

Legislative Assembly

Thursday, 27 August 1981

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

MENTAL HEALTH BILL

Further Report

Further report of Committee adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

MR YOUNG (Scarborough—Minister for Health) [10.48 a.m.]: I move—

That the Bill be now read a third time.

MR HODGE (Melville) [10.49 a.m.]: When the Minister introduced this Bill on 14 May he heralded it as a great step forward and sang its praises at some length. During the second reading debate, I said the Bill was a disappointment, and was quite unsatisfactory. Since then, well over 50 amendments have been made to the Bill; indeed, some of the amendments themselves have been amended. The Bill was difficult to read to start with and it is now even more complex due to all the amendments. I concede the amendments have marginally improved the Bill, but nowhere near sufficiently to warrant the Opposition's changing its attitude of opposition to the Bill. We believe this Bill is still grossly unsatisfactory, and we are not prepared to support it.

Many of the changes made were of a minor machinery nature; some were to correct drafting mistakes and errors and omissions of a general nature; a few were minor changes to matters of substance in the Bill. One would think that a Bill which has taken four years to prepare and which the Minister claimed had been given careful consideration would be almost faultless. In fact, this Bill has been roundly criticised by almost everyone in the community with an interest in these matters. I am not aware of anyone in the community, apart from the Minister for Health, who thinks this is a good Bill.

After my comments during the second reading debate, the Minister virtually accused me of being irresponsible in opposing the legislation; he said it was a marvellous Bill and that everyone supported it.

The truth was the exact opposite. The Law Society of Western Australia, the Royal Australian and New Zealand College of

Psychiatrists, and a great mass of community groups interested in mental health and associated matters have been exceedingly critical of this Bill. Much of the criticism passed by the two professional bodies to which I have just referred was very close to the criticism I made of the Bill during the second reading debate; yet the Minister thought I was being irresponsible; if I was being irresponsible, I was in very good company.

The Bill—even in its amended form—does not deserve to pass through this Chamber. It is probably the worst Mental Health Bill ever seen in Australia. Its lack of protection for the civil, legal, and medical rights of patients is a disgrace. Concern has been expressed about section 54B of the Police Act and its infringement of people's rights; I do not think that legislation is anywhere near as bad as this Mental Health Bill. This legislation impinges on people's civil, legal, and medical rights to a greater degree than any other legislation passed by this State Parliament.

I give an undertaking that in 1983, when the Davies Labor Government is in office, at an early stage I will put a submission to the Labor Cabinet for a new Mental Health Act to accomplish all those things I outlined in the second reading debate. We will give a high priority to replacing this obnoxious piece of legislation with a more reasonable Mental Health Act which will ensure proper protection of people's rights.

The Opposition opposes this Bill.

MR BERTRAM (Mt. Hawthorn) [10.53 a.m.]: On the one hand, this is a most unsatisfactory Bill and, on the other hand, it was extraordinarily and unsatisfactorily presented to this Parliament. It is a Bill which the Opposition said at the outset should have been withdrawn because of its grossly unsatisfactory nature. In suggesting that, the Opposition happened to be perfectly right. If one were a student and were asked 100 questions and got over 50 of them wrong, one would not be regarded very favourably. This Bill has 102 clauses, and no fewer than 50 amendments have been made to the Bill.

However, that was not the start of its long and arduous and tortuous journey through this place. It is worth while remembering that the Minister for Health, in order to frustrate the Opposition and for the obvious purpose of denying the Opposition and the people of Western Australia a proper hearing on this Bill, went to quite absurd and stupid lengths to endeavour to ensure that the Opposition did not get possession of a report sent to him by the Law Society of Western Australia.

After hours of stupid debate, eventually the Opposition was given possession of the report. That sort of manoeuvre may have been satisfactory in Governments and Parliaments of years ago, but in the year 1981 it is completely absurd for this sort of childish nonsense to be tolerated. I suggest that some people in this Parliament think that that sort of manoeuvre—that sort of concealment—is clever tactics. I do not share that view. When the report became available and the world knew about it, the Opposition should have been given possession of it without any humbug.

We had another unusual matter. Before this Bill had been dealt with completely, a consequential Bill was read a second time, and the second reading debate proceeded. The Opposition spoke on that Bill. The reply to that debate has not occurred yet. We had the situation of a consequential Bill being dealt with before the principal Bill had been finalised. That brought about the very real risk of the consequential Bill having been dealt with before the principal Bill had been disposed of finally. Of course, the principal Bill is completely emasculated, as it turns out.

That was an extraordinarily odd sort of thing to do. I will leave it to members to decide whether that was done for the good of the Minister or for the good of the people. I cannot see how it helped the Opposition at all and how, therefore, it could have helped the people.

What has been the position after weeks and weeks of debate in this place? We have seen in excess of 50 amendments to this Bill, clauses were postponed, and the Bill was recommitted. Then there were more amendments, new clauses, and on, and on, and on—so went the story. That was an extraordinary display of ineptitude and inefficiency—a total and obvious waste of time of the members of this place at, of course, an extraordinary cost to the taxpayers.

I have placed on record my objection to the malhandling by the Minister and the total inefficiency of the Minister and of this place in connection with this Bill. Someone has to protest somewhere or other. It is not good enough merely to speak occasionally in a weekend newspaper and say that the Parliament is malfunctioning. Something more than that has to be done. It should be said here when it is obvious; and something should be done about it.

Of course, the chances of anything being done about it are extraordinarily remote. When a Government has absolute power, it does not have to be efficient. It does not have to act equitably. It

can act oppressively. When a Government has no limit placed upon it, there are endless things that it can do.

When that same Government has converted the ballot boxes of this State into boxes merely with holes in them these are the sorts of things one should expect. These are the sorts of things we are seeing, and these are the sorts of things we will continue to experience.

My obligation, simply, is to place those stark facts on record.

Question put and a division taken with the following result—

Ayes 25

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

(Teller)

Noes 17

Mr Barnett	Mr Hodge
Mr Bertram	Mr T. H. Jones
Mr Bridge	Mr McIver
Mr Bryce	Mr Parker
Mr B. T. Burke	Mr Skidmore
Mr Carr	Mr A. D. Taylor
Mr Davies	Mr Wilson
Mr H. D. Evans	Mr Bateman
Mr Harman	

(Teller)

Pairs

Ayes	Noes
Mr Old	Mr I. F. Taylor
Mr Watt	Mr Pearce
Mrs Craig	Mr Tonkin
Mr Coyne	Mr Grill

Question thus passed.

Bill read a third time and transmitted to the Council.

ACTS AMENDMENT (MENTAL HEALTH) BILL

Second Reading

Debate resumed from 4 August.

MR DAVIES (Victoria Park—Leader of the Opposition) [11.04 a.m.]: The Minister for Health took the adjournment on this—

Mr Young: There is nothing to debate.

Mr DAVIES: Having been brought to my feet, I should say a few words about the Bill. The few words I can say are that there is nothing to say about it. The Bill was introduced to supplement the Mental Health Bill. Now that the Mental

Health Bill has passed the third reading, there is no need for me to say anything further about the Acts Amendment (Mental Health) Bill.

We support the Bill.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Young (Minister for Health), and transmitted to the Council.

ANIMAL RESOURCES AUTHORITY BILL

Second Reading

MR YOUNG (Scarborough—Minister for Health) [11.06 a.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to establish and incorporate an authority to supply high quality, disease-free laboratory animals for teaching, research, diagnostic, and incidental and other purposes. A facility, strictly dedicated to the breeding of laboratory animals, will produce animals of consistently higher quality than has been possible under existing arrangements. Economies of scale are expected to result in improved cost efficiencies.

Until now, animals required for medical and research purposes have been produced by a number of different medical and educational organisations in various locations. Generally speaking, the standard of the product has not been high.

The need to develop a central facility to produce laboratory animals has been evident for several years, but the delay has been caused because of the difficulty in securing the necessary Commonwealth and State capital funds.

Construction of a building, known as the Animal Resources Centre, was completed recently on the Murdoch University site. The capital cost of the centre is \$2 338 000, to be shared in the following proportions—

	%
State Government	50
University of Western Australia	32.5

Murdoch University	12.5
Western Australian Institute of Technology	5
	<hr/> 100

It is expected the centre will operate at a loss until approximately the end of next year. After that the authority will be required to conduct its affairs so as to ensure that its revenues are sufficient to meet its costs, as provided by section 16(1) of the Bill. Until the authority has established its production capability to that stage, the operating losses will be shared in the same proportions as applied to the capital cost-sharing already mentioned.

The prospect of utilising a central facility has been taken into account in the planning of animal breeding facilities within this State over the last several years. For example—

Expenditure on the animal breeding laboratory, conducted by the State Health Laboratory Services of the Public Health Department, has been kept to a bare minimum in anticipation of the Animal Resources Centre meeting its future needs.

Royal Perth Hospital has avoided expenditure estimated at \$400 000 which otherwise would have been committed to providing animal breeding facilities.

The University of Western Australia has laboured under adverse conditions to produce animals, and the new resources centre will overcome these difficulties.

The Murdoch University made no separate provision for animal breeding when the veterinary school was established.

The Western Australian Institute of Technology also has avoided capital expenditure for a separate building, and has subscribed to the joint venture.

The most appropriate mechanism to meet the requirements of these various organisations is to establish the animal resources authority as a body corporate, as provided in part II of the Bill.

It is intended that the authority be composed of eight members, representing the organisations utilising the animals produced by the authority. Four persons are to be nominated by the Minister and they are proposed to be—

- a representative of the State Health Laboratory Services;
- a representative of the Public Health Department administration;
- a representative of the Department of Hospital and Allied Services; and
- a representative of the teaching hospitals.

The other four members are to be nominated by the University of Western Australia, two nominees; Murdoch University, one nominee; and the Western Australian Institute of Technology, one nominee.

The functions and powers of the proposed authority, as set out in part III of the Bill, are well defined. The basic purpose of the authority is to breed and rear laboratory animals for teaching, research and diagnostic purposes. The Bill provides for the authority to have such powers as are reasonably necessary or expedient for the purpose of enabling it to carry out its functions.

Part IV of the Bill deals with financial provisions. The most important aspect is covered by section 16(1) which requires the authority to generate sufficient revenues to meet its costs, including proper provision for the depreciation of assets.

Mr Davies: Are they going to sell the product to various hospitals and universities?

Mr YOUNG: The product will be sold mostly to organisations which comprise the contributors to the institution.

Mr Davies: Will there be sales tax?

Mr YOUNG: I understand not.

The Bill also provides power for the authority to borrow money, upon the guarantee of the Treasurer, for the purpose of carrying out its functions. This would, of course, be subject to prior written approval of the Treasurer on such terms and conditions as he may approve.

This Bill reflects the requirements of the various educational and Government medical institutions, as developed by the project committee comprising representatives of these bodies.

The animal resources centre will ensure that this State produces laboratory animals of a high quality at an acceptable cost.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Hodge.

LEGISLATIVE ASSEMBLY

Bells: Malfunction

THE SPEAKER (Mr Thompson): It has been reported to me that when the bells rang a little earlier this morning for the division on the Mental Health Bill, they did not ring in a certain part of the building. I direct that the bells be rung for one minute in order that we may ensure the bells are in fact operating in that part of the building where it is alleged they are not.

Bells rung.

MISUSE OF DRUGS BILL

Second Reading

Debate resumed from 4 August.

MR T. H. JONES (Collie) [11.17 a.m.]: This is a very important piece of legislation. The history of the Bill indicates it was introduced and laid on the Table of the House during the last session. In order to give the Opposition and other parties the opportunity to consider the Bill, it was not dealt with at that time and, of course, a new Bill was introduced by the Minister at the commencement of this session.

Since the second Bill arrived in the Parliament it has become evident it contains a number of provisions which were not found in the old Bill. I understand the Government, through the Minister, has received submissions from a number of organisations—including the Law Society—concerned about drug trafficking and the use of drugs in Western Australia. As occurred in the case of the Mental Health Bill, the Opposition was not supplied with a copy of the submission made by the Law Society, so it does not know the main opposition of that body to the legislation.

Mr Hassell: Did you say we received submissions on the second Bill?

Mr T. H. JONES: Yes.

Mr Hassell: The answer to that is that we received virtually none and, to the best of my recollection, the Law Society has issued a statement on the second Bill, but has not made a submission on it.

Mr T. H. JONES: I was referring to the earlier submission of the Law Society. I was tracing the history of the Bill prior to our dealing with its contents and indicating the position of the Opposition to it.

A great deal of public concern has been expressed about the Bill and, as Opposition spokesman on police matters, I have received numerous letters from individuals and organisations in Western Australia. I have received delegations from groups of people concerned about the impact of the Bill and the seriousness of some of its clauses. I have received also representations from individuals expressing their concern and seeking my advice and information on a number of provisions in the legislation.

Concern has been expressed about a number of provisions in the Bill and no doubt it will become apparent to the Government during the course of

my speech that the Opposition is not at all happy with a number of its clauses. Indeed, I shall place extensive amendments on the notice paper in the near future in an attempt to tidy up the Bill and make it more acceptable than it is in its present form.

