones I

am sure he will find we will probably have slipped further down the ladder. Is it any wonder we see this opposition from the school teachers?

The Hon. Neil McNeill: Have you visited any of the countries you mentioned in recent times and seen the evidence of what you are saying?

The Hon. F. E. McKENZIE: I have never been to any of them. Perhaps Mr McNeill might care to get on his feet and tell me something about education in those countries. I am simply quoting the percentage of gross national product spent on education in those countries.

The teachers are accused of being militant, and I suppose, to a degree, they are. However, the action the teachers have taken is quite understandable. The Hon. Graham MacKinnon said that many people were dissatisfied with the way children were being taught the "three r's". I have heard that complaint. If that is the case, surely it is the responsibility of the Government to invest more money in education so that these ills can be corrected.

The Hon. A. A. Lewis: Do you honestly say that we should put more money in when we are not getting the result?

The Hon. F. E. McKENZIE: Of course more money is required otherwise we will not overcome these problems.

The Hon. A. A. Lewis: You believe we should put more money in although we are not getting the results?

The Hon. G. C. MacKinnon: Do you believe that if a train runs late we should pay the guard more money?

The Hon. F. E. McKENZIE: If we put more money into education, we will get the results. If a child is not performing, who will the parents blame? Of course they will blame the teacher. How do members opposite expect teachers to carry out extra duties? The Government can keep cutting back education funds and load more work onto the teachers so that they are unable to teach properly and efficiently.

The Government has acted in a provocative manner in framing these regulations and it has done it for one reason only; namely, for confrontation. The Government thrives on confrontation with unions.

For too long, the Teachers' Union has been one of the quietest unions. In my opinion, it is a weak union. If the Government tried to put over these regulations on some of the unions with which I have been involved it would have a real problem on its hands because those unions would not have

accepted the regulations. The Teachers' Union has been coping it sweet for years.

The Government knows full well that time will roll the Teachers' Union. This dispute has gone on for a couple of months and the Government knows full well it will defeat the union. It would not have a hope in hell of defeating some of the unions with which I have been involved, but because the Government is dealing with a union to which all teachers do not belong, and because the union is not affiliated with the TLC—that pleases members opposite—

The Hon. N. F. Moore: It does, too.

The Hon. F. E. McKENZIE: Yes, because it divides the profession.

The Hon. N. F. Moore: That is not true at all. It just shows they have more sense.

The Hon. F. E. McKENZIE: One of the things the Teachers' Union has achieved in the current dispute is to wake up parents as to what is going on in respect of Government funding. The union now is asking the parents to take over the battle; that is when the Government may encounter some real problems, because the people will begin to realise that it is of paramount importance that their children be educated and that education deserves a higher priority than this Government is prepared to give it.

In the past, I have been unhappy about cuts in expenditure in the area of transport. However, I am particularly unhappy about cuts in education spending because children are our No. 1 resource and if we do not educate our young properly, in 10 years' time we will be further down the drain.

The Minister for Education has accused members of the Teachers' Union of being Marxists; he is way off the beam. I saw them last night at the Kewdale Primary School. They are not at all organised. In fact, I could do a lot to help them take the battle up to the Government. They are simply behaving like normal people.

The problem with this Government is that it is insensitive. It is too confident, and believes it can make rules and regulations and do as it likes. It has the numbers in the other place and has held a majority in this place for almost 150 years. Even if we became Government and attempted to revoke some of these confrontationist regulations, the Liberal Party in Opposition would probably knock it back in this House and not give us a fair go. The only thing we could do would be to instruct the Director General of Education not to use the regulations; however, we would rather have them off the books.

It is great to have power; one can do what one likes with it. However, members opposite are unhappy about the only weapon a trade union has, that of withholding its labour. They would like to take that power away from unions. I suppose it will not be too long before the Government will be putting teachers' heads under water.

The Hon. I. G. Pratt: Where did you drag that one from?

The Hon. F. E. McKENZIE: It has been in the news over the last couple of days. The Hon. Graham MacKinnon spoke about parents being terrified; I believe the teachers are terrified. These regulations are unnecessary. They are designed simply to hold a gun at people's heads and they should be disallowed.

I was at a school today—I was not organising the teachers; I was presenting the Australian flag—and I learned that certain of the colleagues of members opposite disagreed with the actions of the Minister for Education. It would be interesting were they members of this place because I am sure they would cross the floor.

This is a House of Review and I ask members to give these regulations reasonable consideration and review. I am sure when they have had a good look at them they will throw them out.

I support the motion.

THE HON. A. A. LEWIS (Lower Central) [8.54 p.m.]: This debate reminds me of a saying by Henry S. Hoskins that "The truth would become more popular if it were not always stating ugly facts". The problem with the Opposition and with Mr Hetherington's argument and Mr Dowding's loud and abusive interjections is that they are not prepared to face facts. It was of great concern to me that between them, in two or three hours, Mr Hetherington, my great friend, Mr MacKinnon, and Mr McKenzie, mentioned children—the pupils of the schools—only three times. The tragedy of this dispute is that it involves children, and we should be concerned a little more with the children.

Mr Hetherington asked some very interesting questions. I do not know whether he wanted answers because they seemed so simple to me that if I answered them, Mr MacKinnon might accuse me of having the sort of education Mr Dowding has. Mr Hetherington asked what were the normal teaching duties of teachers. As I understand it, the normal duties of teachers are what they are told to do by the principals of the schools or the Director General of Education. The Director General of Education is the employer and he states what teachers must do. That seems

to be perfectly simple. Of course, if he asks a teacher to do something abnormal, obviously the teacher may refuse.

I wish to emphasise that teachers are professionals. They are not members of an industrial union as both Mr Hetherington and Mr McKenzie believe they should be. Teachers cannot have it both ways. Either they must accept they are paid as professionals to carry out professional duties, or they can behave as members of an industrial union.

I agree with the Hon. Graham MacKinnon that the teachers' employer is the Director General of Education, not the Minister for Education; the dispute has nothing to do with the Minister for Education. If the Teachers' Union wants to consider itself an industrial union and, as Mr McKenzie suggests, wants to use a little muscle and does not want to cop it sweet, but would prefer to damage children's careers, it should tell the Director General that is the sort of union it considers itself to be. Mr McKenzie virtually said he wants to damage children's careers. He is not answering me, so I know he must agree with what I am saying.

The Hon. H. W. Olney: He might be asleep.

The Hon. A. A. LEWIS: His speech sounded like it.

The Hon. F. E. McKenzie: You are always so nice to me that I do not like to interject on you.

The Hon. A. A. LEWIS: Mr McKenzie is not allowed to interject; that is interesting. If neither Mr McKenzie nor Mr Dowding interject on me, obviously we will have an intelligent debate because I will be able to form my speech along my own lines.

The Hon. H. W. Olney: You are just about finished then, are you?

The Hon. A. A. LEWIS: No, I am not. Mr Hetherington demanded that the teachers negotiate with the Government and not with the teachers' employer, the Director General of Education. He said that since the suspension of the sitting for tea he was a little happier because the Premier had agreed to meet the Teachers' Union. The Premier has said he will meet the union if it will give him the undertakings for which he has asked. So, it will be on the Premier's conditions that the Teachers' Union will see the Premier.

It was very intelligent of the Teachers' Union to do that. We heard a great deal about the Government setting up the confrontation and yet it was stated that the Government told all the stories.

Let me refer members to *The West Australian* of today's date; and if that was not misleading advertising—

The Hon. J. M. Brown interjected.

The Hon. A. A. LEWIS: Mr Brown says he cannot read. There was much talk in this House during the last session about health cuts, and allegations were made that members of the Labor Party were not telling the truth. To use Mr McKenzies's expression, "They have to cop it sweet". No other departments have started to make economies and, judging by the silence of members of the Labor Party, they know it is inaccurate and just plain lies. So what Mr Hetherington said in his speech was as bold as brass: "There is no confrontation from the Teachers' Union", but here we have misleading advertising in this morning's paper. Unfortunately, Mr Hetherington could not be bothered to read it, because he thinks he knows all that the Teachers' Union has to say. I challenge him to say whether the statements he made when moving this motion were correct or incorrect. I refer to No. 5 on this list in the newspaper but I will not go through them all and bore the House.

It is stated that savings would not be necessary if the Government adopted an economic policy which included higher mining royalties and fewer extravagances, including an increase in the number of members of Parliament. Mr MacKinnon dealt with the latter point, but let us consider where the ALP stands regarding royalties on gold, nickel, and coal. Where does that party stand? What a divided rabble members opposite are. How the Press would ever be able to work out the ALP policy on this matter I do not know, let alone the people who are reading the media. The ALP is in a complete and utter mess.

Here is the union screaming about mining royalties and the ALP, with its "acting acting leader" jumping up and joining in the royalties debate, whilst the member for Kalgoorlie—or Boulder-Dundas—has another view, as does Senator McIntosh.

The Hon. J. M. Brown: I will help you. It is Yilgarn-Dundas.

The Hon. A. A. LEWIS: I do not mind what it is called, because it will not be there much longer.

The Hon. J. M. Brown: Why—a gerrymander?

The Hon. A. A. LEWIS: As it stands at the moment it will not be there much longer; none of our seats will be.

The Hon. J. M. Brown: They got rid of Blackwood.

The Hon. A. A. LEWIS: That is right, and probably they will get rid of Lower Central. That situation has never worried me or Mr Brown. We always seem to bob up.

Let me continue to deal with Mr Hetherington's statement concerning cuts in staffing which he said were created by panic. He said also that the position in which the nation finds itself is no joke. Both Federal and State Governments realise that. They also realise why it is no joke and they have done something about getting rid of the mess in which the Whitlam Government left the country. Members can laugh.

The Hon. H. W. Olney: I am not laughing.

The Hon. A. A. LEWIS: If Mr Olney was not laughing, he was indulging in a loud giggle. When he is doing something he should not say he is not, because he is, and the situation is the same as the one in which Mr Hetherington is trying to say one thing and the Teachers' Union is trying to say another.

Mr Hetherington also asks us to go back to the type of federalism we had under the Whitlam Government. I do not think we had any federalism under the Whitlam Government. We had a compulsive centralism and if Mr Hetherington did not take note of anything to do with education in those days he would not realise, in fact, all money from the Federal Government was tied. The State Government had no flexibility in regard to education funding because the Whitlam Government said what had to be done and it wasted millions of dollars.

I had the privilege to be a member of the advisory committee to the Commonwealth Schools Commission, which was not heeded because it was told "This is what Canberra thinks". The fact that it did not fit in with what Western Australia needed for the education of children did not matter a damn. At least under the Liberal Party federalism we had flexibility and moved money around. Under the Whitlam type of federalism we had no hope. Mr Hetherington did not tell us what his attitude was towards non-Government schools. I heard him comment about the increased money non-Government schools were getting, but I did not hear him say whether he thought it was good or bad. We ought to have a look at a few of these figures on what non-Government schools in this State get from the State Government.

In Western Australia it seems that the average amount for pre-primary school students is \$1 066 and for secondary school students the average is \$1 804. In a non-Government school the figure for a primary school student is \$214 and for a

secondary school student \$365. It would appear to me that these people are still paying taxation and if we are going to be fair to all parents then the convents and the small private schools throughout this State should not be at any disadvantage. I support an alternative system—and I know many people in this House, not only on my side of the House, feel the same.

It worries me that Mr Hetherington can blithely say he is worried about how they are getting money. As a matter of fact his deputy leader in another place got up in front of a group of teachers and misled them in numerous ways. I do not know how many more Labor Party members are doing this, but Mr Evans, the member for Warren, certainly did and when I challenged one of his arguments I said I would not argue with him until I had the correct figures which I would send to the teachers concerned. Only today I received a reply from the teachers thanking me for giving them accurate figures and having challenged the fact that the Deputy Leader of the Opposition, a so-called responsible member of Parliament, had given inaccurate figures to the meeting. It is a disgrace and the Labor Party should look into it.

It happened here again with Mr Hetherington tonight. It is just a little bit about truth; just a little bit about whether we should tell the whole truth, and there is another saying: "Believe those who are seeking the truth, doubt those who find it". Mr Hetherington should take note of that. He goes on with a heap of nonsense about the teachers wanting only to have the same as teachers in New South Wales. The nexus has been broken with the teachers in New South Wales.

Mr Hetherington talks about remedial teachers and I agree with Mr MacKinnon that perhaps the principals should have the chance of organising the staff at their own schools. If they are not good enough to do that then let them get out of the job. I have always had a feeling about education and when Mr MacKinnon was Minister for Education I put forward the idea that education should be broken into a bursar-dean situation and teachers should continue teaching in a dean-type function. The bursar should attend to the financial and administrative duties.