In introducing the Bill, the Minister said complementary legislation would be introduced by each State Government in Australia. One wonders why all State Governments have not arrived at a consensus of opinion as to the nature of the legislation they will introduce. The Victorian Minister has said already some of the provisions contained in this Bill will not be introduced in legislation in the Victorian Parliament. Of course, we do not know the attitudes of the Governments of South Australia, New South Wales, Queensland, and Tasmania.

One would have thought when dealing with legislation which contains matters of common concern to all States, such as the issue of fingerprinting and other matters of which the Minister would be aware, it would be preferable to produce a standard Bill which was acceptable to all States and which would deal with the problem of drug trafficking. However, this has not occurred. The Minister has gone ahead with his Bill and said in the report that it contains a number of recommendations following inquiries to which I shall refer during my speech.

The Opposition asks why the States did not introduce a set of regulations so that conformity would be achieved in this regard throughout Australia. Bearing in mind the drug trafficking which occurs between States, the Opposition feels that would have been a preferable way in which to handle the matter.

This is a very tough Bill. Some of the penalties in it are equal to those for murder and one wonders whether the provisions and extreme penalties are the answer to the problem.

In his second reading speech, the Minister produced no evidence that the provisions in the Bill were the answer to the problem and would overcome drug trafficking and the use of drugs in Western Australia. The Opposition, along with a number of organisations and individuals in Western Australia, believes this is not the answer to the overall drug problem.

In putting the case on behalf of the Opposition, I want to emphasise we are conscious of our responsibilities and we are as worried as the Government about the problems associated with drugs in this State.

Of course, the Government must be even more concerned now, following the tabling in this

Parliament this week of the report of the Commissioner of Police. That report demonstrated clearly the Government is not tackling the matter in the manner it should and I shall refer to the report in more detail during the course of my remarks.

This Bill is an example of a good piece of window dressing and no more. That is all we can say about it. By introducing this Bill, the Government is attempting to show the people of Western Australia it is tackling the drug problem. This view is not shared by the Opposition and, in its opinion, the Government is not doing so. Our concern and the views I am expressing are supported by other organisations and individuals who have made submissions on this very important question. It is clear we are not alone in the viewpoint I have just expressed on behalf of the Opposition. We maintain this Bill is an example of an excellent piece of window dressing in which the Minister has involved himself.

Mr Acting Speaker (Mr Crane), although you have stated I cannot be permitted to refer individually to the clauses of this Bill, I hope during the course of my remarks some leniency will be extended to me. In the main, this legislation should be regarded as a Committee Bill. However, I will refrain from referring to each clause, but during my remarks I will indicate the shortcomings and insufficiencies of the legislation.

The Opposition raises the question: Will drug problems be alleviated by increasing penalties? The Opposition poses that principal question to the Government. The Minister's second reading speech contained no suggestion that the Bill will overcome drug problems.

Mr Skidmore: Yes, that's right.

Mr T. H. JONES: The Minister well knows that at present our gaols are overcrowded. In due course I will prove that Western Australia has the highest crime rate of any State in Australia.

The penalties proposed in this legislation are severe, and as a consequence this Bill must be regarded as important so far as the Legislative Assembly is concerned. As legislators we cannot take it lightly.

In the main, the Bill contains a number of proposed changes to existing legislation. In the opinion of the Opposition it will have a marked effect on civil liberties and the general rights of individuals of this State as a result of its increasing police powers. The Bill will make it an offence for a person to refuse to answer police questions, or to be on premises where an illegal

drug is used. The police will have power over property accumulated as a result of drug dealings.

The Bill will change drastically the penalties provided for drug-related offences. For example, a person conspiring with another to commit an indictable offence under certain provisions of the legislation will be liable to imprisonment for a term not exceeding 20 years without the option of a fine. I emphasise the point that people in certain cases will not have the option of a fine. If a person is convicted of an indictable offence relating to the preparation of opium, he is liable to a fine not exceeding \$100 000 or to imprisonment for a term not exceeding 25 years, or both. In the case of cannabis, the same person is liable to a fine not exceeding \$20 000 or to imprisonment for a term not exceeding 10 years, or both.

The simple offences of possession of cannabis, or possession of implements used in the smoking of cannabis, are subject to terms of imprisonment of three years or fines of \$3 000. For the most simple offences the term of imprisonment is two years, and the fine \$2 000.

The thrust of this legislation is to permit the Court Government to allow courts to impose terms of imprisonment higher than those previously imposed. The seriousness of some drug-related offences can be compared with the seriousness of murder if one considers only the terms of imprisonment envisaged by the Court Government.

The Minister just then looked at me in surprise. However, he cannot deny my point. He knows I referred to these matters when I commenced my remarks. No doubt exists that the determination of whether appropriate steps will be taken to decrease drug abuse will rest with Government policy. No evidence exists that the courts of this State have found the terms of imprisonment presently available are too lenient or too light. No evidence at all was submitted by the Minister to show that the courts feel the way I indicate.

The courts already impose substantial gaol terms and fines in appropriate circumstances, and it is unlikely any increase in penalties would deter a would-be offender. The Opposition takes the argument further. Suppliers may well try to increase their revenue from drug sales to compensate themselves for the increased risk of participating in the illegal drug market. It is likely an increase in penalties will result in an increase in the price of illegal drugs and, in particular, illegal heroin. The demand for heroin does not increase or decrease with the price of supply. With an increased price of heroin, drug-related offences for the purpose of maintaining

heroin habits are likely to increase as a result of this legislation.

Mr Hassell: Why is that?

Mr T. H. JONES: When the Minister made his speech I did not interrupt him.

Mr Hassell: I was not interrupting; I was asking you to make the point again so that I could get it.

Mr T. H. JONES: If the Minister cares to listen more closely to my remarks he will understand the point when I refer to it later.

Mr Hassell: I want the reason for the increase in the price of heroin.

Mr T. H. JONES: I have unlimited time, as had the Minister. During his second reading speech I extended him the courtesy of not interjecting even though great opportunities for interjection existed. I suggest the Minister should act responsibly and extend to me the same courtesy.

Mr Blaikie: You have shown great degrees of tolerance!

Mr Skidmore: He has shown more than the Minister has shown.

Mr T. H. JONES: If the Minister wants me to continue till 4.30 this afternoon probably I could accommodate him. I will continue with the theme of my remarks. The proposed penalties are so great that there is a risk of increased criminal activity in other areas in order to protect the main sources of supply of illegal drugs. Importers of such drugs may take serious steps, such as murder or tampering with witnesses, juries or judges, in order to protect themselves from the proposed penalties.

The reason for making these submissions on behalf of the Opposition is that we appreciate that in the main this legislation proposes drastic changes in penalties for drug-related offences. As I have said, no evidence is available to indicate that increased penalties will work to reduce drug activities, nor will the increased powers of police enable the authorities to net the large fish involved in drug trafficking. Only the small fry will be caught. The Government should be seeking to catch Mr Big.

Mr Blaikie: Hear, hear!

Mr T. H. JONES: The Government has not indicated it will do anything to catch Mr Big. So many people who have profited from drug trafficking live in luxury mansions. Such people live in many parts of Australia. The Government should be seeking to catch those so-called "big men" dealing in drugs. All this legislation intends to do is have picked up an increased number of

simple peddlers who for reasons of their own become involved in drug trafficking. Our principal objective should be to try to do something by way of legislation to catch up with Mr Big.

I challenge the Minister to show me any provision in the Bill that will permit the big men being apprehended. Little evidence is available to indicate that police are successful in prosecutions against the masterminds of the illegal drug trade in Western Australia. The only evidence available relates to the little men being convicted.

The Opposition believes that a shake-up of law enforcement agencies is required and, more importantly, an increase in staff and facilities for those organisations.

The Western Australian Police Union in March of this year stated its criticism of the Government. It referred to the Government's inability to cope with drug problems. If we refer further to remarks made about the drug problem in Australia we will come to study Mr O. F. Dixon's report. He adopted an attitude in his findings similar to that of the police union. Of course, one must refer to Commissioner Porter's report of this week in which he adopts another similar attitude. The Minister cannot indicate to this House that the action presently being taken by this Government will overcome drug problems in Western Australia.

As I have mentioned, it is quite clear that the Opposition bases its case on the point that increased staff and facilities, and therefore increased revenue, are necessary and should be made available by the Government to overcome serious drug problems. I can indicate that the number of people imprisoned each year is increasing. Western Australia has the highest rate of imprisonment and the highest crime rate of any State of Australia. I ask: What is the Government doing about the situation? Simply, it is doing nothing.

Figures to which I will refer, submitted by the Commissioner of Police, show that the Police Force this year has the same number of officers as it had last year, although the population of Western Australia has increased by approximately 25 000 in a period of 12 months. Not one extra officer has been admitted to the Police Force to cater for this increase in population. However, I will refer further to that when I relate my remarks to the report of the Western Australian Police Union and the report produced by Mr O. F. Dixon.

In my view the Government can be seen to be acting to strengthen the power of police over

people involved in the lower order of drug abuse, including a fairly significant portion of the population who do not regard the use of cannabis as a social evil. I think all of us understand the point I am making. It is not that important to enforce a law which is not regarded by society as being socially wrong. In that regard I refer the House to remarks made in regard to prostitution.

Two major inquiries into drug abuse have been instituted in Australia. The first is the Williams Royal Commission, and the second is a Royal Commission into drug use and law enforcement established by the New South Wales Government. This Bill is not a product of those Royal Commissions or their recommendations. It goes nowhere near coping with the recommendations of the Williams inquiry or the New South Wales inquiry into drug use. It seemed foolish, in the Opposition's opinion, to amend the drug laws in this way when the Royal Commissions have taken a great deal of evidence and have brought down extensive recommendations to try to clear the way for a multi-State attempt to combat the problem. To introduce a code which ignores those recommendations is futile and undermines completely the Government's assertion that it is acting on the best advice.

We query just whose advice the Government is acting on in connection with this piece of legislation. Indeed, the recommendation of the Williams commission was that whilst cannabis should not be legalised, the question of legislation should be looked at in two years' time. The Minister will not deny that that was contained in the Williams commission report.

This means that increasing drug penalties in this way will drive cannabis users, and not profit-making cannabis suppliers, into the area of criminal activity. This will not be a socially useful step. The Minister knows well the problems with prisons today, with the high rate of crime, and the cost factor which I will refer to later in my statement.

In conclusion on this point, it should be noted that Western Australia has the highest rate of imprisonment of any State of Australia, even bearing in mind the large numbers of Aborigines in our prison population. Whilst the voters may not be sympathetic to the criminal, it should be noted that this Bill will result in a dramatic increase in the rate of imprisonment. The Minister cannot deny that. The figures to which I referred—those contained in the report of Mr Dixon and the report of the Police Union—show that our prison numbers are increasing annually. This must be of concern to the Government as it

is of concern to the Opposition. We believe that the voters may react adversely to this fact and the replies to my questions of the Chief Secretary about the real cost to the taxpayer of each prisoner might gain some public support for our stance on the Bill.

I believe cutbacks have been made already to our penal system. The Minister can correct me if my information is wrong. We have had cutbacks in education, hospital funding, and in many other areas. The advice that I have received following my investigations—and it is not easy to obtain this information—demonstrated that there have been cutbacks already in our prison system. What can we expect in the forthcoming Budget? We know the situation. Western Australia has the worst crime rate of any State in Australia. The figures will demonstrate clearly that the number of people being imprisoned for drug and other offences is much higher than the average in any other State.

I go on to my next point: This is a world problem. I ask the Minister: Has the imposing of penalties in other countries assisted in overcoming the drug problem? We know that there are automatic death penalties prevailing in some parts of the world. The Opposition raises the question of whether these measures have reduced the drug problem in the countries where there are perhaps, in some cases, more severe penalties than those contained in this Bill.

I go back to my point: The Government should be attempting to get to "Mr Big", the big man in the trade, the man who is making the millions of dollars and living in luxury whereas the poor, simple drug trafficker is running the risk of being caught up with. The big man sits back with no worries at all. Of course, nowhere in this legislation does it show an attempt to get at "Mr Big" or at those people involved at the top of drug trafficking in Western Australia.

It would be wrong of me to suggest that the drug squad is not understaffed. I refer to the publication put out in March this year by Mr Fraser, the Secretary of the Police Union. It fully substantiates this point, as does the report which was tabled this week on behalf of the Commissioner of Police in Western Australia.

The Opposition is obviously correct in its assertion that this is a nice piece of window dressing on the part of the Government. Due to the federalism concept it has a financial problem. Everybody knows that. We are the great martyrs for this new federalism. Of course, now we are finding problems within our police organisation in Western Australia and, indeed within our penal

system. What has the Police Union to say about all the problems? How does the Police Union see the situation?

Mr Fraser started off in October of last year by saying that an increase in Government funding in Western Australia is a target of the Police Union. Let us see what he had to say briefly in his Press report—

The union secretary, Mr L. T. Fraser, said yesterday that the results of the investigation would be used to support attempts to find increased police numbers.

This is the report to which I now refer. The union would seek the help of the Public Service organisations in the investigation. As a result of Police Union concern, the union directed its secretary to make a report on the problems in Western Australia. The report of March 1981 was made public; it was headed, "Western Australian Police Manpower Survey". I would now like to quote from a number of pages of this report, which, in essence, supports the views of the Labor Opposition in this State. I quote initially from page 2—

Perth metro. vs. an Aboriginal settlement. Consequently, any estimate of police manpower requirements must take into account both work load and the preventative aspect of the police role.

That is a very important point. It then goes on to the question of crime, and it compares Western Australia with other States of the Commonwealth. Mr Fraser had this to say at page 6—

Factors in this State such as the high proportion of Aborigines and a higher crime rate (for which statistics and quantification are shown in a later section of the report) mean that comparisons with other States would also reflect the influence these factors have on the need for more policemen in this State.

Mr Fraser then goes on to indicate the reasons for making that statement. At page 9 he has this to say—

Since the introduction of the Traffic Patrol attached to the Road Traffic Authority, the police members of the Patrol have in fact, co-operated in order to make the original concept work reasonably efficiently under trying conditions.

The morale of the Police Force in this State has never been at a lower ebb. The Minister knows that there have been 50 resignations from the Police Force during the last 12 months and that

some of the most senior and qualified men employed in the Police Force have left due to the low morale that the Government has allowed to develop in the Police Force in this State.

Of course, if the union had not been concerned it would not have directed the general secretary to make this report. To continue—

In some instances Traffic Patrol Administrators have been able to 'double-up' patrolmen after dark only by reducing the number of patrols available, . . .

That is clear evidence of insufficient police. To continue—

. . . but to date they have completely ignored the constant advice of increased danger to members of the Traffic Patrol in particular who are required to patrol the highways at long distances from their headquarters with poor radio communications.

Then, on page 10 Mr Fraser refers to evidence which was presented to Senior Industrial Commissioner (Mr Kelly) during his hearing. He said that there was a growing tendency amongst officers who were acting alone to avoid stopping or apprehending offenders when there were several people in a car. The police are frightened, as this submission clearly demonstrates. So, because of lack of police numbers people are not being apprehended. What a situation to have in this State where the Government has allowed the police system to deteriorate when we have the highest crime rate in Australia not only with drugs, but also with other offences. To continue—

Various legal and physical dangers prevail whereby an officer acting alone apprehends a person under the influence of alcohol or drugs and is required to escort same to a police station and leaves the alleged offenders' vehicle unattended in remote areas.

That statement supports the Opposition's viewpoint that we do not have enough police officers in Western Australia to combat general crime; as well as the drug problem. To continue—

The Traffic Patrol is now recruiting completely inexperienced officers directly from the Academy and who are required, in the main, to act alone in areas where the legal and physical hazards are extremely high. These newer members of the Police Force are carrying more responsibility in the field than ought to be the case and considerable time is lost because of their inexperience.

On page 12 the report states—

There is a clear indication that the serious upsurge in violent and serious crime supported by up-to-date statistics will continue as long as the Government blindly refuses to accept the inevitable.

He is saying that more money must be made available for the prevention of crime. The drug problem is the main point of this legislation. To continue—

Again the Government is allowing certain crimes to reach critical proportions before realising the extent of their neglect.

So here we have a classy piece of window dressing by the Premier in an attempt to show the public that the Court Government is acting responsibly. However, this report of the Police Union demonstrates clearly its concern about the situation. To continue—

The survey reveals that even in suburbs where sex offences and various other serious crimes are being committed daily, police patrols are completely inadequate, particularly after dark, and the workload placed upon them requires them to be out of radio communication for large proportions of their shifts.

The General Secretary of the Police Union (Mr Fraser) then continues to list the areas where more police patrols are required. On page 15 of the report, he expresses his views about the drug situation. He states—

Drugs: There is strong evidence that Western Australia has a serious drug problem. Again, Drug Squad staff numbers are completely inadequate to cope with the situation. Areas of Western Australia—metropolitan and country—are being openly regarded as havens for people who are indulging in the growth, trade and use of drugs. There is not sufficient staff available to provide relief for specialist training in this field, particularly in the areas involving financiers of the trade and the professional drug marketeers who are becoming a fact of life.

Again, no relief is being provided because of the shortage of staff. It seems that financiers of the drug market have become a fact of life. Mr Fraser refers to professionals on the same basis as I did when I mentioned "Mr Big". Of course, this matter is of great concern to the people in the area I represent. Recently the Minister for Police and Traffic visited Collie, and in fairness to him, I indicate he did say that Collie had a case for the appointment of more policemen. We have a

population of 9 000 with a Police force of six to cover a large rural area.

The Minister would not deny that the shire and I have made a case for the appointment of more officers, but he said that if Collie were to receive more policemen they would have to be taken from another area. Of course that would reduce the strength in that particular area of the State.

So, we have the situation where the Minister for Police and Traffic has admitted that we had a good case for the appointment of more policemen, but these could not be provided. Where are we heading and what is happening as a result?

The *Collie Mail* of 20 August stated that Collie is becoming a drug centre. Under the heading, "Collie Becoming Drug Centre", was the following—

The forests surrounding Collie have become one of the State's biggest marihuana growing regions.

A police spokesman said this week that the area now rivals Margaret River for the dubious honour of being the West Australian centre of cannabis cultivation.

The article continues to state that Collie has a forest cover which offers growers protection. So, the crime rate is increasing, as is the drug problem, but we cannot obtain more policemen for Collie.

Mr Mensaros: The member has made a very good case, but he has not said which taxes must rise to foot the bill. Otherwise his case is acceptable.

Mr T. H. JONES: It is no good crying now; the Minister should wipe his eyes.

Mr Bryce: With some of the highest royalties in the world we could be able to chip in for this.

Mr Young: According to the member for Ascot these royalties pay for every single thing this Government has to finance for the rest of history.

Several members interjected.

The ACTING SPEAKER (Mr Crane): Order! The member for Collie would like to continue his speech.

Several members interjected.

Mr T. H. JONES: Now that the members have had their recess and the Minister for Water Resources has attempted to say that the Government is short of money, I say we know it is short of money, but that is the fault of the Government.

The Government contributed to the shortage of money in this State by supporting the new concept of federalism.

Mr Young: Do you support a royalty on coal?

Mr T. H. JONES: This was to be the answer to everything.

Mr Young: Do you support the member for Ascot on a royalty on coal?

Mr T. H. JONES: The Minister's hands are full of health problems; I thought he would sit back and listen after the bashing he was given by the member for Melville. I will support what I want to support without telling the Minister.

Mr Young: You don't support him, do you, and nor do we.

Mr T. H. JONES: Does the Minister support the present mess the hospital system is in.

Mr Young: It is the best hospital system in the world.

Mr T. H. JONES: The best hospital system in the world! The Minister has his hands full and he knows it. The Government is in a mess and it cannot combat the crime in this State. The fact is we do not have the manpower to cope.

Mr Young: Fancy suggesting a royalty on coal!

Mr Shalders: Tell us about the Brand Government Budget. That decreased police spending greatly, didn't it?

Mr T. H. JONES: I am not putting forward my view, I am quoting Mr Fraser, the Secretary of the Police Union, whom I presume the member would accept as a responsible police officer. The honourable member is very knowledgeable when he is sitting down.

Mr Shalders: A 5.8 per cent increase in New South Wales!

Mr Skidmore: That is the member for Murray you are speaking about?

Mr Shalders: Less than half the inflation rate, what a disgrace!

Mr T. H. JONES: I will refer to the statistics in a moment which show the situation in New South Wales. I will refer also to Mr Oliver Dixon's report and to the Grants Commission report. I have plenty of time to give members the information and I will supply them with the answer in a couple of hours from now.

Mr O'Connor: You would not accept the Grants Commission report surely!

Mr T. H. JONES: The Deputy Premier has just come into the Chamber. How can he know what I am talking about?

Mr O'Connor: Because I listened.

Mr T. H. JONES: The Deputy Premier arrives in the Chamber out of the blue and immediately joins forces with the member for Murray. It is the

first time he has been in the Chamber during my speech.

Mr O'Connor: I have been busy.

Mr T. H. JONES: I suggest the Deputy Premier sits down and gets the point of my submission and then I will answer his question.

Mr O'Connor: All right.

Mr Bryce: The Deputy Premier should become accustomed to the pressure while in the Chamber before he interjects.

Mr T. H. JONES: Mr Acting Speaker (Mr Crane) before the Deputy Premier came into the Chamber I was saying that your friend Mr Jock Fraser, whom you hold in high esteem, and who is the Secretary of the Police Union was quoted as saying that the drug staff is completely inadequate. I give the Deputy Premier this information because he has just come into the Chamber.

Mr O'Connor: Thank you for your courtesy.

Mr T. H. JONES: No trouble at all, I am at the Deputy Premier's service at any time.

If we turn to page 16 of the report of the Police Union we come to the active duty strength associated with drug control. The report reads—

The survey reveals that existing strength available for active duty requires serious consideration. Notwithstanding the fact that the Traffic Patrol suspends annual leave for the majority of patrolmen during peak periods of the year, i.e. Christmas, Easter, public holidays,—

This demonstrates that we are understaffed. What about the recruitment programme? To continue—

The serious unemployment situation which prevails throughout Australia, and more particularly, in Western Australia, is a contributing factor towards the higher crime rate which prevails.

To summarise the conclusion of this report, Mr Jock Fraser says, on behalf of the Police Union—

The Western Australian Police Union has, for the last few years, tried to make this Government and its advisors aware of the problems which were growing at an alarming rate. It is too late to turn the clock back and we now have the dubious distinction of the highest violent crime rate per head of population in Australia.

It clearly demonstrates that the Police Union has warned the Government that this situation would develop unless the matter was taken in hand. The Government has done nothing about it and now

we have a drug problem on our hands because of the shortage of police staff.

The report continues—

It is not the purpose of this survey nor is it the intention at this stage, to involve ourselves in criticising the expensive deals with private companies entered into by this Government in recent years, or the involvement of the Force in exercises of a political nature which have resulted in the diversion of manpower from the protection of John Citizen.

Notice should be taken of the main areas of concern—

It ends on this note—

Increase of Crime—particularly involving the use of firearms; rapes, sex offences, armed holdups, drugs.

Members will note the inclusion of drug offences in this category. In the submission the Secretary of the Police Union has gone to great lengths to deal with the drug problem and, as I have said, Western Australia has the distinction of having the highest crime rate in Australia.

Mr Brian Burke: The Police Force is very unhappy at the present time.

Mr T. H. JONES: The morale in the Police Force is very low indeed and I mentioned that a moment ago. I have knowledge that many members of the Police Force are leaving it due to this low morale and I know the member for Balcatta supports the view I have expressed.

How does our police strength compare with others in the Commonwealth? I refer to the figures in relation to this which are given on page 60 of the report. The following shows the crime rate per hundred thousand of the population in each State—

Western Australia	21.84
Victoria	18.66
South Australia	18.58
New South Wales	17.49
Queensland	14.67
Tasmania	12.26

Can anyone see any reason that the Opposition is wrong in saying the Government is not tackling this matter in the correct way? The table on page 53 of the report gives details of the comparison of the prison rate for each hundred thousand of the population in each State—

Western Australia	0.85
Tasmania	0.68
Queensland	0.67
New South Wales	0.64
South Australia	0.50
Victoria	0.40

Once again Western Australia has the highest rate. Are we proud of the situation and what are we doing about it? What is the Minister for Police and Traffic doing to overcome the problem of gaols being filled to capacity? Western Australia has the highest crime rate in Australia and it has probably one of the highest rates of drug offences of any State in the Commonwealth.

Mr Brian Burke: Everything this Minister touches turns to muck.

Mr T. H. JONES: I could go into greater depth with this report but I do not think it is necessary. The figures I have quoted from the Police Union submission clearly support the Opposition's viewpoint. The Police Union secretary has quoted that the Police Force is inadequately staffed to cope with the drug problem. The Government is only window dressing; what is it going to do to overcome the problem? The Minister's solution is to fine these people more and to put more people in gaol; he thinks that will overcome the problem.

Mr Brian Burke: And cut off the money to the Alcohol and Drug Authority.

Mr T. H. JONES: The Government is giving that organisation a measly \$2.5 million a year. In fact, Mr Oliver Dixon refers to this matter in his report, and clearly supports the viewpoint of the Opposition on this matter.

I refer now to some of the newspaper reports on the situation in Western Australia. *The Sunday Times* of 1 February 1981, under the heading, "WA is crime state of nation!" contains the following statement—

CANBERRA: Western Australia is the crime state of the nation—and that's official.

According to the Australian Institute of Criminology, based in Canberra, the State's Aboriginal population is more victimised than anywhere else in Australia.

We have seen numerous surveys in regard to the problem of crime. An article in *The West Australian* of 6 August under the heading, "Most say judges don't know gaols", contained the following statements—

Judges should have more first-hand knowledge of prisons, according to a majority of West Australians who took part in a recent survey on attitudes to crime and punishment.

A random sample of 1000 people from all electoral divisions, except Kalgoorlie, took part in the survey organised by the University of WA extension service. . .

The findings also indicate that community attitudes could justify a change in the law and its administration. . .

Other results of the survey show that:

Seventy per cent believe that crime is increasing.

Forty-eight per cent agree that imprisonment fails to reduce crime, 26 per cent disagree and 26 per cent are uncertain.

Ninety-one per cent believe that complaints against the police should be investigated by an independent body.