Mr Hetherington spoke also about remedial classes having to close and youth education officers having to teach. I doubt the wisdom of this.

Mr Hetherington says that if the school numbers drop two or three below the formula a teacher will be moved. I do not believe this is

correct. I believe the Education Department has proved its generosity in this sort of situation and it has handled the position in a capable manner. There are the situations where schools are seven or eight teachers over the quota and I am sure they will be dealt with first.

Mr Hetherington also argued about the 2 000 to 3 000 people who had to be replaced during the year and I challenge his figures. They were disrupted enough without having to move advisory teachers back into the system.

I want to make clear two or three points, and I was challenged in this respect at one of the meetings. I said "Okay, you say that shifting teachers is disruptive. What is the situation with regard to teachers taking long service leave"? They said "That is a red herring. This has nothing to do with the fact that we want to take long service leave." They have suggested that all the teachers be shifted at the beginning of the year. I suggested that maybe they should take their long service leave at the beginning of the year, but that did not quite fit in with the idea of their getting their August holidays, their Christmas Holidays, and their three months' long service leave during the nice season in Europe. So it was a red herring! It is not a red herring. It is fact.

On the second point, for a number of years people have approached me indicating that the curriculum was changing too quickly and that parents had to find the money for extra books; and I was told that the poor people could not do it. I am referring to the poor people in my electorate, not the people in Mr Hetherington's electorate because they could find the money.

For the last five years I have had teachers constantly bashing my ears concerning their views on how the Education Department was building up head office, building up the curriculum, and appointing the advisory teachers. In fact, I am familiar with schools which will not have advisory teachers on their premises. Yet, when the Government takes action to move some of those advisory teachers out of their jobs or to change the curriculum, there is a furore.

It is interesting because people come and talk to me about these matters. Most of the teachers believe there is fat in the Education Department and that the fat can be trimmed. I shall give members some examples of that later. However, Mr Hetherington drew Professor Hill's long bow that the gains of the last 10 years would be lost. I find it incredible somebody should say that, especially a person with a professorial title who is meant to know something about education. Members should look at the reductions which

have occurred in class sizes over the last 10 years and they should bear in mind the fact that, even after removing the advisory teachers and the curriculum teachers, *per capita* this State will have the best advisory and curriculum departments in Australia.

We can go on with all the half truths and nonsense, but really what is Professor Hill's aim in making a comment like that? Is he looking after Professor Hill and trying to obtain more money for education or more students who will attend tertiary educational institutions? As the Hon. Robert Hetherington is aware, I am convinced far too many people enter tertiary educational institutions at the moment instead of entering areas where they are likely to get jobs and take up trades.

It is of no use people saying there will be many surplus graduate teachers next year, because we have known for some time this would occur. This Government has performed magnificently in Budget after Budget in providing funds for extra teachers over and above the quota. However, because the Government has now said "No, you are not going to get a huge hike; you will only get the same sort of increase as every other department", led by some rabble rousers and misinformed by Opposition members of Parliament, the public have been fed the bill of goods. The public are gradually waking up and the people who have been talking to those meetings and issuing half truths will be found out. If they are members of Parliament, that will reflect in the ballot box. I do not have to tell members what that means.

It was interesting also to hear Mr Hetherington's comments in regard to literacy and numeracy. He appears to think more money will cure all evils and that because extra money will not be spent on education, standards will suffer. This is where the professionalism of teachers comes in. I do not believe it is a matter of money and money alone that makes education. I believe successive Governments, both Labor and Liberal, have made this mistake, because education became a sacred cow and they have given money to it without any accountability. We could probably save \$300 million or \$400 million if some sort of accountability was introduced into education funding in the same way as Mr McKenzie has had to account for expenditure on the railways.

The Hon. F. E. McKenzie: Are you criticising the director and his administration?

The Hon. A. A. LEWIS: A number of the actions taken in the Education Department are

wrong administratively. They are wasteful and I shall give the Hon. Fred McKenzie some examples of that in a few minutes. I do not look upon education as a sacred cow. I see one of our very well-educated people here in Mr Dowding and I do not want to be like him.

I shall deal very quickly with the comments made by Mr McKenzie, because there was little of note in his speech. He talked about the Government being hell-bent on screwing the economy. If he means the Government is being responsible and wants accountability for every cent of taxpayers' money, yes, it is, and I am very proud to be associated with such a Government rather than with a wasteful, Whitlam-type Government such as we have seen in the past.

Like all Labor members, Mr McKenzie has a completely irresponsible attitude to everybody's money but his own. Labor members are quite prepared to throw away money if it is not their own. I am tired of hearing how the Government can throw away money when in fact Governments have no money. They deal with the taxpayers' money and a good Government should look after it responsibly.

The Hon. F. E. McKenzie: They don't seem to have any trouble finding money for additional members for Parliament.

The Hon. A. A. LEWIS: Mr MacKinnon quoted the figures in that regard to poor Mr Dowding and in fact they are peanuts.

Let us get back to the basic economy. In Western Australia health, education, and community welfare comprise 89 per cent of the total Budget. The balance of the departments share the remaining 11 per cent. Members should dwell for a moment on the fact that such a huge percentage of the Budget is spent in those three areas and the remaining small percentage is split up between the other portfolios.

Mr McKenzie said we are insensitive. That hurt me, because I do not think I am insensitive nor do I think the Government is insensitive. He was very general in his comments and a little upset, so he probably did not mean it. The Hon. Fred McKenzie said also a Labor Party Minister would direct the director general.

The Hon. F. E. McKenzie: Too right!

The Hon. A. A. LEWIS: A Labor Party Minister would do that in the same way as he would direct policemen.

The Hon. F. E. McKenzie: Oh, no!

The Hon. A. A. LEWIS: The member should not try to run away from it. The stated policy of

members opposite is the direction of policemen. Indeed, they would direct everybody.

Most Western Australian Labor members are quite honest, but it is the new, loaded Federal executive which tells them what to do. It is loaded against Western Australia. Members opposite are squirming.

It is all very well for Mr McKenzie and Mr Dowding to squirm, because, at the end of their terms, two gorgeous looking dames will take their places. It is the safe seats which will go and Mr Olney may go also.

The Hon. D. J. Wordsworth: They are the only people on that side of the House.

The Hon. A. A. LEWIS: They propose motions and they disappear, because they are not really game to take a hammering.

As I started, so shall I finish. I am worried about the children. I am worried that the teachers' professionalism has been jeopardised, because like Mr MacKinnon I have a great deal of time for school teachers.

Before I complete my remarks I shall give an example to members opposite of what I consider excessive waste and fat in the Education Department. Members will forgive me if I do not know the names of all these books.

The Hon. F. E. McKenzie: Be careful—Mr Hetherington has the last say.

The Hon. A. A. LEWIS: I do not mind if Mr Hetherington has the be-all and end-all say.

The Hon. Neil Oliver: As long as it is not forever and ever!

The Hon. A. A. LEWIS: I do not mind if Mr Hetherington goes on forever. We can put up with most things.

I visit a number of high schools and whilst I was attending one the other day I came across a series of self-carboning books which were for use by the cleaners and gardeners in the school. The books were used for their appointments, the variations in their hours, their vacations, their job requests and a number of other matters. They are worth between \$4 and \$5 each. One would imagine it would be adequate for a school to have a single copy of each of these books, bearing in mind they cost \$5 each. However, this particular school had half a dozen of each—enough to last 15 years. If one multiplies that by the number of schools throughout the State, because every high school in which I have asked about these books has them, one can see the approximate cost in this area would be \$250 000. That is not a big expense, but it is wasteful to have six different types of books of this nature. It is necessary also

to have only one book an extra two inches long so that the job requests, the variations in hours, the cessations, the staff, and so on can be ticked off. That is bad organisation and it is an example of wasted money.

If the teachers in this State were canvassed they would be able to relate many instances of wasted money. I shall give members another example of waste which occurred at a small, three-teacher school in my electorate. The paint on the exterior of the school peeled off six or seven months after an R and R. I complained about it and drew attention to the matter for four years. I visit this school only a couple of times a year and when I arrived there last time I said "They did a good paint job on the roof." The headmaster replied "No, it is not a paint job; they put Colorbond on it." They did not repaint the roof; they replaced it with Colorbond. The roof was perfectly all right, but just because a bad tin of paint was used previously, Colorbond was used to cover the whole roof on this occasion.

I said "That is a bit expensive, but you are lucky, you have got a new roof and let's not complain". The headmaster replied "I would like to talk to you about the gutter", and I said "The gutter looks all right." He said "Well, they sent a bloke 80 or 90 miles with a work order to paint the gutter", and I said "Yes, he has painted it." The headmaster then said "Have a look under the gutter", and I could see that the board under the gutter had not been painted. I said to the headmaster "Why didn't you ask him to paint underneath the gutter?", and he said "I did, but the work order only covered the painting of the gutter and then the painter shot through." After close scrutiny it could be seen that only a small section needed painting, but the travelling time alone for the painter to return would have cost approximately \$70 or \$80. That amount would not have involved the labour, paint or anything else.

We talk about education generally and its administration, but the point I have raised indicates that the small things should be watched. In that way we could save this State millions of dollars.

Dr Mossenson happens to be a good friend of mine and I have a high regard for him. I have mentioned these matters to him as have the Hon. Bob Hetherington and the Hon. Graham MacKinnon; but it is our job and the job of teachers and taxpayers to look for waste. One deputy principal of a school said that it is not "our job to look for waste", but I believe it is every taxpayer's job to look for it. I am sure the Hon. Bob Hetherington would agree with me.

Particularly when we consider the area of budgetary constraints—all Governments have them and will continue to have them—it is the responsibility of all of us as individuals and Governments to start living within our incomes and watch the pennies in everything we attempt to do. Government is not the great spender and is not the great regulator. However, if teachers are to put Government, parents, and children under threat, the types of regulations before us are what they must have imposed upon them. I say to the Hon. Bob Hetherington that teachers may need stronger and stronger regulations if he and the Hon. F. E. McKenzie get their way and turn the Teachers' Union from a professional body into an industrial union.

I reject the motion out of hand.

THE HON. PETER DOWDING (North) [9.33 p.m.]: I support the remarks of the Hon. Bob Hetherington. The first point that has come out of the speeches we have heard tonight from the Government benches shows that Government members do not understand the issue being debated. They do not understand the argument relating to whether this regulation will achieve anything or is designed to achieve anything. Simply, it is designed to create a greater confrontation than exists at present in the hope that out of that greater confrontation will come publicity in favour of the Government. That is the issue.

The second point that emerges from the speeches is the vast difference between the stances adopted by the Minister for Education on the one hand and the members who spoke against this motion on the other. The Hon. Graham MacKinnon was not prepared once to say anything in support of the Minister. Not one word of support for the Minister was he prepared to give, and I do not blame him, because members of the public who have considered the Minister's performance are appalled by it. It was interesting that the Hon. Sandy Lewis was not prepared to give one word of encouragement or one word of approbation for the Minister, because he could not.

The Hon. A. A. Lewis: I want to put on record that I support the Minister's actions.

The Hon. PETER DOWDING: On the other hand—

The PRESIDENT: Order! It is necessary for members to speak only at a level so that members in this Chamber can hear them.

The Hon. PETER DOWDING: It was also interesting to note that although the Hon. Graham MacKinnon was prepared to support the

administration of the Education Department, the Hon. Sandy Lewis went on with anecdote after anecdote designed to attack its operations.

The Hon. A. A. Lewis: That is not correct.

The Hon. PETER DOWDING: It shows that members opposite are not unified on this issue; they do not all agree. On one hand one is prepared to attack the administration, and on the other hand one wants to defend it. Not one of them was prepared to speak in support of the Minister.

The Hon. A. A. Lewis: What rot!

The Hon. PETER DOWDING: We heard from the Hon. Sandy Lewis—like a cracked 78 record that has been going around and around, at least, for the short period I have been in this House—that everything has something to do with Whitlam. That is the most absurd political nonsense and reflects a tiredness and lack of depth in the stance of members of the Government parties. They must come up with that tired old statement every time. If there is a shortage of money in this State it is because the Premier was prepared to take a political stance to welcome, encourage, and become one of the architects of new federalism which was a policy espoused by Fraser and Court. The Premier was told what would happen at that time by the Opposition, and its predictions have come about. New federalism has come a cropper.

If it is a fact that we have a shortage of money coming into State coffers, it is the fault of the Government parties and nobody else. If there is an inadequate income flowing to this State it is because the Ministers of this Government are prepared to crow that in this State we have the lowest mining royalties of any State in Australia and, possibly, of any country in the world.

The Hon. A. A. Lewis: What about gold?

The Hon. PETER DOWDING: The nonsensical statements made by Government members lead Western Australians and members on this side of the House to the observation that there is not enough money available for the things the Government would like to do. If the statements are true, and if we have a need for cuts and stringencies, we must look to the Government for an example. Yet we find since 1975 we must have another nine members of Parliament. We are over-represented in this State, not under-represented. We have no reason to have another four members of Parliament now. The cost is not made up of just those members' salaries, but of all the expenses attendant upon them.

If it be the case that we must have financial stringencies I can see no reason for the Government to maintain the largest Press machine of any Government in this country; and I can see no need to maintain extravagant public relations resources which any journalist worth his salt can tell members are not designed for the better flow of information to the public, but for the prevention of information in a form unacceptable to the Government reaching the public. That is the first area in which we would expect to find cuts if the Government were dinkum. However, that is not the case because no cut or diminution of the Government's public relations budget will occur.

I asked a question today about 40 underprivileged children having a holiday at Point Samson, which would be the only opportunity for them to have a holiday near the beach. Marble Bar is a small town and does not have facilities similar to those in other towns in my electorate. It is isolated and has a small population; and the people find great difficulty in finding employment. In fact, the unemployment rate is quite high. However, this Government and the Department for Youth, Sport and Recreation are not able to find \$600 to assist a number of volunteers to provide for those 40 children a holiday camp by the sea during the August school holidays.

Yet this Saturday Ministers of this Government are flying to open the Tom Price-Paraburdoo Roads and for a general nosh-up at the expense of taxpayers. This will cost more than \$2 000 and do no more than open a road which people in the area have been using since it was opened unofficially.

It is not a question of the inadequacy of resources, it is a question of whether this Government cares to ensure its finances are properly spent. We cannot blame teachers or other members of the public, or for that matter the Opposition, for doubting the truth of the Government's statements. We have had it carry legislation by weight of numbers to increase the number of parliamentarians by four and to gerrymander the electorate to support a creaking Government which no longer holds the support of the majority of people in Western Australia. That is the sort of extravagance which drives parents to believe that statements about the need for education cuts simply are not true.

Another reason is that members of the public, the Opposition, and Government members do not believe—I include Government members although they do so secretly as one can see from the disarray that has occurred in the comments

made—a need exists for these cuts. The Minister for Education has misled the public repeatedly. He has given incorrect information, then changed it and then given alternative propositions. The point we on this side of the House have attempted to make tonight is that parents and teachers have genuine reasons for concern and anxiety over the irresponsibility of the Minister. He has not been frank or honest in his dealings and has been misleading in his statements. Parents and teachers believe, and justifiably so, that no reason exists for the kind of confrontation we have had. We should not have this sort of dramatic cut in funding and in the quality of education.

What is interesting about the situation is that, as usual, we have some of the somnambulants of the other side tell us that standards of education will not suffer. They have not addressed their minds to the real issues and have not expressed real concern for the people who will suffer from these changes. They have no concern for the people who will suffer because of the limited number of relief teachers available to take special classes and the unavailability of remedial teachers. It is usual in the free-for-all economic system espoused by the Government that the weakest suffer most. Like the underprivileged children at Marble Bar and like the people who attend remedial classes, many others will suffer because the Minister does not care if they suffer.

When we get to a stage that the rights of people who cannot fight are denigrated, and popular opinion cannot be expressed, then we have honest, decent, and law-abiding citizens, both parents and teachers, taking steps of which they would normally not dream. Government members and their Minister have pulled these honest and decent people into a situation from which everyone would rather retreat.

Instead of seeking a way out with honour, and instead of seeking a way out which will protect the rights of children who attend the schools and, particularly, those who will not be able to cope, the Government has sought confrontation. Of course, the bright kids will manage even with funding cuts, but some kids will not with the poor quality of service that the cuts will force upon them. The Government is not making cuts in the amount of self-carboning paper used and is not making cuts in ministerial junkets, ministerial bandwagon tours, and trips for the VIPs for a few drinks and a bit of a nosh-up.

There are to be no cuts in activities of that type. However, there are to be cuts in such things as the holiday camp for 40 under-privileged children. It is cuts such as that in the education system to which people are objecting.

Point of Order

The Hon. NEIL OLIVER: On a point of order, Sir, I would like the term "knock shops" withdrawn.

The PRESIDENT: Order! The honourable member has risen on a point of order, but I did not quite catch the word he objected to.

The Hon. NEIL OLIVER: I take exception to the term "knock shops".

The Hon. R. HETHERINGTON: If I could speak to the point of order, Sir, I was close to the member who was on his feet, and he used the term "nosh-ups".

The PRESIDENT: I suggest to the Hon. Neil Oliver that he misconstrued what the honourable member said.

Debate Resumed

The Hon. PETER DOWDING: I had not reached the stage of suggesting that the largesse and irresponsibility of this Government had gone so far as to provide "knock shops" for VIP's. What I said—and obviously the Hon. Neil Oliver wants me to speak a little more loudly—is that the Government could effect economies in the way of nosh-ups for VIP's, and I take it that the Hon. Neil Oliver will understand me to mean eats and drinks.

The point I wish to make is that on top of this unfair attack on people who can least answer back, who can least defend themselves, there is this absurd confrontationist mentality that members opposite find so easy to adopt in a situation where honest, decent people wish to put forward their point of view. Time and time again when something happens that the Government does not like we see this reaction. If a person with Labor Party affiliations is appointed a Queen's Counsel, the Government must find some way to prevent similar appointments.

When a public relations organisation with some alleged Australian Labor Party connections gains a Government contract, the Government must find some way out of it; when something happens in the education field that the Government does not like, it must leap in to bestow some punitive power on the Education Department. Such actions never solve a problem, but the Government takes these actions because it has such a limited view of the world and a limited ability to grasp the complications of government. The Government hopes that by bashing someone over the head with a baseball bat it will solve its problems.

This Government during the period of its term of office has planted the seeds of social trouble and disagreements. We have seen develop a most unpleasant atmosphere because the Government cannot accept that the way to solve disputes amongst humans in this State is through discussion, retreat, and compromise.

For a very long period Government members have been aware that the gerrymandered electoral system will prop them up, no matter whether 50 per cent or fewer Western Australians support their Government. They cannot conceive that they should be put out of power by democratic means, and that people should have the democratic right to express opinions. That is the tragedy of this Government, and it is the reason that these amendments to the regulations are so bad.

THE HON. NEIL OLIVER (West) (9.50 p.m.): I apologise for raising the point of order previously, but we are used to the comments of the Hon. Peter Dowding, and I was not surprised to think he would make such a comment.

I have studied the dispute in the education field, and I listened to the Hon. Robert Hetherington for 1½ to 2 hours. I would like to go back to the way in which the confrontation between the Education Department and its employees arose.

About 26 June of this year, we heard of the teachers' intention to press for a salary increase of 15.7 per cent. I will repeat that: The Teachers' Union decided to press for a salary increase of 15.7 per cent on a work-value basis. Since that time it has been critical of the tribunal which recommended an increase of 3.85 per cent for members of Parliament. May I repeat myself again?

The Hon. R. Hetherington: You can, but it won't impress us.

The Hon. NEIL OLIVER: The teachers of Western Australia have come into confrontation with this Government over an increase in salary of 15.7 per cent.

The Hon. R. Hetherington: That is not what the confrontation is about. Try to get it right.

The Hon. NEIL OLIVER: Teachers have written to me regarding the salary tribunal's recommendation of a 3.85 per cent increase in salary to members of Parliament. I am appalled to hear the shadow Minister for Education—

The Hon. R. Hetherington: No, I am not.

The Hon. NEIL OLIVER: I know he is not, but I assume he is the shadow Minister for Education in this Chamber.

The Hon. R. Hetherington: That makes me fairly shadowy, doesn't it? I may just fade away.

The Hon. NEIL OLIVER: The honourable member is incredibly shadowy. I cannot understand how we could possibly be debating this subject tonight. It is being debated along totally political lines because we are in a parliamentary situation. The media is here ready to report what we say.

Several members interjected.

The Hon. NEIL OLIVER: Is the honourable member saying that the Hon. Peter Dowding is in the gallery now?

The PRESIDENT: I ask the honourable member to direct his comments to the Chair, and to have regard for the *Hansard* reporter.

The Hon. NEIL OLIVER: Thank you, Sir. It has always been my intention to direct my comments to the Chair. I am not endeavouring to gain some minor political notoriety in my own electorate, nor to gain some political advantage. If we have reached that situation, many members of this House should examine their consciences.

The Government found it impossible to agree to an increase of 15.7 per cent on a work-value basis.

The Hon. H. W. OLNEY: Would you have taken a 15.7 per cent increase instead of your 3.85 per cent increase?

The Hon. NEIL OLIVER: I am not in a position to reply to that interjection because I am not aware of any increase of 15.7 per cent.

The Hon. H. W. OLNEY: You would have liked to have it.

The PRESIDENT: Order! I suggest to the member that that has absolutely nothing to do with the matter we are debating.

The Hon. NEIL OLIVER: Thank you, Mr President. I am trying to address myself to you. That is what the confrontation is all about, and I cannot see the reason for the interjections. Any Government, irrespective of its political colour, is prone to extravagance. It is not subjected to the rigours of profit and loss statements. It does not have to produce results in that way. Of course eventually it must produce results to the electors, but it does not have to produce results at the end of each financial year. Therefore, to say the least, I am disappointed in the manner in which the motion was moved. I believe it was not researched properly.

In my opinion the member who moved the motion is not aware of its ramifications. I believe he was influenced by a minority group of people who were themselves led astray.

The Parliament should not be used in this way. To the media representatives who intend to report this debate, and to Opposition members, I say that they have a responsibility to future Australians of whom they talk so much—my children and grandchildren and the children and grandchildren of other members here. Such a responsibility is difficult to put into words. The matter should not be debated lightly, and certainly it should not be used for political ends. Members of this Chamber should put themselves above party politics to protect our great investment—the future Australians. The teachers must remember that they are using the children of Australia for their own political ends. If they continue to take this attitude, let them be damned, and let them be judged by history. They are using political ends for their own expediency.

There is no way that I can support the motion before the House.

THE HON. H. W. OLNEY (South Metropolitan) [10.00 p.m.]: I thought I heard Mr Oliver exhorting us to have a debate without words; and to reply to that I would be quite speechless.

Earlier tonight Mr MacKinnon discussed the epithet "scab", which he did not like using and which he thought was a reprehensible term and one which the previous occupant of his seat, Mr Cooley, apparently was fond of using. I stand liable to be accused of being a scab tonight because I do not propose debating the State's economy; I do not propose debating—

The Hon. R. Hetherington: You are not going to stick to the actual regulations?

The Hon. H. W. OLNEY: I do not propose debating whether the Teachers' Union should be an industrial union or something else. I propose to debate the question of whether these regulations ought to be disallowed.

The Hon. I. G. Medcalf: You will be the first one to do that.

The Hon. H. W. OLNEY: I hope so. I am glad the Attorney made that comment. He may agree that I will be the last one.

The point I wish to put to the House is simply that whilst there has been a lot of fun and "hooray" on both sides tonight, no doubt those who deserve it will "get the copy" in the Press. We have been talking about a non-event, because if one takes the slightest effort to examine these regulations and the Act under which they are purported to have been made, one must come to the conclusion that they are quite *ultra vires* and of no effect, and certainly the fines purported to have been imposed by the director general are

quite void. Therefore, as I say, the whole disciplinary procedure which has been gone through and which has been at the crux of this industrial dispute in recent times must evaporate.

Before I deal with that, I want to respond to something said by Mr Sandy Lewis which was critical of my colleague, Mr McKenzie. Mr McKenzie said that, in Government, Labor would direct the director general not to apply these regulations if we could not have them repealed. Mr Lewis was critical that we, as a Labor Government, would contemplate directing the director general. However, let us consider the Statute that establishes the Education Department, the office of Minister for Education, and the office of director general. Section 4 of the Education Act provides—

4. The administration of this Act, and the control of the Education Department, shall be vested as heretofore in the responsible Minister of the Crown holding for the time being the office of Minister for Education.

Section 8 provides—

8. The Director-General shall be the permanent head of the Department, and subject to the Minister, shall be responsible for the administration of the provisions of this Act, other than the provisions of Part VA.

It is quite clear that the Minister for Education has the primary responsibility for administering the Education Department, to direct its affairs, and to direct the director general where he sees fit. The director general is obliged to be directed by the Minister. However, that is a side issue.