"The results show a real lack of confidence in the administration of justice in the community", says Mr Broadhurst.

"This should cause considerable concern to justice agencies who provide a service to the community and enforce the law".

The West Australian of 26 August contained an article concerning the annual report of the Commissioner of Police (Mr Porter). Under the heading, "Crime rate one every 7 minutes", the following statement appeared—

A major crime was committed every 7.19 minutes in WA in 1980-81, according to Police Commissioner Porter's first annual report tabled in State Parliament yesterday.

He also said there had been a dramatic increase in juvenile drug use in WA—and that the problem was likely to get worse.

That was the view of Commissioner Porter and he is supported by the secretary of the union (Mr Jock Fraser). The article continued—

More police were needed in WA to match the rise in population and increased demands on the service, the Police Commissioner, Mr J. H. Porter, said in his annual report.

There is no argument on this matter between the Commissioner of Police and the union, and their view supports what the Opposition is saying today. Western Australia's population increased by some 25 000 during the previous financial year, yet the State Budget did not provide for one extra policeman. This Bill is nothing more than a bit of classy window dressing. The Government is not tackling the real problem.

Mr Shalders: Why don't you bring in alternative legislation which the Opposition believes will lower the drug rate?

Mr T. H. JONES: If the member for Murray will be patient he will find out what I intend to do; I will let him know before I sit down in a couple of hours' time.

I refer members now to volume two of the report of the Commonwealth Grants Commission, which was brought down after very extensive inquiries; in fact, the total report is contained in volumes which, when stacked together, make a pile about two feet high.

Mr O'Connor: Extensive and inaccurate.

Mr T. H. JONES: Is the Deputy Premier criticising the Grants Commission?

Mr O'Connor: Yes.

Mr Hassell: My word we are.

Mr T. H. JONES: That is not unusual; this Government now criticises the Fraser Government for the new federalism concept it supported.

Mr O'Connor: Do you support the recommendations of the Grants Commission?

Mr T. H. JONES: I have not read them all because I have not had time. If the Deputy Premier claims to have read the entire report, he must have more time than I.

Mr O'Connor: I have been through the summaries and recommendations.

Mr T. H. JONES: I have done a little research on this matter because I was afraid the Government would bring the Bill on before today.

Mr Young: A reasonable man like yourself would read those recommendations and see them for what they are.

Mr T. H. JONES: As members opposite well know, if a member does his electorate work properly there is insufficient time to read all the material which passes across his desk.

Mr Young: That is true; I simply suggested you read the recommendations.

Mr I. F. Taylor: If you read only the recommendations and the summary, you are not doing your job properly.

Mr Young: Have you read the entire report?

Mr I. F. Taylor: Yes, I have read the lot.

Mr Young: Do you agree with it?

Mr I. F. Taylor: You will find out.

Mr T. H. JONES: I do not think the Grants Commission would quote inaccurate figures relating to imprisonment rates on a State-by-State basis.

Mr O'Connor: I was referring to the total report, not to one particular issue.

Mr T. H. JONES: I think members must accept that the figures contained on page 186 of the report are reliable. They are as follows—

IMPRISONMENT RATES PER 100 000 OF POPULATION

	N.S.W.	Vic.	Qld	S.A.	W.A.	Tas.	Aust.
1979-80	68.9	44.6	74.0	63.5	118.3	66.8	68.1

Is there any wonder I have been arguing on the basis that crime and the reasons for our drug problem are associated with the Government's inability to provide sufficient police for Western Australia?

When the legislation was introduced, a number of people wrote to the Press, and a number of editorials were published expressing views on the ineffectiveness of the legislation. On Thursday, 7 August, Mr Brian Tennant, of the WA Council for Civil Liberties, was quoted as follows—

It seemed that, under the legislation, anyone found on premises where marihuana was being smoked could be liable by association.

Mr Tennant said that the council condemned drug traffickers but American experience had shown that tougher penalties were not effective in countering the drug problem.

I expressed that view when I commenced my speech. In the *Sunday Independent*—

Mr Young: There are two top-line authorities in a row.

Mr Hassell: Is he going up or down?

Mr T. H. JONES: It appears the *Sunday Independent* has been upsetting the Government of late.

Mr Young: Its apology on the front page last week indicates the quality of the paper.

Mr T. H. JONES: That paper put its situation very clearly.

Mr Young: It said the next week it had put it too clearly, and it was totally and absolutely wrong. It is a rag, because it did it wantonly, deliberately, and maliciously.

Mr T. H. JONES: The Minister for Health told the member for Melville that he was wrong in his approach to the Mental Health Bill. We cannot follow his viewpoints any longer.

Mr Young: What did that paper say? Come on, Tom; get on with it.

Mr Parker: He is fairly happy because he has got the Mental Health Bill out of the way.

Mr Davies: Don't show them up too much, Tom.

Mr T. H. JONES: Of course, members opposite do not like what I am saying.

Mr Young: What did the *Sunday Independent* say?

Mr T. H. JONES: The remarks of the Commissioner of Police and the secretary of the union coincided. There is no argument. The only difference is that they do not have the ability to overcome the problem.

Mr Young: What did the *Sunday Independent* say?

Mr T. H. JONES: The *Sunday Independent* will come on side just before the election, and then things will be all right.

Mr Young: If it does, I will shake in my boots.

Mr T. H. JONES: On 9 August, an editorial in the *Sunday Independent* contained the following—

PRICE TOO HIGH!

WILL the end justify the means?

That's the question civil libertarians, politicians and the legal profession are debating in the wake of the State Government's proposed new tough drug laws.

None of them supports illegal drug trafficking.

What must concern each of them is the risk to the liberty of innocents picked up by a police force to which this Bill would give increased powers.

Chief Secretary Hassell's verbal assurances that it is not his intent that innocents found on premises where illegal drugs are being consumed will be guilty of an offence, holds little water when the text of the Bill is examined.

For while he may be able to guarantee immunity for these people through ministerial policy direction to his Police Commissioner, he cannot speak for the intentions of any of his successors.

Of course the Minister cannot speak on behalf of his successors. It is like the "state of mind". We have many Bills coming before the Parliament dealing with the state of mind of the Minister, or the state of mind of the person to whom he delegates authority. The editorial continued—

A supposition from Law Society vice-president, Ian Temby, is equally disturbing.

That is not Mr Tennant, but Mr Temby. Probably the Minister for Health will criticise him also.

Mr Young: No, I will not.

Mr T. H. JONES: In referring to Ian Temby, the Vice President of the Law Society, the editorial continued—

Interviewed on the ABC's *Nationwide* this week, he suggested that society might have to

accept reduced civil liberties if the new laws were to be enforced.

Mr Temby was quite clear in his opinion.

Mr Young: We know that Leslie Anderson is next.

Mr T. H. JONES: The editorial continued—

If the civil liberties of innocent people are to suffer through the Government's proposed crackdown on the scum who are drug dealers, then we suggest to Mr Temby and others of influence that the price is too high . . . and alternative methods be found.

Of course, I have been putting that viewpoint on behalf of the Opposition today. No-one can deny that we have been adopting that view.

The Minister said that he had not received any submissions from the Law Society. However, the Law Society issued a warning about the Bill, whether he received a submission or not. In *The West Australian* of 17 August, under the headline "Law Society warns on new drug Bill", the Law Society expressed concern. The Minister said, by way of interjection earlier, that he did not give much weight to that. However, the article in *The West Australian* read as follows—

The Law Society warned yesterday that a person convicted of an offence under the Misuse of Drugs Bill could serve a longer sentence than a person convicted of murder.

That is precisely what I said when I opened my remarks. Irrespective of what the Minister said, the Law Society is concerned. It expressed its concern in the article in *The West Australian* on Monday, 17 August 1981.

In *The West Australian* on 14 August 1981, A. F. Terry, of Lansdowne Street, Kensington, referred to how a person could be involved if he was at liberty. I will not read the letter, but just make reference to it. However, I would like to read a letter in *The West Australian* on 18 August from Len Hall, Dalston Crescent, Kardinya, who wrote as follows—

As a senior citizen I would like to express my horror at certain clauses in the Misuse of Drugs Bill, which is currently before Parliament.

The most frightening clause says: "A person who is found in any place which is then being used for the purpose of smoking a prohibited drug or prohibited plant commits a simple offence."

Such an offence makes a person liable to a fine not exceeding \$2 000 or to two years' goal, or both.

This means that anyone found on the premises, whether they know or not that drugs are being used, can be arrested and charged.

Is it not the right of every WA citizen to be free to be in any part of his State without fear of arrest?

As a West Australian I shudder to think that my daughters unknowingly might be in this situation and be arrested. This can and will happen to others.

First we have section 54B and now this. What is next?

Giving the Government these powers reminds me of Hitler's days.

That is a very strong statement. I do not know Len Hall; and I do not know what his politics are. However, that letter is indicative of the many protests in the newspapers, the many letters we have received, and the many conversations I have had with people, not necessarily of my own political brand. The people have been expressing concern about the conditions contained in this Bill.

Mr Hassell: You are a fair man, I am sure. Do you not think—

Mr T. H. JONES: It is nice of the Minister to say that.

Mr Hassell: I am just asking you to recognise the fact that that material has been clearly replied to publicly, and published by *The West Australian*. Are you going to read the reply to that particular letter from Mr Hall?

Mr T. H. JONES: I did not notice the reply of the Minister.

Mr Hassell: It was published as an article. The paper received the letter, and then *The West Australian* published it as an article. There has been a Supreme Court case on that provision that makes it clear that the consequences of that provision are not as has been said. That has been made very clear. It would not be there if that consequence would follow.

Mr T. H. JONES: Not everybody accepts the views of the Minister. I am aware of that.

Mr Hassell: I am talking about the views of the Supreme Court.

Mr T. H. JONES: All the Minister's answers are not right. He is under attack in the Press daily. I have read a lot of his answers, and I do not go along with all his answers.

Mr Davies: He is suggesting you are wrong, but the reply is 100 per cent right.

Mr Hassell: No I am not. I am suggesting that anybody reading one side of the story should read the other.

Mr Davies: You can reply to it in the debate.

Mr Hassell: I will, certainly. The member is reading out bits of one side of the story. He should read the rest. He is a fair man. I am sure he would do that.

Mr T. H. JONES: The Minister is in the hot seat. He is responsible for the fact that morale in the Police Force is at a low ebb. I have had discussions with senior officers of the Police Force, and they have told me that the Minister is the cause of the low ebb in the Police Force at present.

Morale in the Police Force has reached a low ebb. There have never been more resignations. I meet with people just like the Minister does. I will not name them because he would be on to them by tonight.

Mr Parker: By lunch time.

Mr T. H. JONES: I have discussions with the Police Union—I am not afraid to say this publicly. I know the problems its members are facing. I know what the Government has been up to. I will not say what that is in the House. I know the tricks the Minister and the Premier have been involved in.

Mr Hassell: This is like a bedtime story.

Mr T. H. JONES: I know more about the Minister's operations than he thinks.

Mr Hassell: Is that right?

Mr T. H. JONES: The Government's activities have given rise to the low morale in the Police Force, which has been referred to by Commissioner Porter. He agrees with what I am saying. He has said that the drug problem is getting worse. He does not think this Bill is the answer to the problem. Like the Labor Opposition, he knows the Bill will not overcome the drug problem. What did the commissioner have to say in his report? The commissioner said that the drug problem is getting worse in this State. If the figures in his report are any indication, there have to be big changes in our approach to the drug problem in the next 12 months, otherwise the problem will get worse.

In the *Weekend News* of 8 August, a Bill Power referred to the problem of drugs at parties which young people might attend. I have received numerous other letters in relation to this problem.

Mr Oliver Dixon headed an inquiry into the rate of imprisonment in Western Australia. He showed that we have the worst rate of imprisonment in the Commonwealth. This was

the finding by a committee initiated by the Court Government, and presumably by the Minister's department. If I am wrong he will tell me. He has said nothing, so I can assume he did obtain the services of Oliver Dixon, who was the chairman of the committee, the report of which is a very good one and supports the point of view I have been expressing on behalf of the Opposition.

Mr Hassell: I hope you support our legislation to implement its recommendations. You are singing its praises.

Mr T. H. JONES: The Minister has the job and he has to answer all the problems. The Minister says he has all the answers. He was a great supporter of the federalism concept. He was the man who said it was the answer to all our problems. Now the Government is in a complete mess and its members are trying to wriggle out of it.

Mr Hassell: At least we have a federalism policy. You don't believe in it at all; you are centralists.

Mr Davies: Nonsense! Who are the greatest centralists? You should listen to what the master says. You should pay more attention to your lessons.

Mr Hassell: We are good federalists.

Mr Davies: You are tied up by the Federal Government.

The ACTING SPEAKER (Mr Crane): Order!

Mr T. H. JONES: It is apparent that when the Minister has been here for a few more years he will know the true situation. He has been here only five years. He is a protégé of Sir Charles Court. We know what happens in the party room; we know the Minister is on a high plane. There is a fair bit of competition in the Premiership stakes. We know the Minister for Police and Traffic's name has often been mentioned.

The ACTING SPEAKER: Order! This is very interesting, but it has no bearing on the matter before the Chair.

Mr T. H. JONES: Mr Acting Speaker, I take your point; but I was answering unnecessary interjections from the Minister. You will recall that I did not interject once when the Minister was introducing this Bill. It seems he cannot contain himself. He is like pepper and salt; he is into everything. This is what the Minister did.

Mr Skidmore: This won't take you long.

The ACTING SPEAKER: Order! The member for Swan is not in his own seat.

Mr T. H. JONES: The Chief Secretary was very concerned about the rate of imprisonment in

relation to drugs and so he commissioned an inquiry. The committee consisted of Oliver Francis Dixon, chairman; Roy McGregor Christie, member; David Laurence Greenhill, member; William John Kidston, member; and James Ralph Wilson, member. The Secretary (Mr Monger) wrote to the Minister on 7 May and submitted the report which dealt extensively with the drug problem, and it criticised the Government in some respects. I shall quote from the report as follows—

The provisional estimate of Western Australia's total population to 30 June 1980 is 1 265 100, that is 12.651 hundred thousands. On the night of 30 June 1980 the prison muster was 1 424 representing an imprisonment rate of 113. For the year ending 30 June 1980 there were 4 503 receivals, which represents a total receival rate of 356.

These figures coincide with those I referred to in the Grants Commission report and they relate to the prison population. The following can be found on page 49 of the report—

New South Wales, South Australia and Western Australia had similar total Superior Court imprisonment sentencing rates, ranging from 34.2 for New South Wales to 39.4 for Western Australia. The most noticeable difference between States was Western Australia's high imprisonment sentencing rate for drug offences which was twice that of New South Wales and three and a half times that of South Australia.

That clearly demonstrates we already have the highest rate of imprisonment in cases involving drugs than any other State in the Commonwealth. This Bill will only add to the problem. It is not the answer to our problem. I shall quote again, and I am referring now to page 75 of the report—

(i) Is there more crime in Western Australia?

On the basis of two indicators the answer seems to be: Yes, from 25% to 100% greater than the national averages.

That is very high. I will be pleased to hear what the Minister has to say about these figures. I shall quote now from page 79 of the report—

(viii) What is the explanation of Western Australia's high imprisonment rate?

Not only has Western Australia somewhat more crime in certain offence categories than other States, but it is also imprisoning the persons convicted of these crimes much more

frequently. This is taking place in the Lower Courts and involves Aborigines to an extent far in excess of their proportion of the general population. In comparison with New South Wales, Western Australian courts sentence six times as many persons *per capita*.

The report goes on to indicate the term of imprisonment.

Mr Skidmore interjected.

The ACTING SPEAKER (Mr Crane): Order! I have already told the member for Swan not to interject when he is not sitting in his allotted seat.

Mr T. H. JONES: On page 130 the committee refers to detoxification and drug treatment centres and makes the following comments—

When this Committee commenced its deliberations it had high hopes it would be able to recommend sweeping changes relating to the treatment of those addicted either to alcohol or drugs. It was obvious from the very inception of this Inquiry if one could reduce the dependence on alcohol and drugs there would be a truly dramatic decline in the rate of imprisonment. Although this proposition is still entirely accurate its implementation is infinitely more difficult than this Committee ever dreamed.

The evidence before us shows beyond any reasonable doubt a cure for alcoholism or drug dependency simply does not exist or perhaps more accurately cannot be achieved unless the person addicted is determined to break the habit. In other words the prospect of success depends almost entirely on the individuals own ability to pursue a course of treatment of his own volition. In a report by the Alcohol and Drug Dependence Branch of the Commonwealth Department of Health, the following comment is made on compulsory treatment:

"Although a compulsory assessment process and carefully presented constructive coercion can be used to improve motivation to change, 'treatment' is largely a matter of the individual applying himself to effecting change. The therapist and the programme can only provide the context in which change occurs.

Drug misuse is determined by a multiplicity of factors and so is criminal behaviour. There is no treatment programme which can guarantee a high rate of 'cure' either of drug misuse or criminality, and certainly not on a short term (3-6 months) basis. However change does occur in people and their

behaviour, and this may be encouraged by assessment—used as a mechanism of confronting people with their current situations, and the options, and offering support of various sorts. There is little evidence that temporary incarceration (either in prison or in a treatment centre) achieves much in the way of benefit for the individual or protection for society."

That spells out clearly what I said initially and indicates that putting people in prison for long terms will not overcome the unfortunate problem. To continue—

From the above quotation and from other evidence given to us it is clear that the most any legal system can do is to provide some motivation for the individual to help himself while the most any Government can do is to provide adequate facilities for those who truly do wish to help themselves.

The Opposition maintains there are insufficient of these facilities which are designed to help people. Approximately \$2.5 million was made available to the Alcohol and Drug Authority last year and that is completely insufficient to cope with the drug problem in Western Australia today. To continue—

Although dependence on alcohol and drugs are similar problems their treatment may well be rather different. It is proposed to deal first with drug dependence.

Let us look now at what the committee had to say about drugs—

We have had the opportunity of examining the facilities provided by the Western Australian Alcohol and Drug Authority for the treatment of drug users. We also heard rather critical evidence from witnesses of both the extent and the nature of these facilities. One professional member of the Western Australian Alcohol and Drug Authority expressed the view there were at present over 3 000 drug users in this State and another suggested this figure would include probably 1 000 persons who could be classed as drug addicts. If by chance every one of these persons suddenly sought treatment it is clear the State could not provide facilities for handling such numbers, but regrettably few such persons do seek treatment of their own volition. The most this Committee can do is to suggest any court dealing with these offenders make greater use of its powers to refer them for assessment.

We accept this point. It is quite common for a judge to ask for a pre-sentence report on a person involved in drugs. This assessment, as has been suggested by Mr Dixon, is in line with the Opposition's point of view.

On page 133, the committee goes on to say—

Although this Committee did receive quite a lot of evidence on the use of methadone it is clearly not within our terms of reference nor are we competent to express any opinion on the matter. The provision of additional facilities for treatment is however on a rather different plane. In a time of financial stringency the provision of such facilities is probably not high on any Government's list of priorities and this Committee recognises the fact. Nevertheless this city has few facilities.

In essence, the committee is saying, firstly, that the Government does not treat this matter with the urgency it deserves and it is very low on its list of priorities for financial assistance; and secondly, that few facilities of this nature are available in the city. This relates to what I said earlier that the Bill is a nice piece of window dressing, but does not tackle the unfortunate problems of drug addiction.

Mr Dixon is not the only person to adopt that point of view in his findings. The annual conference of the CWA was reported in *The West Australian* of Friday, 7 August under the heading "CWA urges drug rehabilitation" and the following statement was made—

The State Government should begin a programme of compulsory rehabilitation of drug offenders, instead of sending them to prison according to the council of the Country Women's Association.

The council stipulated that the programme should only include addicts convicted of drug dealing.

The CWA president, Mrs Irene Hooper, said that it was probable that rehabilitation programmes would be no more costly than keeping prisoners in gaol.

That is a good point.

Mr Hassell: You agree with that, do you?

Mr T. H. JONES: I do.

Mr Hassell: And you agree with what Mr Dixon said?

Mr T. H. JONES: Yes, and the Minister does nothing in the Bill to meet these requirements. I shall refer later to the costs involved in keeping people in prison, as mentioned in Mr Porter's report. The Government is spending its money in

the wrong direction. Rather than put people in prison, the reverse situation should apply, and the Government should be providing facilities to help these people overcome their drug problems.

On page 181 of the committee's report the following statement was made in relation to pre-sentence reports—

Pre-sentence reports since their inception have played an important part in assisting the judiciary to determine the appropriate punishment in any given case. They have enabled courts to be much better informed on the antecedents and personal history of offenders. It is clear courts have come to rely on them in an increasing number of instances.

Would it not be far better to permit the judge to decide the penalty, rather than to impose these harsh prison terms on people? Clearly longer prison terms will not necessarily solve the problem. That is the point of view of the Opposition in support of the findings brought down by the Dixon committee.

Finally, let us look at the conclusions of the inquiry which appear at page 255 of the report and read, in part, as follows—

Although Cabinet provided carefully drawn terms of reference for the Committee it did not indicate the title which was to be used for the Inquiry. The Committee decided to call itself "The Inquiry into the Rate of Imprisonment". This was done as one of the main tasks was to obtain full statistical information on the rate of imprisonment within the State and other related information. The title however does not indicate the equally important task set by the terms of reference which was to consider the use of imprisonment within the State. This second task involved a very careful consideration of alternatives to imprisonment and required a detailed study of other methods of punishment.

It is clear Western Australia has per head of population many more persons in and entering its prisons than other Australian States though the rate of imprisonment is lower than in the Northern Territory. The disparity between the rate of imprisonment in this State and other States in Australia has existed since at least 1972 and shown no sign of diminishing. The difference cannot be explained away by variations in definitions nor by the coverage of the statistics concerned. There are simply more people

imprisoned in Western Australia in almost all offence categories.

That refers not only to drug-related crimes, but also to general crime.

Sitting suspended from 12.45 to 2.15 p.m.

Mr T. H. JONES: Before the suspension I dealt with conclusions reached by the inquiry established by the Chief Secretary and headed by Mr Oliver Francis Dixon. I will continue with Mr Dixon's conclusions on page 255 of his report. He states—

There are simply more people imprisoned in Western Australia in almost all offence categories. There is no single factor which accounts for the difference but there are two or three reasons which together account for our higher rate of imprisonment.

One reason is the crime rate in this State is substantially higher than in any other State. Statistics on crime tend to concentrate on the more serious breaches of the law and in this area our crime rate is demonstrably higher than in other States.

Clearly those remarks support the contention of the Opposition. At page 268 of the report Mr Dixon refers specifically to drugs. I will not quote the whole reference. The report states—

The number of offences connected with the use and supply of drugs is not capable of accurate measurement because it can never be established how many crimes such as breaking and entering and armed holdup offences were committed in an endeavour to obtain money so an addict could satisfy the craving for drugs.

In this report which he brought down on behalf of the committee he headed, his remarks quite clearly indicate that a number of offences could be committed in an attempt to obtain money to buy drugs. The Opposition has adopted that concept throughout the debate on this Bill. The report further states—

It follows a major topic of concern to the Committee was the need for new types of institutions to treat alcoholics and those addicted to drugs.

I will expand the conclusions reached by the committee. It is quite clear the committee does not accept the philosophies contained in the provisions of this Bill. In fact, the committee's philosophies are contrary to them. Mr Dixon believes more centres should be established to help people to overcome drug problems. He more or less goes along with the point of view of the Opposition that if more police were appointed to

handle drug-related offences we would be better off than having extreme legislation such as the Bill before us. At page 269 Mr Dixon states—

The problems of providing adequate treatment centres for drug users poses tremendous difficulties and on the evidence before it the Committee can only recommend the introduction of a 24 hour service at a central clinic in Perth for drug addicts. There is a wide difference of opinion on the use of methadone and the Committee was certainly left in some doubt as to the wisdom of this form of treatment on a long term basis.

Again he supports the view of the Country Women's Association, and that is a view shared by members on this side of the House.

Page 289 of the report indicates average prison rates as at 30 June this year for Australian States. The table shows that for 1981 the daily average muster rate for Western Australia was 1 456. Unfortunately that rate is not shown for some States, although the average imprisonment rates are set out. They clearly show that the Western Australian rate is the highest in the Commonwealth of Australia. We must compare the average rate of imprisonment in Western Australia with the average rates applying in other States. When we do so, as I said, we can see that Western Australia leads the field with the highest average rate.

As I have mentioned, the moneys expended on maintaining prisoners could be better used in the provision of centres for people suffering the unfortunate addiction to drugs. At such centres that addiction could be treated. The comment Mr Dixon made, in line with the view of the Secretary of the Western Australian Police Union, is that drug addicts in prisons will not overcome their addiction without adequate treatment.

The report to which I have been referring points out that during last financial year the cost of maintaining each prisoner in Western Australia was \$43.23 a day. The State's expenditure that year was \$55.78 million, and that is in a State with a population of only 1.2 million. The average daily cost of maintaining a prisoner is estimated to be \$50.43 for 1981. The Opposition's view as I have expressed it is that the money expended on maintaining prisoners could be used more to the advantage of Western Australia than is presently the case.

We have the highest crime rate in Australia. As the Commissioner of Police said in his report, it appears that drug problems in this State will increase; more people will be involved with illegal drugs, and I will refer to that point in a moment.

We say it would be preferable for the funds presently expended to be used in the treatment of people suffering from drug addiction and related problems.

Members must keep in mind that the Dixon inquiry was commissioned by this State Government, and that the inquiry considered problems associated with drugs. It supports the Opposition's contention that this Bill will not be the answer to problems associated with drug trafficking.

The position is clearly spelt out by the Commissioner of Police in his report tabled in this Parliament this week. I will refer briefly to some of the matters mentioned in it. Firstly, I refer to page 4 and, in particular, the remarks made under the heading, "Administration: Departmental Strength". It states—

There was no increase to the authorised strength of the Police Force in the 1980/81 financial year. Therefore, on the basis of the population served, the relative strength of the force declined.