Of course, we are dealing with the motion for the disallowance of delegated legislation. I do not need to repeat what every member would know—and I am sure the Attorney would agree with me if he had the opportunity of speaking—that delegated legislation is valid only to the extent that the authorising legislation authorises it. In practically every Statute we find power for a Minister, the Governor, a board, or goodness knows what to make regulations with respect to certain matters for the purpose of more effectually carrying out the objects of the Act.

Nowadays, the Statute must contain the authority for the regulations. It does not matter how many regulations are made, or how often they are made, or what is put in them; if the authority is not in the Statute, the regulation is a nullity.

There is nothing in the Education Act dealing with the powers to discipline school teachers, apart from what may be found in section 28.

Section 28 is the provision which authorises the Minister to make regulations "for all or any of the following purposes". There is no general power to make regulations for more effectually carrying out the objects of the Act, or that sort of generalised statutory wording.

The Act is quite clear. The Minister's power to make regulations is limited to those items listed in subsection (1) of section 28. I will not go through them all, but I will point up the relevant paragraph, and that is paragraph (d1) which reads as follows—

(d1) Prescribing grounds, including such moral grounds, whether connected with the employment and functions of teachers or not, as the Minister thinks fit, which for the purposes of this Act amount to misconduct and for which a teacher may be dismissed from the Education Department.

Let us have it clear. The power is to prescribe grounds which, for the purposes of this Act, amount to misconduct and for which a teacher may be dismissed from the Education Department. That is the limit of the regulation-making power.

There is a further power which may be relevant, and that is paragraph (r) which reads—

(r) Imposing a penalty not exceeding Two Hundred Dollars for the breach of any regulation.

Let us consider one of the regulations that is purported to be amended here. I refer to regulation 134 of the principal regulations. Perhaps I should refer to all the amendments. The House is already aware that regulation 31 is being amended by the insertion of a new subregulation that provides that a teacher shall not fail to carry out his normal teaching duties in respect of his pupils.

There is the new regulation 31A dealing with teachers encouraging, etc., the withholding of children from school; and there is an amendment to regulation 134 which includes a new provision which says, in effect, that where there is a breach of regulation 31A the director general may do certain things—reduce the teacher in his position, suspend him, or report and recommend to the Minister that the teacher be dismissed.

The present crisis has arisen by reason of the introduction of regulation 31(2). It has been claimed by somebody that teachers have committed a breach of that new regulation; and therefore, under regulation 134 the director general has found those teachers guilty of

misconduct and has then purported under subregulation (5) to impose a fine.

If one considers regulation 134(1) it sets out a number of circumstances in which a teacher found guilty of that conduct is deemed to be guilty of misconduct and is liable to be dismissed. The relevant one is (b)—

(1) A teacher who—

(b) fails to comply with or contravenes any of the provisions of the Act or these regulations;

is guilty of misconduct and is liable to be dismissed.

The wording of that subregulation is significant in that it follows the wording of the regulation-making power of the Statute; that is, prescribing grounds, which for the purposes of this Act, amount to misconduct and for which a teacher may be dismissed by the Education Department.

I now refer members to the report of the Legislative Review and Advisory Committee, issued when regulation 134 in its present form was introduced in October 1979. They will see that the committee commented in these terms—

This regulation is clearly authorised by the terms of Section 28 of the Act which, by paragraph (d1) empowers the Minister to make regulations "prescribing grounds including such moral grounds . . . for which a teacher may be dismissed from the Education Department".

The committee went on to point out that that was in terms of the Statute; and obviously, to that extent, the regulation was valid. The committee pointed out that subregulation (1) finished with the words "and is liable to be dismissed".

Under the Statute and under the regulations, if a teacher is guilty of misconduct he is liable to be dismissed. This subregulation says that the director general may, by order, do certain things—reprimand, fine, transfer, reduce the grade, and a few other things. It is clear beyond any doubt that he simply has no authority under the Education Act to prescribe a penalty other than dismissal for misconduct.

Of course, the disciplinary procedure taken here has not been dismissal. It has been the imposition of a fine. I said earlier there is provision in the regulation-making authority for the imposition of a penalty not exceeding \$200 for a breach of any regulation. There is nothing else in the Act that says anything as to how that penalty is to be extracted. In those circumstances, the law is in the Interpretation Act, section 42, which provides—

42. When any fine or penalty is recoverable under any Act, and no means is provided in such Act for the recovery thereof, such Act shall be deemed to provide that such fine or penalty may be recovered summarily under the provisions of the Justices Act 1902, or any Act for the time being in force relating to summary proceedings of justices.

As there is no special provision in the parent Statute for the imposition of a fine by some other procedure, the matter has to be dealt with before a magistrate or two justices under the Justices Act. It has to be by plaint and summons, and there has to be a hearing and conviction in the ordinary course of the administration of the law. That has not happened.

The director general has followed his own regulation in terms of subregulation (2). It appeared to him that there had been some misconduct; and he authorised a superintendent to conduct an inquiry.

The Hon. G. C. MacKinnon: Are you suggesting the director general may not have known that? He should have instructed a smart lawyer like you.

The Hon. H. W. OLNEY: The director general would have had a smart lawyer. He would not have had a lawyer like me.

The Hon. G. C. MacKinnon: Are you suggesting they are appealable to the tribunal?

The Hon. H. W. OLNEY: Perhaps Mr MacKinnon may have missed my earlier point. The point I am making, which I thought I made very well before Mr MacKinnon interrupted, is that there is no authority in the Education Act to enable the making of a regulation which empowers the director general to impose a fine.

The Hon. G. C. MacKinnon: That is an argument you should take up with the lawyer who worked these out for the Director General of Education.

The Hon. H. W. OLNEY: That is a nonsensical suggestion. If the regulation is made without authority it does not exist in law. If the director general has done something which he is not empowered to do, he has not done it. The fact of the matter is that whoever drew up the regulation has not properly assessed the position, which is perfectly clear. There is no authority in the Education Act to authorise the director general to impose a fine. The only authority is via the provisions of the Interpretation Act, which allows for fines to be imposed by process of law under the Justices Act. For that reason I suggest that regulation 134(5) is invalid, yet the director

general—in good faith—has acted beyond the scope that the law allows, and has not effectively imposed any fines; and, all things considered, this House ought to disallow these regulations.

The Hon. P. H. Wells: What about 28(r)?

The Hon. H. W. OLNEY: The fact of the matter is that if the member had listened he would have heard me say that 28(1)(r) talks about imposing a penalty. If the member cares to look at section 42 of the Interpretation Act he will find the answer to his little question. Regulation 134(5) is invalid and has not been legally or properly imposed. It would be only compounding the whole mischief if we did not disallow these regulations.

THE HON. I. G. PRATT (Lower West) [10.17 p.m.]: I believe the motion should not be supported because it is essential that teachers should do the job and carry out the duties they are at school to do. In the present situation this is not happening, and if these regulations make it possible to ensure that teachers carry out their duties, they are worthy of support.

Having said that, I will now follow the line taken by previous speakers and say something about this dispute and by doing so carry out a promise I made to some young people in my electorate. On the day before the scheduled Friday supervision of classes by teachers, a group of students from the Armadale Senior High School decided they would go on strike, and so they all sat on the oval for a considerable time during the afternoon. The following day, Friday, I had a telephone call asking if I would be prepared to talk with the three girls who had organised this students' strike. I said I would do so. We made a time and they came to my office to talk with me.

They gave me three reasons for having taken their action. The first was that they wanted to express their concern that there were some cuts in the real expenditure on education. I accepted that they had the right to express their concern, just as everyone else in the State has since this matter first arose. We are all concerned about it. The Premier has expressed his concern at the general cuts that have to be made in all areas of Government expenditure. The Minister for Education has expressed his concern that this has to take place in his portfolio. The teachers have expressed their concern and the WACSSO has expressed its concern. Tonight most members have in some way, in spite of all the dog-fighting that has taken place, expressed their concern.

The girls wanted to point out that their strike action was not taken as a mark of support for the action taken by the teachers. They agreed with

the concern expressed by the teachers but were not supporting the industrial action which the teachers had undertaken.

Their second point was that they found it almost impossible to ascertain the facts of the matter. There were so many conflicting statements being made that they had difficulty in finding out just exactly what the truth was. We discussed some of the things that had been said.

Many statements have been far from the truth. I have been quite surprised with some of the comments that have come back to me about what is supposed to be happening but which is not happening, and what is going to happen, when there has been no indication by anyone in authority that those things will happen. So the second problem was how to get information.

Their third problem was how to express their concern. They took the step of having a strike on the oval as a mark of their concern, but they were worried how that would be construed by people in the community. I must admit that when my son came home on the Thursday and said that all the kids had gone on strike, I said to myself "Oh well, so there is a group of kids supporting the union's action." The girls said they could not go to the television stations because they would not be given time and if they went to the papers, what chance would they have of getting their letters printed?

They then asked me, as a member representing their parents and through their parents representing them, if I would take the first opportunity to express their concern in the Parliament. Their concern was that they were the meat in the sandwich while everyone was fighting around them. It is the kids we should be concerned for. We should be concerned to see enough money is being spent in real terms at this critical time of their education, when it seems they are not being taught. We should be concerned that they are having difficulty getting their voices heard. As an ex-teacher and a person deeply involved in the past with parents' organisations, I am very concerned. I assured the girls that I would take this opportunity to express their concerns in the State Parliament.

THE HON. P. H. WELLS (North Metropolitan) [10.23 p.m.]: I oppose the motion to disallow this regulation. I note that regulation 31 refers to teachers attending school 15 minutes early as part of their work to secure good behaviour among pupils. It would appear to me that we have had an example of what is not good behaviour and that the Minister, in having this regulation drafted, is spelling out clearly that

teachers' actions are not an example to secure the good behaviour that the regulations intended should be secured. The regulation concerned states that a teacher shall not encourage, counsel, or incite parents to withhold children from school. I cannot see how not wanting children to attend will help secure good behaviour from them.

It is in the area of the children's future that I believe the Teachers' Union should be condemned and especially those teachers who became involved in an industrial dispute. It is a dispute which has interrupted their children's education and has brought a set of circumstances to our education system the result of which may well be felt have for many years to come in respect of the example that teachers present to children. It is in this area that I agree there was a necessity to spell out clearly within the regulations the example that could be expected of teachers.

I remind members of the article in the 29 July edition of *The West Australian* under the heading "Make our discipline tougher, say students". The article mentioned that hardly a day goes by when there is not a headline about a teacher being raped, knifed, or even shot in American schools. It was a good example of what is occurring in America and it went on to discuss the problems caused by disruptions and lack of discipline in American schools.

The example being set by the Teachers' Union and those who have involved our children in this dispute may have repercussions which will be felt for a long time. I wonder what teachers will do if some disruption occurs next week, next month, or next year and students march to the principal and say "We will not go back to the classroom until you get rid of that teacher." The teachers will have only themselves to thank for that type of behaviour, because in this dispute they have taught the children to do that type of thing.

I have had a number of people discuss this dispute with me. I mentioned at a public meeting last night that I was surprised at the small number of parents who have phoned me or written to me in connection with their support of the teachers. I have had a number of people with whom I have had personal discussions, but in terms of the effort that was made to get in touch with me when schools gave out my name and telephone number to people, even though I am available 24 hours a day, I was surprised at the small number of people who contacted me. Some who rang to support the teachers gave me the opportunity to put the alternative case. But I have gone to some schools and I find the figures presented are very conflicting. One can play with

statistics and figures all night and confuse a number of people.

Earlier in the night a challenge was made about this dispute concerning the number of teachers who are involving children in it. I bring before the House a couple of points from telephone calls and letters I have received. Because my office is not in Parliament House I do not have my file with me and I must rely on my memory. In one instance a parent whose child goes to the West Balcatta Primary School phoned me and said she was keeping her child at home but she objected to the fact the teacher had suggested that if her child turned up on the Friday he would be given extra homework for the weekend.

Members can imagine the effect of that threat on a child who had been singled out to have extra homework. When I discussed this matter with the principal of the school he indicated that he had given clear directions to the staff not to say such things, but he admitted it was very hard for a principal to be able to control every teacher's comments.

Another parent, with a child at the Nollamara Primary School, objected to the way teachers were handling the matter and to some degree putting their ideas into the children's minds. She took her child to school and while the child went into the classroom she was outside and heard the teacher say "What are you doing at school today?" It was said in a tone of voice that was described as frightening for the child.