I emphasise the point that the relative strength of the Police Force has declined. Western Australia has the highest crime rate in Australia, and it is increasing, yet the relative strength of the Police Force is declining. That is an awful situation and indicates the mess into which this Government has led this State. What is the answer? We know funding cutbacks are occurring and will occur. I believe further funding cutbacks in the Police Force are under consideration, as well as cutbacks for many other Government departments. I will indicate what the figures reveal. As at 30 June 1980 the Police Force had an authorised strength of 2 611 officers and the estimated population of Western Australia was 1 265 100, which represents a ratio of 1.485 officers to every 1 000 people. As at 30 June this year the authorised strength of the Police Force was still 2 611, but the estimated population for Western Australia had grown to 1 290 300, 25 000 more, which represents a ratio of 1.494.

The Minister cannot deny that the position of the Police Force is becoming worse in Western Australia; and that worsening has an effect on crime generally and, in particular, on crimes associated with drugs. The Opposition calls on the Government to make a clear announcement of its intentions so that the Police Union and people in Western Australia generally will know that the Government intends to do something about the present situation. However, it is obvious the Government will not tackle the problem when one considers that it has not increased the authorised

strength of the Police Force despite the fact that this State has undergone an increase in population of 25 000.

This morning I mentioned the situation in Collie. The Minister did not deny this because it is indeed evident at Lockridge and in many other centres in the metropolitan area as well as Albany in the great southern region and others. The Minister knows of the situation. We say quite strongly and clearly that crime is associated to a large extent with the drug problem. If we do not reduce the crime rate the drug problem is going to increase. The legislation we have before us now is not the obvious answer, unfortunately, to the problem. The resignations from the Police Force for the year are shown on page 5 of the report. There were 50 resignations including some from senior officers.

As I mentioned before, the morale in the force is the lowest it has been for some years. I know this because of close investigations I have made after talking to some senior officers and, more importantly, to the members of the union. The union is not happy with the situation. Indeed, it has made submissions to the Minister and to the Premier, I understand, indicating its views and asking what the Government is going to do about police strength.

Police control in Western Australia is totally different from police control in Victoria and in other smaller States. It is a very difficult task to administer the Police Force in Western Australia due to the vastness of the State. If we compare the size of Victoria with that of Western Australia we realise the immense task that confronts the commissioner in servicing the needs of Western Australian people. The State needs more policemen if we are to overcome the drug problem. The Opposition does not argue with the Police Union or the Dixon report because our policies and attitudes to the situation are the same.

Other problems in the Police Force appear on page 11 of the commissioner's report where he deals with the transport section. He says—

The police vehicle fleet comprises 601 motor vehicles and 18 motor cycles.

Due to financial restraints, the vehicle replacement programme was significantly reduced, with less than 35% of those vehicles listed being replaced. Because of this all vehicles were subject to additional mileage, thus increasing the need for more attention by the mechanical staff attached to Transport Section, with subsequent rises in maintenance costs.

So not only is the Government in a mess in regard to providing funds for police strength itself, but also it cannot replace vehicles which now have to be used for longer periods. We were aware of this situation previously, but as a result of Commissioner Porter's report we know there is trouble in other areas. Certainly, there are problems in providing finance for prison administration. Why introduce legislation that will have the effect of putting more people in gaol? We simply ask the question and say that the Bill is not the answer to the overall problem. The commissioner spells out the drug situation in Western Australia loudly and clearly on page 18 of his report as follows—

The 1980/81 period again indicated increased activity in all areas of drug involvement, with a 48% rise in arrests over the entire age scale.

A 48 per cent increase! That is a fairly substantial increase in anybody's language. It goes on—

Breaking and entering and armed holdup offences committed in order to obtain drugs of addiction showed marked increases, from which it can be seen that the incidence of misuse of drugs will continue to escalate.

The commissioner does not say that this piece of legislation—which I assume he would have had knowledge of—is the answer to the problem because he is quite clearly spelling out in his annual report that the drug problem is going to escalate; it will not minimise itself. The commissioner would know that this Bill is being introduced into Parliament, but he is not saying in his report that this is the answer to the drug problem. He is saying quite clearly to the people of Western Australia that the misuse of drugs will continue to escalate. One wonders how this piece of legislation found its way into this Parliament in its present form.

I will continue with the commissioner's report—

The under 18 age group proved an area of real concern, showing a rise of 96% in arrests on the previous year's figures.

That is a very sharp increase—just 4 per cent under 100 per cent for the year. Even the Commissioner of Police will agree that is not good. Putting people in gaol for longer periods will add to the problem. It is not going to stop the breaking and enterings in order that young people can obtain sufficient money to purchase drugs.

The report goes on—

This obviously indicates a growing problem of illegal drug use by persons in the

lower age bracket, and presents a major task for law enforcement agencies in their efforts to stem the misuse of drugs in our community.

Mr Blaikie: I do not disagree with what you are saying, but I think there is a responsibility for parents also.

Mr T. H. JONES: Of course, parental control is very difficult these days. The member for Vasse would know from his own experience. They are paid more money. They have motor cars at very young ages. It is a very different lifestyle. Parental control would be very important.

Mr Blaikie: Probably parental influence would be a better word.

Mr T. H. JONES: Yes, influence. It is very difficult when children go to school and discover where their mates are going. The member for Vasse knows the problem in Busselton, as I know it in Collie. Whilst parental control is necessary it is not always easy.

Mr Blaikie: That is correct.

Mr T. H. JONES: Returning to my point—I do not know whether the member for Vasse would agree with me—Mr Porter does not believe putting people in gaol is going to change the situation. Surely we must heed the warnings. Mr Porter says loudly and clearly that he is concerned about the increased incidence of drugs in the juvenile sector. He is a man of vast experience, and if he was not concerned he would not have taken the time to include this in the report. Surely the Government must take some cognisance of what he says. The Government has to find money to increase the police strength of Western Australia, for the reasons I have outlined.

We were still, at 30 June this year, at the same level of police strength as at the same time last year. We have had an increase in population of some 25 000 people during this period. This clearly demonstrates the mess we are in in connection with the problems the police are experiencing. I am not criticising the Police Force.

As Mr Fraser said, the Police Force does not have sufficient staff at its disposal to be able to control the problem. No-one can argue with that after reading the Dixon report, the comments of the secretary of the union or, indeed, what Commissioner Porter had to say.

Mr Parker: They are having to close down police stations. The police station in East Fremantle was closed down because they did not have the staff to operate it.

Mr T. H. JONES: The RTA should never have been set up and I argued that point on behalf of the Opposition because I felt it was a duplication of services. I remember speaking about this when I sat where the member for Fremantle now sits.

Mr MacKinnon: That has nothing to do with the Bill.

Mr T. H. JONES: It has a lot to do with it because it is a duplication of services.

Mr Parker: The RTA officers are only under the disciplinary control of the superintendents; logistically they have no control.

The SPEAKER: Order! The member for Collie should continue his speech.

Mr T. H. JONES: The Minister cannot deny that there has been a duplication of services. It has cost the taxpayers more money. An overall more efficient service could be introduced if the RTA and the police came under the one control and administration.

Prior to the last election the Premier canvassed the views of the organisation in an effort to ascertain whether or not an independent authority should be set up. Members of the organisation felt that it was not required, but he did not cancel the RTA or place it under the control of the Commissioner of Police.

What sort of Government do we have administering our State if it does not have the strength to know that there is no need for a separate authority? The authority should be placed under the jurisdiction of the Commissioner of Police. I have heard that the Police and Citizens Youth Clubs may be done away with. I hope that does not occur. I do hope my information is incorrect. We have had the cancellation of the youth training scheme as a result of the Federal Budget. The cancellation of the Police and Citizens Youth Clubs would be a terrible blow to Western Australia and particularly to young people.

I hope there will be some reorganisation within the police structure in Western Australia, and

that the Government will wake up and place the RTA under the control of the Commissioner of Police.

Mr Jamieson: That would save some money, and then they would be able to employ more police.

Mr T. H. JONES: To continue with the report on drugs—

There was a sharp rise in the incidence of addicts obtaining or attempting to obtain drugs by stealing medical practitioners' bags, usually from their motor vehicles. In the year under review, 110 such offences were reported.

There is only one answer to that: We do not have enough police stations. The Commissioner of Police does not have sufficient strength at his disposal to man the stations throughout the State. To continue—

Vigorous attention by police throughout Australia to the cultivation of cannabis, particularly large crops, appears to have resulted in more people resorting to growing their own. In this State, 260 persons were charged during the past year for this offence, and a total of 5 762 plants were seized. This is an increase of 18% on the previous year's figures for the same offence.

Crime is on the increase and what will the Government do to reverse this trend? To continue—

There were 104 persons arrested for dealing in drugs in the year under review—an increase of 41% over the 1979/80 figures.

The report then shows a breakdown of dealers charged.

Page 32 of the commissioner's report shows how many people are in prison and this is one of the main problem areas. If we are to increase the penalties there will be more people in prison for longer periods. The section of the report dealing with drug offences indicates the number of people charged over the past 10 years. They are as follows—

Year	Under 18 years		18 to 21 years		Over 21 years		Total of	
	Persons	Charges	Persons	Charges	Persons	Charges	Persons	Charges
1971-72	26	37	81	124	75	113	182	274
1972-73	48	63	172	241	127	175	347	479
1973-74	43	49	150	191	221	287	414	527
1974-75	57	63	344	396	296	351	697	810
1975-76	95	98	363	399	504	668	962	1175
1976-77	60	72	403	428	365	459	828	959
1977-78	65	72	315	365	414	757	794	1194
1978-79	45	72	310	414	519	654	874	1140
1979-80	28	29	377	431	705	912	1110	1372
1980-81	50	51	522	637	1051	1347	1623	2035

So, that indicates the reason for the Opposition's concern about the situation. In his second reading speech, the Minister did not indicate how the Government will overcome the drug problem. If the Government is not concerned about the figures I have quoted and the increases in crime, most certainly the Opposition is concerned.

The West Australian has taken up the cudgel. There is a report in today's issue under the heading, "Crime rate", as follows—

The Police Commissioner's report to State Parliament makes disturbing reading. In almost every area of criminal activity statistics are on the rise.

The editorial states that there has been an increase in criminal activity. To continue—

Major offences in 1980-81 totalled 73 012, an increase of 1786 on the previous year. And major means major. Translated into a crime rate, the figures show that every 7.19 minutes during the year someone was being killed, or seriously assaulted, or raped, or robbed, or having premises broken into or a motor vehicle stolen or was the victim of fraud, forgery or false pretences.

I mentioned this morning that the figures show that a crime takes place every 7.19 minutes. Perhaps the most worrying disclosure of all is the increase in juvenile crime and the increase in juvenile drug use in Western Australia. According to the Australian Institute of Criminology in Canberra, WA has the nation's highest rate of burglary offences on a *per capita* basis. To continue with the editorial—

There seems little doubt that youth unemployment is at the root of much of the trouble.

The cancellation of the CYSS will not help the situation.

We have a commissioner saying, "I cannot handle the situation in Western Australia and I need more police staff to do the work that is necessary". Further on the report says—

In the search for economy and more effective use of manpower one option stands out strongly—amalgamation of the police and the RTA.

That was the prophecy we put forward when the Bill was introduced to establish the Road Traffic Authority in Western Australia. The

commissioner's report clearly indicates concern. He has issued different warnings loudly and clearly that he is concerned and he has gone so far as to say that in his opinion the drug problem will increase. It will be interesting to see the statistics in relation to the drug problem this time next year. Let us see whether there will be a reduction in the crime rate. I have talked with people involved and they have made strong allegations to me that all is not well in all areas.

Unfortunately at the moment we have four senior police officers on a drug trafficking charge. The Opposition feels there is a need for close scrutiny of the situation in Western Australia. Whether the four senior officers are involved and whether the other lady mentioned is involved will not be known until the hearing. If the four officers are charged and are found guilty, it clearly supports the Opposition's call for a top-level inquiry into drug trafficking in Western Australia.

I will not forecast what the decision of the court will be; that is something for the judiciary to determine. However, for them to be committed to trial it would appear that some serious allegations have been made against the four officers involved. It has been mentioned to me that other practices are taking place and this should be investigated also.

An article appeared in *The West Australian* of 20 August under the heading "WA faces drug crime wave—QC". Whilst the Minister said that he had not received a submission from the Law Society, according to this article the president of that society had the following to say—

...that 20 per cent of sentences in the superior courts in 1979 related to drug offenders.

In this report, which I will not read to the House, the President of the Law Society indicated his genuine concern about the problem. We will be debating very strongly a number of clauses in the Bill. For example, clause 13 includes the words "using such force". What is meant by "such force"? Has the Minister considered this matter? The Minister would know all about the water treatment. Recently a gentleman came to my office and made allegations about water treatment. We all know what water treatment is. A suspect is made to drink large quantities of water to force evidence from him. I believe other practices are used as well. Clause 13 provides for the use of such force as is necessary.

The Opposition does not agree with provisions in the Bill relating to special agents, and I can assure the Minister that a long list of amendments

will be appearing on the Notice Paper before we get to the Committee stage. It is a poor Bill, and, in his second reading speech, the Minister could not substantiate its introduction. His attitude to drugs is totally different from his attitude to prostitution.