Fortunately, the parent was there to remind us that she had brought the child to the school; and then she went to the principal and reminded him that parents had an obligation to send their children to school. She reminded him that under the Act if they did not attend school they should have a good reason, and said perhaps he should remind them that they made themselves liable to a fine. I was called at eight o'clock this morning after having visited a public meeting of some 700 people at Craigie last night. One parent said, "I had my hand up all night and wanted to say that I objected to the schoolteachers interrupting the classes and organising the school council meeting to discuss this dispute." Another parent of a child from the Carine High School rang me because his child was learning calculus and the school was refusing to accept a teacher who had been sent to it.

A parent of a child from the Mirrabooka High School brought to my office a note sent home from the school which stated that the school had a teacher who had excellent qualifications who could well take the class, but the teachers

disagreed with the person being shifted to that school and therefore they would not accept him.

That parent rang me and said he would be happy to go to the school, but he was fearful that his child would be victimised and singled out by teachers. That perhaps is not an example of how a teacher has done something, but of how the industrial dispute has brought about the necessity for these regulations.

A gentleman phoned me just the other day and said "My child has missed nine sessions already. What is going to happen?"

I suggest that the leading article that appeared in *The West Australian* on 31 July summed it up. It was entitled "Time to Teach" and it said—

The State Government's crackdown on the State School Teachers' Union is fully justified. Strikes and teaching bans cannot be tolerated any longer. Children's education is being jeopardised far more by the union's campaign than by the effects of budgetary adjustments, and the reputation of teachers as professional and responsible people is being seriously harmed.

I believe that in this dispute some teachers have been responsible for interrupting the education of our children. I do not believe that the education system can tolerate teachers who become child minders, who refuse to teach, or who manipulate and utilise the children of this State. Nor can we tolerate unions that direct teachers within the education system to utilise the children of this State for their own ends and which are not interested really in preserving the education system.

I have asked the question of some members of the State School Teachers' Union executive: Why did they not accept the Premier's offer to talk? I was glad to hear it mentioned that they are now going to talk, but the offer was made. Of course, it requested that the teachers go back to teaching and I would think that is reasonable; but there was a direct offer of a way out for the Teachers' Union to enable it to back off. I have heard teachers say they are not happy now that they have found themselves involved with children or that they have made some judgments in some areas.

I put the proposition to the executive that it come out and state that it will not now or ever again involve the children of this State in industrial disputes. I do not believe that the Government and parents can tolerate a system that enables those who have been given the charge of, and responsibility to educate, our children to manipulate and use them for their own ends.

I would like lastly to invite the mover of the motion to give some consideration to the fact that a lot of children involved in this dispute—and I trust that it is going to be finalised—have had an interruption to their education at a critical time for some of them who are approaching examinations. How does the mover of the motion suggest that we make up that loss in the little time available to ensure that those children do not have their examinations affected this year just because of this particular dispute?

Parents who take an interest in their children have found that from the teachers at this critical stage when they need guidance they have not been getting the instruction that they very much need.

The Hon. F. E. McKenzie: What about all those who are not going to be taught properly in the future because they have not been given sufficient funds? What about the long-term effects?

The Hon. P. H. WELLS: When one looks at the long-term effects, if one wants to talk in terms of finance, one gathers that every year when each Minister sits down at Budget time rising emphasis is placed on his final aims.

There may have been some justification for it, but in the first Budget after the Labor Party took office there was an increase of 15 per cent in education funds whereas in the previous year it was about 25 per cent. In fairness, I notice that the next year there was a dramatic increase. All I am saying is that it shows there must be adjustments in terms of demand—as the Hon. F. E. McKenzie mentioned—the number of children who are available in that particular year, the number of teachers who are needed to be employed, and the number of schools that need to be opened, etc. There may be a whole range of reasons for variations in the amount of money and in each year a decision is made. It may well be that in one year we must have more funds than in another year and that decision must be made at the time, and it must be made to cater for the needs of education at that time. One could well ask in reply to this argument "Why was it that there was a decrease in the percentage rise in that year?" I do not know. There may very well be justification for it, but I am saying it is a judgment that is made in the circumstances prevailing at the time. The problem at this time is that the dispute involves children, the direction of teachers, and the direction of principals.

I welcome the discussions of teachers in terms of priority in relation to our schools. I think that demonstrates their particular interest. I think it

would be wrong if they did not have some means by which they could discuss problems, and I welcome their discussions in those priority areas. But in the areas of directing the principals and those areas involving our children, I believe union interference cannot be tolerated.

In terms of the other reference that has been made to speaking with parents, I suggest that there are within these public meetings examples where parents certainly are concerned and have always been concerned; but they are not necessarily agreeing that the teachers are right. I detected in a lot of these meetings that the people have become confused. For instance, at Craigie, despite the fact that in excess of 700 people were at the meeting, for the one motion in which votes were counted there was a total vote of something like 250 people; in other words, something like two-thirds of the people did not vote on that motion at that particular meeting.

That indicates that at many of these meetings—and I repeat this—people are confused and feel the teachers are on the wrong path, but they do not want to be off-side with the teachers. Certainly they get many figures thrown at them and they are not particularly sure of what is happening. They are sure of one thing: When their children are not taught their education is being affected.

One may well talk about the support system. We can be proud of this system which has been developed in support of the teachers. We find we have one support teacher for something like 160 students as opposed to one to 230 everywhere else in Australia. Yet when a person goes to these meetings and spends something like 80 per cent of his time listening to people attacking the system, we find that he puts across that the system has been almost totally dismantled.

I submit that the movement of some specialist teachers from head office to the staff in the schools is not a total dismantling of the system, and that the actual figures are only very small in terms of the total number. I am not in a position to say which particular branch specialist teachers should or should not have some movement.

Let me say there are some teachers who believe there should be some movement. One of them phoned me and felt there certainly should be some changes to certain areas within the curriculum branch because of what was being produced and not being used. I do not know whether that is correct, but I am saying that is an expression one teacher has put forward to me.

Surely then if the Education Department comes forward and says that after a re-examination of

the system it believes that within this year certain economies can be made in a certain area, it has made a judgment in terms of what it believes can be done.

The mover of the motion indicated that Dr Mossenson and his staff have the educational interests of our children at heart and that in past years they have been prepared to ensure that our children are educated. Now when the same people say "We believe there should be a shift of priority", suddenly members of the Opposition say their judgment is wrong.

The Hon. R. Hetherington: It did not make a judgment. It is a political judgment.

The Hon. P. H. WELLS: It has been quoted that education receives in excess of 22 per cent of the State Budget. The present Premier, when he was Leader of the Opposition in 1972, asked the Labor Government of that day what percentage of the Budget was spent on education. He was told 13 per cent. Today it is something like 22 per cent. Even in one year there will always be priorities and there will always be areas in which savings can be made.

I notice that the Labor spokesman on education (Mr Pearce), who attended the Craigie meeting last night, said he did not believe the loss of around 170 teachers would in itself seriously affect the total education system—I do not know whether that number is correct. People ask "What does the future hold?" People are always talking about what is going to happen. That is always pretty good in respect of the stock market. People then buy a lot of shares on what is anticipated to happen. Those people often go broke.

The reason I support the regulation is that I believe we do not secure good behaviour by inciting parents not to send their children to school. I believe that we have a responsibility to provide an education system that will educate our children. Those people who want to disrupt that system and who want to bring anarchy into it should not be allowed to do so. Those people who have been given the privilege and responsibility of educating our children must meet a certain standard and if they cannot meet that standard, I believe changes should be made.

I think the regulation, in one sense, furthers the protection of children as a right. Therefore I do not support the motion.

THE HON. D. J. WORDSWORTH (South—Minister for Lands) [10.44 p.m.]: The last few weeks have been very sad indeed for education in Western Australia. We have seen the skilled occupation of teaching lose its status of being a

profession. I think it is indeed very unfortunate that the public has lost faith in teachers as such. I think this faith in teaching probably comes from the basic instinct and starts off with a child respecting its elder and taking the instructions of its teacher. That faith has been broken; it has been broken because the teacher has shown the pupil that one does not have to obey or carry out an instruction.

The Hon. Graham MacKinnon—a previous Minister for Education—very adequately pointed out the seriousness of the situation in that the teachers themselves were encouraging children and their parents actually to break the law by the children not attending school. Those teachers are advocating not only that the children break the law, but also that they witness a very low and scurrilous action. The teachers themselves are not abiding by their own code of ethics. There is an Education Act which has regulations, and the regulations have had to be changed because the Teachers' Union has taken the law unto itself. It has actually decided to unduly influence the State Budget. What the union has done is to state how much it considers should be spent on education, and if that amount of money is not set aside for education it will take certain unlawful actions. The union has not managed to scare the Government into changing the Budget and has then set out to disrupt the whole education system.

Never before have we seen Government servants take such action. I do not believe our democratic system can stand this sort of action, whether it is the sort of democracy in which we on this side believe, or the democracy in which members opposite believe. Mr Hetherington has explained that he is a social democrat; I do not know whether his system of democracy supports the concept of Government departments laying down their own budgets.

I believe under any system the elected Government of the day must decide its priorities. Government departments must do their best to implement those priorities and constraints, and the public in the next election shall make the ultimate decision as to whether those priorities were correct or incorrect.

Any Government will fall if it cannot frame its own Budget. Certainly, no-one tonight has denied that the Teachers' Union has endeavoured to rewrite the education budget. Obviously, the Premier cannot accept this situation. The fact that the State Budget must be balanced between the various demands of the State, I think has been very aptly covered already in the debate.

Obviously, the Government had to strengthen the regulations. It should never have needed to rewrite the regulations in this form but it was unavoidable, given the tactics of the Teachers' Union in persuading some, or even a majority, of its members to act in this most unprofessional manner. So, sadly, we have had to spell out certain conditions in the regulations and the penalties which will apply for non-compliance with the regulations.

The first amendment reads as follows—

(2) A teacher shall not fail to carry out his normal teaching duties in respect of his pupils.

I do not think we can get anything more basic than that. The second amendment reads as follows—

(1) A teacher shall not encourage, counsel or incite a parent to withhold his child from attending school.

I believe that is a very basic obligation and something with which people could not disagree, no matter which side they believe in. These are the sorts of conditions which have had to be written into the regulations as a result of the actions of the Teachers' Union. It has been suggested the entire regulations should be disallowed; I cannot see how anyone could disagree with the two regulations I have just read to the House.

The next amendment reads as follows—

(2) A teacher shall not during normal school hours encourage, counsel or incite another teacher from a school other than the school to which the first mentioned teacher is appointed not to carry out his normal teaching duties.

I do not believe we could argue against that, either. A teacher is able to take such action within his own school and is able to do so after hours. It is rather pathetic we must write such provisions into the Education Act regulations in other schools.

In addition, penalties are provided in the regulations. However, one must remind the House that these penalties are subject to appeal to the Government School Teachers' Tribunal which will examine in detail any matter brought before it.

We have heard a bit of sloppy sentimentality about "a decent education for our school children". I am not so sure whether our education system was not better when we spent a little less on it. I believe we have gone overboard on our spending on education. One does not need to be

very successful in the Education Department to have a higher salary than a member of Parliament.

A great deal of money is being spent on schools today. I opened a two-teacher school last month and was surprised to learn it cost \$440 000 to construct. The husband and wife team had a room the size of a classroom in which to eat their lunch. There was an amazing maze of offices and even a room for fertiliser. There can be no argument that we are spending adequate money on education.

Mr Hetherington himself has said that schooling is only the basis upon which future education can be built. I am quite sure, as obviously are other members, that some slack can be taken up in the Education Department without strangling the system. If we look at business, farming, or even family life, we find that everyone has had to learn to vary their budgets. If they did not, there would be no businesses and no farming activities, because they could not survive by deficit budgeting. Let us face it: Our children would be a lot more disadvantaged if the finances of this State were not sound. That is what we are talking about. I am sure this slight reduction in the education budget will not be to the disadvantage of our children.

There is no doubt that the Teacher's Union has sought to disrupt our whole education system. It has set out to intimidate not only the teachers but also the parents. I understand teachers have publicly attacked parents on this issue. The following is a letter from the State School Teachers' Union of Western Australia—

Dear Colleague,

Executive, at its meetings of 29th May 1981 and 12th June 1981, gave serious consideration to what forms of punitive action should be used against members not paying the levy.

That is the sort of letter which is going out to teachers. I can understand their concern. Many teachers disagree with the union's attitude on this matter. Needless to say, they realise that at a later stage when they move to another school they could well be disadvantaged by being branded as scabs. However, I admire them for being strong in standing by their principles.

It is rather interesting to realise that at one of the three schools which are on strike only half the teachers agree with the union and have obeyed the directive; that is only three schools out of some 400 schools in the State, with 13 000 teachers overall. I do not think the union's stand is as strong as we are led to believe. Like so many

union actions, it is being directed by one or two very strong union leaders.

The only speaker from the other side to make a reasonable point in relation to these regulations has been the Hon. Howard Olney who gave us a QC's opinion on a very fine point; undoubtedly, that could be argued in a court of law. Perhaps Mr Olney might be able to earn himself a bonus over and above his parliamentary salary by presenting this in a court of law on a future occasion.

The Hon. H. W. Olney: Actually, they are Mr Berinson's clients.

The Hon. D. J. WORDSWORTH: I have great trouble in remembering which member of the Opposition is taking which case; they seem to be quite happy to champion one another's causes.

The motion before the House is that we disallow the regulations; it is "one out, all out". At best, we have heard a slight argument from Mr Olney that might be debatable in a court of law. However, with respect to the other two regulations, which were the first two of the three I read to the House, there can be no doubt. I implore members to defeat this motion.

THE HON. R. HETHERINGTON (East Metropolitan) [10.57 p.m.]: I will not delay the House unduly. A great deal has been said in the debate tonight. I would have thought the argument of my friend, the Hon. Howard Olney, was hardly slight as far as the amendment of regulation 134 was concerned. In fact, it seemed to me it was a very substantial argument and I was a little surprised the Minister did not adjourn the debate and go away and establish whether, in fact, the regulation should be disallowed after all.

The Hon. D. J. Wordsworth: I think every point was very adequately covered.

The Hon. R. HETHERINGTON: I wish to mention a few things which have been said in the debate where I believe points were missed or where members opposite became a little confused or were less than charitable.

When speaking, I tried not to say that because I had met a number of parents who took a certain action, that was the action taken by all parents. In fact, I know there are deep divisions on this issue. However, I have been surprised at the number of parents who are actively supporting the teachers. I am not surprised that a number of parents are not supporting the teachers, but there is no doubt a strong group of parents have come out in support not only of the teachers' attitudes, but also of their actions. The Government should recognise this and not try to back away from the fact, whatever it thinks of the teachers' actions.

The point I made in relation to one of these regulations seemed to be completely missed. I referred to the amendment which stated—

(2) A teacher shall not fail to carry out his normal teaching duties in respect of his pupils.

The Hon. A. A. Lewis had no doubt as to what "normal teaching duties" were: He believed they were what the Director General of Education said they were. So, if he said "add 15 periods to your teaching week" that apparently would be normal.

Normal teaching duties, said the Hon. Alexander Lewis, are whatever the employer says, and the employer is the director general. This is a fine 19th century view of what the norm should be. I was trying to point out that there are norms. There are usual, "normal" teaching duties, and the people who have been purportedly fined under this regulation are in fact arguing that they were asked to do things that exceeded their normal duties. I certainly will not accept an argument that anything the director general says will be accepted as normal. Norms have to be established in some other way.

The Hon. D. J. Wordsworth: Will not the tribunal be able to establish such things?

The Hon. R. HETHERINGTON: It would seem to me that the department might have rushed in with this regulation and made somewhat of a fool of itself. If my honourable friend is right, perhaps there is something deeper here and the whole thing is *ultra vires*, in which case that will be decided in a court of law, unless the Government consults the Crown Law Department and finds it agrees with the legal advice that has been given in this House tonight and then amends the Act. But that will all take time and it rather takes away from the pressures that have been put on the teachers under the Act. Perhaps it is all for the best. Perhaps we will get by accident what we cannot get by design. Heat will be taken off for a while and there will be negotiations. Perhaps things will settle down.

If I may say so to the Minister who has just resumed his seat, the reasons I have moved that all the regulations be disallowed is that they were introduced for a specific reason—and I would argue in one sense for propaganda and political reasons—to say that the teachers are all at fault for encouraging this sort of thing.

For some time the imputation has been from Government sources that—and the Minister seems to have just reinforced this view—there are a couple of nasty militants involved. I am not sure who they are and whether they might include Jerry Brennan, John Negus, or Geoff Bateman.

But he believes that the union is full of militants, and that perhaps—if we remember what the Minister said in the Press—they are possibly Marxists or marvellous Machiavels who are manipulating the children and parents and putting such pressure on the Government. In fact, in a democracy this does not happen.

When there is this spontaneous protest throughout the community by as many as have protested—and I am not saying it is a majority of anyone or that there are not divisions—it should be enough for a Government in a democratic community to heed the warning. I hope the Government is heeding the warning, because I want our education system to go on.

I found the Hon. Peter Wells to be less than charitable when he assumed that the teachers were using the system for their own needs, whatever that means. Certainly speakers on the other side of the House tonight have tended to impute always the basest motive to people of whom they disapprove and the purest motives to themselves. One member accused us of being party political. In fact, my argument against what is happening is on educational grounds. I am appalled at what is happening and I am appalled that we seem to be losing such consensus as we did have in respect of education in this State. I hope we get back to it.

But there is considerable consensus, as shown by the speech of the Hon. Graham MacKinnon. I agree with about 90 per cent of what he said because he believes in education as I do. I did not agree with all he said and I certainly did not agree when he, the Hon. Alexander Lewis, and the Hon. Peter Wells, suggested that all the argument was between the director general and the teachers.

Let us face facts: as my colleague the Hon. Howard Olney showed, the running of the Education Department is vested, by the Act, in the Minister. It is a fact also, as we all know, that if a Minister directs his director general, that director general has to obey those directions. The decisions made about the funding of the Education Department were made by Cabinet and by the Minister; they were not made by the Director General of Education. The Minister told him what he had to cut back on and then told him how to find ways to do this. In a system of responsible government the responsibility lies with the Government. To try to back out and say it is a quarrel between the director general and the teachers is nonsense. When the crunch comes, the responsible person is not the advice giver, but the decision maker, who is the Minister.

One of the things I have found quite deplorable was that when I went to meetings where the Minister was present and explaining things about the closing of the Bentley Senior High School, he kept falling back and putting the blame on his experts who had advised him to do this. I wish we had a Minister who could get up and say that the Government was doing certain things for specific reasons. I do not think the Minister always fully understands the implications of some of the decisions he makes. If he did understand them he might be more tolerant of people who disagree with him and he might discuss things with them more. If he is not prepared to discuss problems with them because he is not aware of what they are all about, he should bring his director general or his deputy director general along, or any one of that fine array of people in the Education Department who do know what it is all about and who can talk sense, even though, as I have said before, I do not always agree with all they have to say; but that is my prerogative.

I am interested to hear that professionals must never take industrial action. There is a dichotomy. When I was a member of the University Staff Association I found that at meeting after meeting people would say, "We are not really a trade union; we are a professional body". I found also as a member of the management committee that we always got a full meeting on industrial matters, when we wanted more pay. In other words, professional people are just as interested in industrial matters as anybody else.

One of the most successful unions which went on strike because it would not co-operate with the Government was the then BMA, which in 1946 refused to co-operate with the law of the land as promulgated by the Chifley Government under the McKenna health scheme. The Government gave way and ever since then when Governments try to bring down health schemes they have to pussyfoot around with the AMA because it is a highly successful and influential union on industrial matters. It seems to look after the interests of its members both professionally and financially quite well. I am not necessarily condemning it for that. I quite often disagree with that body because sometimes I think its demands are unreasonable. But I still give it the right to organise. If I were in a Federal Government I would be interested to find out how we could undermine that body, but that is another story.

Professor Hills was accused of self-interest in this matter by the Hon. Sandy Lewis. I was sorry to hear his comments and I do not know what evidence he has to back up his statements about a man who wrote what I consider to be a

disinterested article. I quoted him as expressing a view. Perhaps I should quote another view that has been expressed according to a signed article in *The West Australian* of tomorrow's date. Apparently it is the view of the Hon. Ian Thompson, expressed not in another place but somewhere outside. He said that the Minister for Education had adopted a confrontationist stance which provoked the teachers' tough response.

The PRESIDENT: Order! I suggest that the honourable member is going beyond the provisions of our Standing Orders by referring to that comment.

The Hon. R. HETHERINGTON: It was not made in the Parliament. It was not made during debate.

The PRESIDENT: I suggest that the member does not refer to it.

The Hon. R. HETHERINGTON: I will bow as ever to your ruling, Mr President; but I believe it would be proper for me to suggest that members read the article in tomorrow's *The West Australian*. Members opposite will see that they, too, are not united. I wanted to quote the article because it expresses my view exactly. It seems to me that in a wealthy country we can do better in education.

I want to make some reference to whether more money means more education, which is an idea which has been bandied about this place. It may be true that savings can be made in the department in respect of booklets, dockets, and other things. It may be true that we are constructing buildings that are unduly luxurious. If the Minister tells me the department is constructing buildings that are not needed, I will take his word for it. Perhaps he could mention that to his colleague, and so save some money. I have said this before: we have to realise that we are in a changing world. We are moving into a high technology society. We are moving into a society in which we are going to have to educate people better if we are to employ them. We will need to have shorter working hours and we will have to give people an education to help them fill their leisure time better. We need to see that the people who are at risk in grades 1 and 2 and through the rest of the system get the necessary help.

I could not agree more with the Hon. Graham MacKinnon's remark that as far as we possibly can we must ensure that every child develops his capacity to the fullest. That is my basic philosophy and always has been. I am an egalitarian. I am a democratic socialist. I believe in the idea that we treat everyone equally in the

sense that we should treat them according to their basic needs and capacity and we develop their capacity as far as possible.

At the risk of being accused of being a Marxist, I agree with the example given by Engels last century. He said if one has a family and a great big loaf of bread which, when sliced, produces two slices for each child and the children range in ages from 18 to a few months old, and bearing in mind that one loves all the children equally, does one give each child two slices of bread? The answer is that one does not; one gives to the children according to their needs. Therefore, the little one needs half a slice and the big one needs four slices. If one loves all the children equally, one treats them in this manner.

The Hon. D. J. Wordsworth: If you follow your argument through, the big one is allowed to choose what he wants.

The Hon. W. R. Withers: The big one is "Big Brother".

The Hon. R. HETHERINGTON: I do not know what the Minister is talking about. I am citing what I believe is the ideal at which we should aim. Just because Marx said it, it is not necessarily wrong. We should try to give to each according to his needs; but one cannot always do that even in an egalitarian society.

The Hon. D. J. Wordsworth: Do you believe each Government department should be able to dictate its own budget?

The Hon. R. HETHERINGTON: I believe—and I have believed this for a long time—that people who work for Governments should have some input and I believe there should be more input by teachers into the decision making of the Education Department than there is at present. I do not talk about anybody dictating anything.

The Hon. D. J. Wordsworth: Well, that is the nub of the question.

The Hon. R. HETHERINGTON: It is not the nub of the question. The Minister may think so, but he is not renowned for his perspicacity.

Because in these debates remarks are bandied around and people are accused of saying things and if they do not reply those things are used against them. I want to say something about direct Federal funding of Government and non-Government schools. In 1981 direct Federal funding of Government schools was \$482.1 million. In 1982 it will be \$479.9 million; in fact, it will decline. Funding of non-Government schools will increase from \$441 million to \$484.8 million. That is probably undesirable. It is

certainly undesirable that the Government has departed from the needs standard in which I believe and non-Government schools should indeed be funded according to their needs. I am completely on side with the member who cited the "poor convent schools" in this debate. Of course, this was started by a very great Federal Minister for Education (the Hon. Kim Beasley).

No doubt mistakes were made and certainly members here are prepared to point to the mistakes, but his principle was right in the same way as the principle of establishing the Commonwealth Schools Commission which was there to give him unpalatable facts was right. They are two principles we could well follow in government; but I do not want to pursue that matter unduly.

The policy I advanced as shadow Minister for Education before the last election, prior to the time that I became more shadowy, was one of funding schools according to their needs and looking at the whole problem of shared resources.

If anyone wants to look at that they can do so in the policy. I had a very interesting discussion—it was not acrimonious—which resulted in a difference of opinion with the principal of a Catholic school. I think we could probably reach some sort of *modus vivendi*.

The problem did not start in mid-June; it started at the beginning of June. I do not care whether some teachers take political advantage of the Federal Parliament's proposed 20 per cent rise and our approximately 3 per cent rise which is still to come. I do not care whether teachers play politics with it. Of course, that is what we do in a democracy. However, the Teachers' Union made application for a 15.7 per cent salary rise. Let me make it quite clear I have no doubt were I Minister for Education I would be opposing such a rise before the tribunal, but I would not be saying "You withdraw that or I will sack 1 000 of you and I might have to sack 300 more". I do not know—I would have to look at the matter—whether I would have given the teachers the consent award of 5.7 per cent and returned to the nexus of New South Wales. I am inclined to think I would have, but I would not say so now, because that would be cheap gimmickry.