The conditions that apply in this Bill are in some way contrary to recommendations of the Williams Royal Commission because it has been argued that prostitution, in some respects is very closely allied to the drug problem. Apparently evidence was given to the Williams Royal Commission that a large proportion of young girls working in massage parlours and as prostitutes were dependent upon drugs. This appears on page A. 1161 of the transcript.

The Minister is on record as having said on the "Nationwide" programme on 5 August that the new law would be effected and this would quite clearly spell out that the legislation under the Police Act, section 49B apparently, has been ineffective, particularly in view of the higher drug offences in Western Australia.

The Opposition foreshadows that at the appropriate time it will be calling for a Select Committee to consider the whole problem.

The Minister saw fit not to proceed with the Bill introduced in 1980. The present Bill, for the reasons I have stated, will not overcome the drug problem which unfortunately is apparent in Western Australia. It has been clearly stated by the Secretary of the Police Union, by Mr Dixon, and by Commissioner Porter that the drug problem will increase. The Opposition does not consider that the answer to the problem is to place people in gaols for longer periods but rather to bring in an effective plan to make more money available so that the police strength is adequate to cope with the situation.

The Minister knows that this problem is evident in a number of police stations in Western Australia, and unless the Treasury changes its priorities in relation to the money available in order to combat drug addiction the position will get worse. In other areas of crime the situation is not improving; it is getting worse day by day.

As I mentioned, at the appropriate time I will move that this Bill be referred to a Select Committee so that closer consideration can be given to the situation.

This Bill does not meet the requirements that it should. When I commenced my remarks I said that it was a classy piece of window dressing by a very experienced lawyer. The Minister did not show that provisions contained in the Bill had been recommended to him. As a consequence he

has not been able to substantiate the introduction of the Bill, and he did not tell us how effective the penalties will be to overcome the situation. I oppose the Bill.

MR PARKER (Fremantle) [2.54 p.m.]: This Bill brought in by the Government is stated to be an attempt to codify, into one piece of legislation, the laws relating to the misuse of drugs in Western Australia. In fact the legislation is somewhat misnamed and will not really do what it is supposed to do.

In the first place the legislation is not really concerned with the general misuse of drugs; it is a piece of legislation concerning criminal or other offences relating to drugs. We could contrast it, for example, with the British legislation with which I will deal later, which has the same name, and which does codify a number of offences into one piece of legislation. In Britain the problem is dealt with in a more positive way by the use of education, research, advisory counselling, and, in some instances, treatment.

However, none of those things are catered for in this piece of legislation which concerns what one might call a section of the Criminal Code relating only to the situation in regard to drugs.

What the legislation does is to introduce into the Bill and ultimately, the Act, a number of different provisions which currently are to be found in other pieces of legislation. However, in the process of doing that the Minister has introduced whole new concepts of law which go considerably against the fundamentals of the British system of law. To the extent that there exist any provisions relating to civil liberties in the current Acts concerning the drug question, and they are only limited, those provisions have been removed in the new legislation. In some instances, penalties are to be increased in a draconian fashion. This piece of legislation is not one which ought to be supported and I endorse the remarks of the member for Collie in opposing the Bill.

As the member for Collie pointed out, many inquiries have been carried out into the drug question over many years both overseas and in Australia, and one must be surprised that in bringing forward this piece of legislation, the Government clearly has not taken into account any of the results of those inquiries. This piece of legislation appears to ignore the growing weight of opinion which exists throughout the world as to how the drug problem should be treated. For example, the Minister ignores the fact that there is no evidence to suggest that harsher treatment of drug offenders—and, contrary to the Minister's statement in his second reading speech, it is

mainly the ordinary drug offender, not the trafficker at whom this Bill is directed—leads to a diminution of the number of people engaged in the illegal use of drugs; nor is there any evidence that it deters other people from using them.

The country which has some of the harshest laws against drug traffickers and users is Thailand. We all know Bangkok is one of the capitals of the drug trade in this part of the world and, indeed, probably in the entire world. However, the penalties provided for trafficking in drugs and for otherwise dealing in and using drugs in that country are draconian.

The Government has not attempted to show—nor can it show—how this legislation will have any effect in deterring people from using either those drugs which are generally regarded as being extremely harmful, such as heroin and some of the chemical formulations which are becoming more frequently used, or the drugs such as cannabis which have a much more minor effect on the user.

Indeed, as the shadow Minister for Police and Traffic, the member for Collie, pointed out, the legislation does not take into account the recommendations of the Williams committee to the effect that a great deal more research was needed with respect to cannabis usage including the frequent call one hears for its legalisation before any changes were made in the legislation. Mr Justice Williams recommended that nothing be done with regard to legalising cannabis for a considerable time while that research was being undertaken, and that we should ascertain the manner in which community attitudes were formulating and changing with regard to the drug.

The clear aspect of this is that no evidence exists that either the courts or the community has found that the penalties being applied against the ordinary user of drugs are too lenient. There has been no call from the judiciary for the Parliament to increase the penalties which may be imposed.

Indeed, it is very rare now—I am not aware of any examples, although the Minister may be—that members of the judiciary have found they have ever had to impose the maximum penalty currently provided with regard to the ordinary user of drugs. Yet we discover in this Bill that those penalties are to be substantially increased.

There has been no call from the community for these penalties to be increased. However, there is considerable and growing concern in the community about the general breakdown of the way in which our society is operating as a result

of the sorts of things the member for Collie was talking about earlier this afternoon. Obviously, there is concern in the community that last year a 40 per cent increase occurred in the number of drug-related offences recorded in the report of the Commissioner of Police. That is a legitimate area for concern. There is also cause for concern in the community about the growing number of people who are using drugs and who are resorting to non-drug-related crimes in order to pay for or obtain drugs; this, of course, applies particularly to drugs such as heroin, morphine, and the various chemical compounds which have some sort of narcotic or hallucinogenic effect. It is a matter of great concern in the community that nothing is being done about these things.

However, I have not heard either from the Press or from people speaking to me or from any responsible organisations the suggestion that, for those people, the penalties should be increased. Indeed, the reverse appears to be the case. There seems to be a general community acceptance, for example, with relation to cannabis users that fairly low penalties should be applied by the magistrates dealing with the cases and, indeed, such penalties have been applied.

The number of people dealt with by the courts for cannabis offences is only the tip of the iceberg. Anybody between the ages of 15 and 45 years who engages in any form of social activity would know the actual number of people who end up in the courts charged with cannabis smoking is infinitesimal by comparison with the number of people engaged in its usage. That point was borne out by the Williams' committee of inquiry into drugs where, at page A99 under the heading, "Illegal use of drugs", Mr Justice Williams has this to say—

Evidence clearly established that cannabis is the illegal drug most used in Australia. Its use is widespread throughout the community and is increasing.

Later in the report, Mr Justice Williams referred to the fact that some 36 per cent of samples of youths between the ages of 18 and 24 years had at some stage or other used cannabis. He also referred to the fact that it is now not at all unusual for people over the age of 30 years who were as he put it, "highly educated" to be using drugs for "recreational" purposes; Mr Justice Williams compared its use to recreational drinking. However, the Bill before the House today takes no account of that situation.

Indeed, although the Minister stated in his second reading speech that this Bill is directed principally at the trafficker—at "Mr Big"—it is

quite plain to anyone reading the Bill that in fact, it is directed at obtaining a much larger haul of the very ordinary, low-key, social smokers and users of lesser drugs than heroin or other severely harmful drugs.

One of the problems of this Bill is that it does not differentiate between the types of drugs people use, and relate the penalty which is imposed to the type of drug used. For example, the criterion by which a person is considered to be trafficking in marihuana or cannabis is that he must be found in possession of 100 grams, or 400 cigarettes of cannabis. This is considered by many people to be a very small amount of cannabis. However, that person is treated in precisely the same way and is subject to precisely the same sort of draconian penalties as are people trafficking in drugs such as heroin, opium, and various chemical drugs of addiction.

The Opposition does not find that situation to be satisfactory. It does not take account of the most recent and modern legislation in countries comparable with ours. Nor does it take into account the need to break the cycle of drug use, or break the escalation factor in drug use to the extent that people obtaining one illegal product tend to obtain it from the same source as they would obtain another illegal product.

Put another way, it means a person trafficking in an illegal product will attempt to traffic to the greatest possible extent in the most profitable illegal drug which, in this case, is likely to be something more like heroin rather than marihuana. That means that the people dealing with the criminal element in illegal drug use will come into contact inevitably, not only with marihuana, but also with such drugs as heroin, opium, and so on. That is a disturbing situation.

In the British Misuse of Drugs Act, there is provision for three classes of drugs—"A", "B", and "C". The three classes are treated quite separately in the legislation which is directed less towards putting people into gaol and more towards keeping them out of gaol and correcting the situation. It attempts to ensure that the people who need the treatment are able to obtain it, and that in one way or another, other people can be kept from the illegal use of drugs.

What is the Government seeking to do in these circumstances? Obviously it is seeking to make the life of the drug squad much easier in the carrying out of its operations, and in bringing accused persons before the courts. One of the principal reasons for the changes in the legislation is to facilitate the obtaining of convictions by members of the drug squad or by members of the

Police Force charging people with the illegal use of drugs. I will comment further on those provisions when the Bill is dealt with in Committee.

It is noticeable that all of the objective tests of the way in which the drug squad or members of the Police Force ought to operate have been removed from the existing legislation. In the Bill, we have tests which are purely subjective. At the moment, a court can determine whether a police officer has used reasonable force or reasonable assistance in apprehending or otherwise dealing with someone suspected of committing a drug-related offence. Presently the courts have the power to make an objective determination as to whether the force or the assistance used was necessary.

In the legislation introduced by the Minister, the courts—not the Parliament, but the courts or the judiciary—will have removed from them the ability to make any objective assessment of the way in which the police officers have carried out their duties.

I noticed that in the *Weekend News* a couple of weeks ago, Superintendent Ayres claimed he was one of the authors of the report. From his point of view, I can understand why he would want his job to be made easier. That is not surprising. In the same position, we all would do that in respect of our own occupations.

However, it seems to me that the Government—and it is the Government that is responsible for drafting and introducing legislation, and not the superintendent of the drug squad—ought to be giving due consideration, not only to the requirements of the drug squad, but also, and more importantly, to what is right for the community as a whole. The Government should do what is right for the preservation of civil liberties as they exist in this community. It should do what is required to ensure that the people are not convicted unfairly, or dealt with unfairly by the courts or by the law enforcement apparatus in this State.

The drafting of this Bill will ensure that a much greater number of small-time users of the relatively inoffensive drugs will spend a considerable amount of their time in appearing before the courts, and possibly going to gaol. I ask the Government what it is seeking to achieve by this Bill when we are talking about the small-time users.

When talking about the "Mr Bigs" it is quite clear what the Government is seeking to achieve. If it was going to achieve all of those things, we would be happier about the Bill than we are

currently. However, we do not believe that the Bill will do anything to make it easier for the drug squad to break down the drug rings and obtain convictions against the persons involved. There has been no evidence in this State of the great sleuthing ability of the Police Force in tracking these people down.

That is not as a result of the inability of the individual police officers, but is simply because they are not given the facilities to carry out the work. One is not dealing with petty criminals when one is talking about "Mr Asia", and people of that ilk. One is dealing with very substantial operators—the people who have access to great sums of money, and who seem to be able to flit around the world at will, apparently without being caught up in the things that most ordinary people have to go through such as passport, immigration, and customs controls. These are the people with whom we are dealing. Nothing in this Bill will make it any more certain that those people will be caught, despite the high-flown rhetoric of the Minister when he introduced the Bill a couple of weeks ago.

This Bill does not address itself to the serious problems concerning drugs in our community. The Opposition believes that it is a serious problem, as the *Sunday Independent* pointed out in its editorial. The reasons for the criticism which the Opposition has in relation to this Bill, and for that matter which other people in the community have in relation to the Bill, are not because we are somehow in favour of, or supportive of, or soft on drug peddling or drug trafficking, but rather because, firstly, we do not believe that the legislation will do what the Minister says it will, and, secondly, because we do not believe that the civil liberties of the community will be protected.

Now that the Minister has returned to the Chamber, I ask what the Government wants to do. Does the Government believe that it can eradicate from the community the usage of these drugs? Does it believe that, by the introduction of this legislation, it will prevent the smoking of marihuana in Western Australia? There is no chance whatsoever that the introduction of this sort of legislation, which contains no provision for research, no provision for education, no provision for rehabilitation, and no provision for community attitudes towards the usage of illegal drugs, will have any effect on eradicating the use of cannabis in the community.

Certainly this legislation will not do that, because it does not address itself to the reasons for which people use drugs, or to the problems faced by people who need help. Indeed, as the

member for Balcatta pointed out by way of interjection, the authority which is supposed to help these people—the Alcohol and Drug Authority—is being prevented from such activities by the Government which has introduced the legislation.

Does the Minister believe that this emaciated Bill will eradicate the smoking of marihuana? I do not think he does. If he does, he is not nearly as bright as I thought he was. It simply will not happen. It has not happened anywhere else in the world. It has not happened even in those countries and cities which have some of the most stringent legislation against drug usage. In fact, as I said earlier, some of these countries are the world capitals for this trade.