The Hon. Neil Oliver: Why did you make that statement?

The Hon. R. HETHERINGTON: What statement?

The Hon. Neil Oliver: The statement about the 15.7 per cent.

The Hon. R. HETHERINGTON: I made it because I thought I was giving some facts. They

applied for 15.7 per cent and they were prepared to accept 5.7 per cent with the consent award. I have no doubt when the tribunal hears the application for 15.7 per cent it will not be granted, but I do not know what the teachers will get.

The Hon. N. F. Moore: On what grounds do you oppose it?

The Hon. R. HETHERINGTON: I would probably oppose it on the ground that we could not afford it, but I might oppose it on other grounds and probably because it seems excessive. However, I might disagree if I had all the figures in front of me. I do not have them, so perhaps I should not even have referred to it. It is quite likely I would disagree. I am not going to stand here as a champion of the Teachers' Union and say that I would give the teachers whatever they asked for, nor do I stand here as a spokesman or apologist for the Teachers' Union. I am saying we should take note of some of their worries and we should take note also of the extreme concern of some of the teachers.

I visited the Kewdale High School last night and I heard one teacher outline the teachers' proposals for the period after they have finished their industrial action. They intend to try to make up the work which has lapsed and that will mean working additional hours. The teachers have a proposal to do this and that indicates their concern.

The Hon. Neil Oliver: As you have expressed your concern for this House as a House of Review, I would appreciate your comments. What I cannot understand is how you can justify a 15.75 per cent increase in teachers' wages.

The Hon. R. HETHERINGTON: If the honourable gentleman listened to me, he would realise I have not tried to justify it. All I have tried to justify is the right of the teachers to make such a claim before the tribunal. If they were successful I would not tell them that if they did not decline it there would be trouble, because I do not care for that kind of confrontation.

The Hon. A. A. Lewis: If you can't get it over to Mr Oliver, how did your lectures go when you lectured at the university?

The Hon. R. HETHERINGTON: I am sad at some of the remarks which have been made.

The Hon. Neil Oliver: I am very sad at your comments in reply.

The Hon. R. HETHERINGTON: I am unmoved by Mr Oliver's sadness, but that is one of the facts of life.

I feel anything which was said after the speech made by the Hon. Howard Olney was a bit of an anti-climax. However, I do not mind standing here as a self-confessed anti-climax. Even if honourable members do not take any notice of the reasons I have advanced, they should certainly take cognisance of the reasons put forward by the Hon. Howard Olney that this motion should be supported.

Question put and a division taken with the following result—

Ayes 7

Hon. J. M. Berinson	Hon. R. T. Leeson
Hon. J. M. Brown	Hon. H. W. Olney
Hon. Peter Dowding	Hon. F. E. McKenzie
Hon. R. Hetherington	(Teller)

Noes 18

Hon. V. J. Ferry	Hon. N. F. Moore
Hon. H. W. Gayfer	Hon. Neil Oliver
Hon. Tom Knight	Hon. W. M. Piesse
Hon. A. A. Lewis	Hon. R. G. Pike
Hon. P. H. Lockyer	Hon. J. G. Pratt
Hon. G. C. MacKinnon	Hon. P. H. Wells
Hon. G. E. Masters	Hon. W. R. Withers
Hon. N. McNeill	Hon. D. J. Wordsworth
Hon. I. G. Medcalf	Hon. M. McAleer
	(Teller)

Pairs

Ayes	Noes
Hon. D. K. Dans	Hon. P. G. Pendar
Hon. Lyla Elliott	Hon. R. J. L. Williams

Question thus negatived.

Motion defeated.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [11.21 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 11 August.

Question put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

THE HON. I. G. MEDCALF (Metropolitan—Leader of the House) [11.22 p.m.]: I move—

That the House do now adjourn.

Prisoners: Water Treatment

THE HON. H. W. OLNEY (South Metropolitan) [11.23 p.m.]: I rise now, late as it may be, to raise a matter of considerable public importance. Perhaps were we sitting tomorrow I would have delayed this matter until then, but we have decided not to do that and I assure members we will be finished before the bewitching hour of midnight so we will not all have to go home in a pumpkin.

The matter to which I wish to refer was mentioned in a question addressed today to the Attorney General. By way of background information, I refer to some media publicity given this morning on the ABC radio which related to the answer to a question asked of the Minister for Police and Traffic. I believe it was asked yesterday.

The Minister was asked by the member for Mt. Hawthorn in another place whether he had knowledge of allegations that some members of the Police Force had administered what was known as the "water treatment" in order to extract confessions from prisoners under interrogation.

The answer of the Minister for Police was "No." Earlier today, I asked a question of the Attorney General in order to ascertain whether he had any knowledge of that type of allegation, because a number of people had approached me in recent times and others in not so recent times. I have had information given to me about this particular practice, and although it was my intention to raise it in another context, in view of the fact that the matter has been given publicity already, I propose to make a few comments at this stage.

Neither the Minister for Police nor the Attorney General—both members of the legal profession—have any knowledge of what is called "water treatment". It may be they are in a very small minority in the legal profession. The Attorney General asked me whether I could supply him with information so that he could determine whether the particular complaint came within his ministerial responsibility. I suggest that anything which touches upon the administration of justice in this State touches upon his ministerial responsibility and, indeed, upon the responsibility of the Premier and the entire Government.

The Hon. I. G. Medcalf: I thought it might have something to do with the Minister for Water Resources.

The Hon. H. W. OLNEY: No, Sir, it is only the use of his product that comes into it. I was minded initially to write to the Attorney General about this, but I was deterred from that course by the experience of one of my constituents who about two years ago made a written complaint to the then Commissioner of Police concerning a complaint against a police officer. This was a complaint about which the constituent consulted me before I became a member of Parliament, and related to a matter which a member of my family witnessed.

The complaint was made to the previous Commissioner of Police, who responded in terms of saying "I have taken up your complaint with the police officer concerned"—he named the officer—"and he denies the allegation. The police officer has decided not to sue." That is the sort of approach which has been experienced.

The Hon. Neil Oliver: Do you think—

The Hon. H. W. OLNEY: I will not answer Mr Oliver's interjections. That is the sort of approach which was adopted following proceedings taken in the criminal court against certain people who made statements publicly in the Press concerning the conduct of some police officers, which proceedings were successful.

The Hon. Neil Oliver: Did you offer assistance?

The Hon. H. W. OLNEY: I make no bones about this. I propose to refer to a particular case in order to bring this sort of allegation to light. It is an allegation which is common and has been made to me on a number of occasions by people directly involved. I believe if we ask any lawyer who practises in the Criminal Court he would say he has heard of this 100 times before. I propose to put this matter before the Attorney General by quoting from the transcript of a court proceeding this year. It is a proceeding in which one of his officers was the Crown prosecutor, and it is not the only occasion on which this sort of thing has been said.

We must understand, of course, that whenever a person with a previous record is involved in criminal proceedings, the moment he makes an attack on the character or conduct of the prosecutor he renders himself liable to have his criminal record disclosed to the jury. So, many times lawyers advise clients "Don't say that, because if you do say that about the prosecuting witnesses your record is likely to be disclosed."

Of course, I think it is commonly accepted that where a person has a substantial criminal record which is disclosed, it will go to his prejudice in the determination of the proceedings. In the case to which I refer—and I will not mention names for a special reason which perhaps the Attorney General may guess—the witness is the accused person. I quote as follows a series of questions and answers between the accused and his counsel—

When (police officer) told you to strip, did you say anything?—I asked him what for and he just said, "Just strip off."

What happened after that?—They took me in the bathroom.

How did they take you?—With the arms. Someone was holding there so I couldn't see who, because they had me on the arms. They took me in there and I had no clothes on, and they told me to lie down on the floor in the bathroom.

Did you lie down on the floor in the bathroom?—Yeah, I was forced down. Then they started covering my face and I tried to get up.

While you were lying on the floor of the bathroom you say you were forced down. Was anyone holding you down?—Yeah, they were sitting on my arms; holding my arms and legs and sitting on them.

What happened then?—They put something across my face and someone held my nose.

Firstly, what sort of thing did they put across your face?—Some sort of cloth—a towel or something.

You were lying on your back, were you?—Yes, sir.

You said something about your nose?—Yes, someone was holding my nose and the water was coming in and I started drinking it to get to the air.

Could you breathe at all?—No, I was just drinking water.

Where was the water coming from?—I couldn't see, sir.

The thing that was put over your face—did that obscure your vision?—Yes.

Was anything said by them while this was going on?—There was noises and I couldn't answer them. They let me up again—they didn't let me up, just took the flannel off and they said, "Where's the money?" I couldn't answer them.

Had you been asked about this money before you went into the bathroom?—Yes, I was. I was asked about some money.

What money were you asked about?—I didn't know what they were talking about.

What was asked of you?—"Where's the money?" They kept saying, "Where's the money?"

What money?—I don't know what they were talking about.... Then they did it again.

Did what again?—Put me down again and put the flannel across my face, and started doing it again.

When you say "doing it again" what do you mean?—Putting the water.

Can you tell us how long this went on—the flannel and the water and so on?—It seemed a long long time. There was pictures going through my head.

What did they say to you after this second bout?—When they did it the second time I could hear noises—someone saying, "Let's kill him. Let's kill him. Kill him."

After this experience in the bathroom, how did you feel?—Pretty woozy in the head.

That is the evidence the witness gave of his treatment. In cross-examination, this is what the Crown prosecutor said about that incident—

I put it to you that what you say about the incident in the bathroom is complete nonsense?—No, it's not.

You ask the court to accept your truth, do you, as to what you say about that?—Yes, sir.

You have a considerable record, don't you, for dishonesty?—I did have, sir.

Then follows a great chronicle by the Crown prosecutor of the man's record, to which he freely admitted. The Crown prosecutor, having disclosed that considerable record, then said—

You ask the court to accept the truth of what you say?—If there is any other way of proving it, a lie detector, truth serum or anything like that I am willing to go to it.

That is the sort of assertion that is made time and time again. I do not know the truth of the matter, like the member for Mt. Hawthorn who was quoted on the news today, but I do know such assertions are being made and have been made for many years. They are freely discussed amongst members of the legal profession, and they are matters which I believe require investigation.

I put it to the House that it would be proper for the Attorney General to make inquiries now that

this matter has been broached publicly. I hope he will.

THE HON. NEIL OLIVER (West) [11.40 p.m.]: I listened with concern to the comments of the Hon. Howard Olney. I am not aware of that situation occurring, and if he has specific examples, then as a member of this House I would be most concerned. I challenge every member in this Chamber to condemn such circumstances if they have arisen. I call upon Mr

Olney to provide substantial evidence and specific examples of this practice.

I hope he will provide that evidence. If he does I will support unequivocally the statements he has made. I ask him to provide the evidence and I ask you, Mr President, to decide when we might debate the matter.

Question put and passed.

House adjourned at 11.42 p.m.

QUESTIONS ON NOTICE

TOWN PLANNING: METROPOLITAN REGION PLANNING AUTHORITY

Resumptions

318. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Urban Development and Town Planning:

Referring to a "Letter to the Editor" of *The West Australian* on 12 May 1980, written by Dorothea Boyle, State President of the Women's Service Guild of Western Australia, it is stated in that letter that a property purchased in East Perth in December 1963 for \$4 000, was subsequently purchased by the MRPA for \$260 000—

- (1) Could the Minister indicate whether the statement made in the letter is correct?
- (2) As there are numerous complaints concerning lack of adequate compensation paid to property owners by the MRPA, could the Minister please advise the circumstances surrounding this apparent huge increase in valuation between December 1963 and the date of purchase by MRPA?

The Hon. I. G. MEDCALF replied:

- (1) The purchase price was \$260 000, paid in two moieties free of interest. The Minister has no knowledge concerning prior sales.
- (2) The purchase was based on advice by the board of valuers that, having regard to the potential of the land for high-density flat development, the value of the land was \$260 000 as at February 1970.

EDUCATION: NON-GOVERNMENT SCHOOLS

Funding

319. The Hon. R. HETHERINGTON, to the Minister representing the Minister for Education:

Will the Minister inform me—

- (1) What cuts in funding for non-Government schools in Western

Australia are at present contemplated by the Government for 1982?

- (2) What formula the Government intends to use in 1982 for the funding of non-Government schools?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) Funding of non-Government schools is part of the Budget and details relating to this funding will be announced with the Budget.

FISHERIES

Snapper

320. The Hon. P. H. LOCKYER, to the Minister for Fisheries and Wildlife:

- (1) Is the Minister aware of the practice of southern fishermen moving into Shark Bay waters and catching snapper by steel traps rather than hand lines?
- (2) Is the Minister further aware of the severe damage caused to the fish meat as a result of using the steel traps?
- (3) Are consumers being presented with inferior quality snapper as a result of the utilisation of these steel traps?
- (4) Will he consider banning the use of such steel traps in the interests of both local hand-line fishermen and consumers?

The Hon. G. E. MASTERS replied:

- (1) Yes.
- (2) There is some dispute as to the fact of the severe damage claimed. However, I am well aware of the problems of the fishery and the conflict of opinion surrounding the criticisms that the trap fishing method is causing either a depletion or dispersion of fish stocks and that the method results in an inferior product available to the consumer, with a consequential affect of depressing the snapper price. Because of my concern I have held several discussions with representatives of the fishermen concerned—including the trap fishermen—with processors and with the Australian Fishing Industry Council. It is because of the level of concern that a programme has been initiated to study the snapper fishery over a period of three to four years.

- (3) There is dispute as to whether consumers are being presented with an inferior product as a result of using steel traps. There has been evidence that some poor handling of the traps by fishermen has provided, on occasions, an inferior product.
- (4) Western Australian waters in Shark Bay and off Koks, Bernier, Doore, and Dirk Hartog Islands are closed to trap fishing. The matter of further closures will involve consultation with the Commonwealth Government and I am not prepared to recommend further closures to the Commonwealth Government until reports are received from the study.

HEALTH

Programme Aids Disabled Scheme

321. The Hon. R. HETHERINGTON, to the Minister representing the Minister for Health:

Could the Minister advise—

- (1) When details are to be released on the Programme Aids Disabled Scheme?
- (2) What funding has been made available by the Commonwealth Government to administer this scheme?

The Hon. D. J. WORDSWORTH replied:

- (1) This scheme was initiated by the Commonwealth Government and will be administered through public hospitals. The Commonwealth has advised all medical practitioners of the *modus operandi* and the Minister for Health's department will be issuing instructions to public hospitals in the near future.
- (2) The basis of funding is that the Commonwealth will meet the cost of aids on its approved list and pay a 15 per cent loading to cover administrative costs.

TRAFFIC: LIGHTS

Grandstand Road-Great Eastern Highway Intersection

322. The Hon. F. E. MCKENZIE, to the Minister representing the Minister for Transport:

- (1) Could the Minister explain why the traffic lights at the junction of Grandstand Road and Great Eastern

Highway, Belmont, were retained after the junction was downgraded following the opening of the one-way pair road system?

- (2) Has an examination been made into the necessity to have this set of lights retained at this junction?
- (3) If so, will he give details of the result?
- (4) If not, will he have an examination conducted, and advise me of the results?

The Hon. D. J. WORDSWORTH replied:

- (1) to (4) Work is currently in progress at the Great Eastern Highway-Harvey Road intersection. This will allow a right-turn signalled phase for Perth-bound highway traffic to better utilise the one-way pair system. After this change has been completed, it is proposed to review the operation of the Grandstand Road-Great Eastern Highway intersection which currently caters for the right-turn signalled phase. It is anticipated that the examination will reveal the desirability of removing the signals at Grandstand Road-Great Eastern Highway.

323. *This question was withdrawn.*

EDUCATION: HIGH SCHOOLS

Cannington, Como, and Kent Street

324. The Hon. R. HETHERINGTON, to the Minister representing the Minister for Education:

With regard to each of Kent Street Senior High School, Como Senior High School and Cannington Senior High School, will the Minister inform me—

- (a) what is the school's estimated student numbers for 1982;
- (b) what new buildings, either temporary or permanent, will be required to cope with the expected increase in numbers;
- (c) what additional teachers will be appointed; and
- (d) what additional library books and equipment will be required?

The Hon. D. J. WORDSWORTH replied:

- (a) On present indications, and subject to checking when further information is gathered from the schools later in the year, anticipated enrolments in February 1982 are—

Kent Street Senior High School	925
Como Senior High School	700
Cannington Senior High School	770

- (b) At the Kent Street Senior High School there are sufficient class spaces for 1982. In order to assist the school in its re-allocation of classroom use, some minor conversions will be carried out and two transportable rooms are being offered to provide additional flexibility.

In 1982 Como Senior High School will be provided with two or three transportable classrooms and an area now used for art will be converted for science.

At the Cannington Senior High School no additional accommodation is required.

- (c) The three schools will be staffed in accordance with standard practices and the actual number of additional staff will not be finalised until schools re-open in February 1982.

- (d) Each of the three schools is expected to indicate its requirements for additional library books and equipment later in the year. Existing stocks to be distributed from Bentley will meet most of the demand.

325 and 326. *These questions were postponed.*

EDUCATION

Priority School Grants

327. The Hon. PETER DOWDING, to the Minister representing the Minister for Education:

In respect of each grant made under the priority school grants arrangements by the department, will the Minister advise—

- (a) the date;
- (b) the amount; and
- (c) the purpose;

of each grant?

The Hon. D. J. WORDSWORTH replied:

- (a) to (c) It would be a considerable labour to itemise all individual grants. A summary by region is set out below. Estimated expenditure of priority schools programme funds for 1981 to date is as follows—

Grantee	Amount	Purpose
Metropolitan NE Region	\$544 750	Individual school projects, Curriculum development activities.
Metropolitan SW region	\$264 850	Individual school projects, Priority exceptional students study.
Metropolitan NW region	\$75 300	Individual school projects, Curriculum development activities.
Metropolitan SE region	\$65 950	Individual school projects.
Country SW region	\$16 000	Individual school projects, School-community seminar.
Geruldtou region	\$62 900	Reading series development.
Pilbara region	\$31 650	Individual school projects, Teacher development activities.
Central initiatives	\$247 550	Regional resource unit, Administration, teacher in-service, social workers, and school nurses.

- (i) These figures do not include "on costs";

- (ii) the final amount of the 1981 grant will not be known until the 1982 autumn session of Federal Parliament.

328. *This question was postponed.*

DEPARTMENT OF FISHERIES AND WILDLIFE, BROOME

Staffing

329. The Hon. PETER DOWDING, to the Minister for Fisheries and Wildlife:

- (1) Is the Minister aware that the Department of Fisheries and Wildlife offices in Broome are manned by one person only, and there are considerable periods when there is no one available for residents of the town and tourists wishing to obtain fishing licences and other information?

- (2) In view of the fact that there is a shortage of positions for NEASA trainees, will the Minister give consideration to taking on such a trainee in the office so as to ensure that there is somebody in the office during normal office hours?

- (3) If not, why not?

- (4) Will the Minister give consideration to putting on a full-time office assistant?

- (5) If not, why not?

The Hon. G. E. MASTERS replied:

- (1) Yes. However, in the absence of the fisheries officer, members of the public are directed by the office building receptionist to the nearby clerk of courts who is authorised to issue licences and provide information material.
- (2) No.
- (3) It is understood there would be difficulties for my officers because of their field duties to meet the strict supervisory requirements that are a condition of the NEASA programme.
- (4) and (5) Yes, bearing in mind the staff ceilings necessitated by the present financial restraints.

EDUCATION: SCHOOL HOLIDAYS

Underprivileged Children

330. The Hon. PETER DOWDING, to the Minister representing the Minister for Recreation:

- (1) Is the Minister aware that each school holiday, underprivileged children in Marble Bar have been given a holiday at Point Samson on the coast, using volunteers and a grant of \$600 from the Department for Youth, Sport and Recreation?
- (2) Is the Minister aware that cost cutting by the Government has meant a refusal to provide this money for the August school holidays?
- (3) Will the Minister see if somewhere in his department there is \$600 to enable these children to get their holiday?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) Funds for the vacation care programme are provided by the Commonwealth Government through the Office of Child Care. The programme is administered by the Department for Youth, Sport and Recreation. Pending clarification of Commonwealth policy in regard to this programme, funding at a reduced level was provided by the Commonwealth only for the August school holiday period. It is understood that the Commonwealth has not yet made a decision as to the continuation of this programme beyond the August school holiday period.

- (3) The full amount of Commonwealth funds provided for the August period has been allocated. No State funding is available for allocation under this programme.

QUESTIONS WITHOUT NOTICE

HEALTH

Nurses: Family Planning

118. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Health:

Further to my questions 29 of 12 August, 1980, 165 of 3 September, 1980, and 22 of 25 March, 1981, seeking information on the Government's intentions regarding the recommendations of the committee set up to examine the proposals in my private members Bill of 1976 concerning family planning nurses and the answer to the latter question which stated "The matter is presently before Cabinet and a decision is expected shortly"—

- (1) Will the Minister advise whether Cabinet has yet reached a decision on those recommendations requiring action by the Government?
- (2) If not, why not?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) The matter has not yet been decided by Cabinet.

PUBLIC HOLIDAYS

Pilbara and Kimberley

119. The Hon. PETER DOWDING, to the Minister for Fisheries and Wildlife:

This is with reference to his request for deferral of the answer to question 328. In view of the Government's abolition of the Royal Show Week holiday, and in view of the confusion that exists in my electorate as to whether towns are entitled to have public holidays on their race days, will he undertake to seek an expedited response to question 328?

The Hon. G. E. MASTERS replied:

I have no doubt that the responsible Minister will expedite the answer to his question. As soon as I receive the answer, I will refer it to the member.

FISHERIES

Snapper

120. The Hon. N. F. MOORE, to the Minister for Fisheries and Wildlife:

This question is supplementary to the reply by the Minister for Fisheries and Wildlife to the Hon. Phil Lockyer's question on snapper traps. In view of the fact that there is doubt as to the effect of snapper traps on the quality of fish being caught in Shark Bay, will he give consideration to the banning of fish traps until such time as the survey into the snapper fishery has determined whether traps are detrimental to the snapper industry?

The Hon. G. E. MASTERS replied:

I understand the member's concern. In fact, I understand the concern of both the Hon. Norman Moore and the Hon. Phil Lockyer who have made repeated representations to me on behalf of the fishermen in their area. I have consulted with the fishermen in Carnarvon and I am prepared to keep the matter under constant review, particularly with regard to the quality of the product available to the market. This is the aspect about which concern is expressed. I will also direct that the study of the snapper fishery concentrate as far as possible in the first year on the use of steel traps and their effect on the fishery and the product. That is as far as I am prepared to go at the moment.

QUEEN'S COUNSEL

Appointments

121. The Hon. PETER DOWDING, to the Attorney General:

Will he use his good offices to ensure that there is no change to the system whereby the appointment of Her Majesty's Counsel from amongst the legal profession is on the recommendation of the Chief Justice only?

The Hon. I. G. MEDCALF replied:

The Government has already considered this matter and has decided that it should be referred to the Brinsden committee for inquiry and report.

QUEEN'S COUNSEL

Appointments

122. The Hon. PETER DOWDING, to the Attorney General:

This is a supplementary question. Will he tell the House why it is necessary to refer the matter to the Brinsden committee, and what are the factors which suggest it may be desirable to institute a change?

The Hon. I. G. MEDCALF replied:

The reason that the Government is acting in this way is that there has been a considerable amount of disagreement both within and without the legal profession as to what method should be adopted. In view of this, the Government believes that this vexed question should be put to an expert committee.

QUEEN'S COUNSEL

Appointments

123. The Hon. PETER DOWDING, to the Attorney General:

I ask a supplementary question. Since most of the controversy seems to be political controversy generated by Mr W. W. Mitchell's grizzling about the appointment of the Hon. Howard Olney, in view of the fact that the discussion within the legal profession has been going on for some 11 years, will the Attorney General say what has happened this year that justifies the referral of this issue to the Brinsden committee?

The Hon. I. G. MEDCALF replied:

I do not understand the comment in the first part of the question in regard to what Mr Mitchell thinks about the Hon. Howard Olney's appointment. I have no information about it; and I have already answered the question.

PRISONS: PRISONERS

Water Treatment

124. The Hon. H. W. OLNEY, to the Attorney General:

- (1) Has his attention been drawn to the media reports of a question asked of the Minister for Police and Traffic yesterday concerning the practice known as the "water treatment" said to be used by some police officers?
- (2) Has the Attorney any knowledge of the allegations being made by accused persons about the use of this practice?

- (3) If not, will he inquire from officers of his department, and in particular those who act as Crown prosecutors, as to the extent to which such allegations have been made?

The Hon. I. G. MEDCALF replied:

- (1) to (3) My attention has not been drawn to the reports. If the member wishes to give me some details of the "water treatment", I will inquire into the matter if it comes within my portfolio jurisdiction.

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