This Bill will create more people who will be going into the prisons of this State. Last year, in Fremantle, the Minister for Police and Traffic, in opening the new Fremantle Police Station, made reference to the fact that plans were being drawn up by the Government for new prison facilities at the Canning Vale remand centre. The Minister made the valid point that the provision of those facilities would result in a reduction in the number of prisoners in Fremantle Prison and would therefore relieve overcrowding. The Minister made the point, with which I thoroughly agree, that the creation of new gaol cells should not mean the community is willing to have more people in them. In other words, he was saying that we do not want to get empty cells in the Fremantle Gaol by putting people in Canning Vale centre if, at the same time, we intend charging more people and imprisoning them.

Mr Dixon and the member for Collie pointed out that we have the highest rate of imprisonments of any State in the Commonwealth. What this legislation will do is precisely what the Minister, when opening the Fremantle police station last year, said he did not want to happen. He said he did not want an increase in the number of people gaoled in order to fill the cells which would otherwise be empty.

Again, one is entitled to ask what the cost is to the community of the filling up of our gaols. What is the cost of keeping in gaol a person who has received a two or three-year sentence for what is, after all, a very minor offence by anyone's standards? I would suggest it is a mammoth cost in terms of new facilities, prison officers required to man the gaols, lost productivity, and a whole range of other matters. The cost to the community of keeping people in our gaols is immense.

Mr Hassell: No-one denies that the cost to the community is immense. It is a very serious problem. Equally, the cost of alternative facilities and treatment facilities is very high. Many studies have shown that the cost of these alternative facilities is not a means by which to reduce the cost of the institutional facilities generally. That is not an argument for doing it that way. It is not a cost argument. Those remarks about filling up Fremantle Prison are still valid. The real issue still concerns our gaoling the serious offenders. No-one has suggested that serious offenders should not go to gaol.

Mr PARKER: And nor does the Opposition say that serious offenders should not go to gaol. We are suggesting that drug traffickers ought to be put in gaol—drug traffickers such as Mr Asia and his type, if they are convicted. We are saying that this piece of legislation will have the effect of putting non-serious offenders in gaol. The Bill the Minister has introduced allows for people convicted of minor offences under the Act to be gaoled for two or three years. If the Minister meant what he just said, he would remove the provision to put those people in gaol for that time.

I would agree with the Minister that perhaps the cost of the treatment facilities are as great or perhaps greater than the cost of gaol facilities, but at least no-one seriously thinks that people actually get rehabilitated in gaol. The most modern psychologists and similar people believe very little rehabilitation is provided by gaols. The fact that some people may get rehabilitated has little to do with the prison system. It would be better to replace the title of Department of Corrections with the older and more accurate title of Department of Prisons. Let us face facts: The department does not correct anything—it punishes people.

Mr Hassell: Do you think people get rehabilitated by compulsory treatment outside gaols?

Mr PARKER: I understand that in relation to some offenders who are convicted, particularly those who have been involved with the injection of various forms of drugs, some facilities which exist around the world have had the effect of enabling people to be rehabilitated.

Mr Hassell: Only when there is willing participation. The same applies in gaol as outside gaol. There has to be willing participation on the part of the offender.

Mr PARKER: An offender is far more likely to be willing to participate if he is part of the community and being dealt with as a human being than would be the case if he were

incarcerated in a gaol. He would be far more willing to participate if he were in the community. As we all know, people in prisons often undertake programmes offered to them simply to obtain a remission of time or to get better treatment such as the opportunity to be transferred to a lesser security prison or to be granted work release. These are reasons many prisoners undertake these courses; it is not because they believe the course will rehabilitate them.

Mr Hassell: Should those courses be stopped?

Mr PARKER: No, I am not saying that at all. I think people have the right to be treated humanely whilst in gaol, and courses which occupy their time, both mentally and physically, allow them to carry on being human beings and not become vegetables as they might if they were simply left in cells or allowed to wander around exercise yards. The courses should continue. Nonetheless, we ought to get away from the joke that people are being rehabilitated in prison.

Mr Hassell: Who suggested they are? We do not disagree with what you are saying; there is no need to debate those points. We have a very realistic appreciation of the impact of these things in gaol. We maintain the courses so that the gaols may be humanitarian places where people can survive.

Mr PARKER: There is a general perception in some parts of the community and among some people involved in the penal system that the system does provide for rehabilitation.

Mr Hassell: It does if offenders are willing.

Mr PARKER: If they are willing while they are in they will be willing while they are out. Putting them in gaol will not help.

Mr Hassell: That is not true.

Mr PARKER: Obviously we disagree on that. As the Minister is answering some of my queries, perhaps he can tell me whether he believes this Bill will have the effect of diminishing the use in this State of drugs such as marihuana and cannabis or whether it simply will result in more convictions?

Mr Hassell: Did you read the second reading speech where I made it very clear that this Bill is merely one aspect of the whole problem and the aim of it is to arm the police effectively to do the job they have to do. This Bill does not purport to solve the problem of drug abuse by itself.

Mr PARKER: Let us now consider the British situation. This Bill has the same title as a British Act of Parliament; that is, the Misuse of Drugs Act 1971. That Act contains a large number of provisions covering penalties for offences such as

those contained in this Bill. Other provisions of the British Act deal with the rehabilitation of prisoners, research, education and the way in which the UK Government intends to attack the problem of drug abuse. Admittedly, an Act passed by the British House of Commons would be more comprehensive because of its powers over customs and excise matters which this State Parliament does not have. Nevertheless, the British Act is far more comprehensive than is the Bill introduced by this Government. I would be surprised if that Act was not brought to the attention of the Minister when he was compiling this legislation. If the Minister was seeking to have new legislation to deal comprehensively with this problem of drug abuse, why did he not introduce similar measures to those contained in the British Act?

Some of the provisions have already been dealt with by various Royal Commissions and other inquiries which have taken place in this country and in Britain. The Wootten report was one of the first. These inquiries have suggested ways of dealing with drug offenders.

During the debate in the House of Commons some very interesting comments were made by some of the Tory friends of the Minister. Mr Reginald Maudling was the Minister handling the legislation. If I could paraphrase his comments, he said that if the community is going to (a) interfere with people's lives, and (b) incur costs such as the cost of putting people in gaol, those two factors require very considerable justification. A Government should not just go ahead and do it; it should be able to justify such action. I suggest the Minister has in no way attempted to justify those matters.

I should like to refer to volume 803 of the *Parliamentary Debates* in the House of Commons and, in particular, to column 1752 in which some of the comments of Mr Maudling appear. He said as follows—

But the basic problem is how far the community is entitled to interfere with the individual in the conduct of his own life. It is the old problem of freedom under the law. This is being made all the more urgent by the way in which the whole quality and background of our lives together are being affected by the astounding speed of scientific development. This is a favourite theme of mine and I shall not weary the House for long with it. The pace of scientific discovery is bringing new dangers to mankind of a character which is not generally recognised. It is not merely the more obvious ones—the dangers of the atomic bomb or the pollution

of the atmosphere—but the enormous discoveries of science in influencing men's minds and human behaviour, either through medicine or, in some cases, through surgery.

These growing possibilities will certainly call for more control, just as control over the environmental pollution problem will be required. But if more controls are needed they must be even more stringently justified if they are to be accepted. We must also recognise and accept that any controls that we impose must be fully appreciated by those concerned. In this connection the previous Home Secretary—

He is referring there to Mr Jim Callaghan. To continue—

—often stressed the importance of the generation gap and the need to ensure that we, in our generation, are fully understood, in terms of our motives and actions, by the younger generation that is succeeding us.

There are two things on which everyone can readily agree—first, that illicit trafficking in drugs should be dealt with with extreme severity, as the Bill provides, and, secondly, that the use of hard drugs is an appalling phenomenon of our society and we must set our faces completely against it.

But there remains a certain area of doubt for those who both believe in individual freedom and that the spreading use of drugs is dangerous to a high degree to individuals and to society as a whole. Freedom is in issue. It is deplorable to see people drinking themselves into cirrhosis or smoking themselves into lung cancer, but nobody proposes that either activity should be prohibited by law. There is an ethical consideration here, and it is relevant to the problem of cannabis.

Those are not my words or the words of the British Labour Party; in fact they are the words of Mr Reginald Maudling, the then Home Secretary in the Heath Government. Mr Norman St. John-Stevas, who was at the time a prominent back-bencher of the Government, and until recently a Secretary of State in the Thatcher Government—also a Tory—made the following comments in the same volume of the *Parliamentary Debates* in the House of Commons at column 1818—

The principles on which a good law on this subject should be based are threefold. First, drugs must be controlled; everyone is in agreement about that. They should be more or less strictly controlled according to their

degree of danger; the reclassification in the Bill does that. Thirdly, a distinction should be drawn between different types of offences, and the Bill does that.

That issue is not discussed in the Bill which is before the House at the moment. To continue—

Pushing is certainly one thing and possession is another. Clearly, pushing a drug should be punished much more severely than merely having possession of it.

Those comments which were made by Tory members of the House of Commons are highly reasonable. They are comments with which I can agree totally; but the issues behind those comments do not seem to have been taken into account by the Minister when the Bill was being drafted. The same can be said for similar sorts of matters which have come to the fore time and time again in the reports which have been available, from the Wootten report in Britain to the Williams report which we had in this country more recently. None of those comments has been considered seriously in the legislation before us today.

The Bill we are debating is significant. It is not as though there is no law currently dealing with this problem. The Minister is codifying entirely new replacement laws. One would think that, in doing so, he would want to deal with all the problems; but it is obvious he has not done so. As the member for Collie said, that is one of the reasons we believe this Bill ought to go to a Select Committee, not because we believe we should have another full-blown inquiry into the drug problem as, for example, the Williams committee, as that would be a waste of money, but because we believe a committee of reasonable members from both sides of the House should look at the legislation which exists in other parts of the world and examine reports which have been made.

It would be possible for members to make a speciality of reading through reams of reports which exist which none of us can do unless we set ourselves specifically to the task. We might then be able to produce a much better draft of a Bill which does many of the same things the Minister, the Government, and the Opposition want to do; namely, control the drug problem in this State in a sane and rational way.

As I said before, one of the problems of this Bill is that it contains virtually no provisions for civil liberties. Indeed, principles of British law which have been held for many years, in some cases dating back to the Magna Carta, have been overturned in the way this legislation is framed and I will deal with this in more detail later. I

have already dealt with the question of the objective and subjective test. However, the right to remain silent is not dealt with anywhere in this Bill. Indeed, there is a provision in the Bill which sets out that a person does not have the right to remain silent. That is an extraordinary step for the Minister to take, because it goes against every principle of British justice which has ever been established.

In this Bill, the Minister has said that, if anybody refuses on this basis to provide information to the police, he is guilty of an offence. Therefore, someone who believes—as most people believe—that his only obligation to an interrogating member of the Police Force in those circumstances is restricted to his giving the police his name and address, will find himself being subject to an offence for which there is no defence. For example, a person may find himself subject to a double offence. He may find himself being charged with an offence relating to the crime he has committed, whilst at the same time being subject to an offence relating to the precise nature of his refusal to give advice to the Police Force. I can see no justification at all for that.

I do not believe these offences are sufficiently important to obtain convictions against the offenders at that cost. Ordinary, low-key cannabis users of whom there are many thousands in the community—according to Mr Justice Williams, 36 per cent of people between the ages of 18 and 24 use cannabis—could be convicted in this manner. It is not sufficiently important to obtain convictions against those people when it means that, in doing so, we must cast aside every principle of justice in British law which has been developed in this country and over many centuries in the mother country from whence they came. However, this is precisely what is done in this piece of legislation.

The British Act contains a number of provisions which are similar to some of the provisions in this Bill, but it also creates defences. For example, the British Act has ignorance as a defence. One of the extraordinary aspects of this Bill is that an organisation such as the AMP Society, which owns a vast amount of property in this country, could be convicted of allowing illegal activities to take place on its premises and every director of that society—they would include some of the most established figures in the country—could be deemed, under this legislation, to be guilty unless they could show they were not aware of what was going on in the premises.

I have no doubt a director of the AMP Society would be able to show he did not know what was going on in the Garden City shopping centre

which it owns. However, it is quite extraordinary that a director of that society should be put to the task of proving that.

The Bill makes no distinction between trafficking in heroin and trafficking in cannabis or marihuana. This is particularly pertinent when one bears in mind the small quantities of cannabis and marihuana which are required to prove intent to sell. It can be seen how serious this could be for ordinary people who are not the Mr Bigs we are talking about. These ordinary people could be thrown into prison for 25 years as a result of this legislation and it is quite wrong such a situation should prevail.

Mr Hassell: What about where the small trafficker you are so keen to protect and who the member for Collie described as a "poor, small trafficker" is taking drugs into schools, as is happening in this State? Should he be protected from these penalties; is that your policy?

Mr PARKER: If the Minister is anxious to stop drug traffickers entering schools, and trafficking amongst friends—after all, all evidence indicates such trafficking to be the major aspect of marihuana trafficking in this country and most other parts of the world—he should introduce a provision in the legislation to deal specifically with the matter of drug trafficking in schools. I agree with the Minister that people taking drugs into schools should be dealt with severely.

Mr Hassell: You didn't seem to be concerned about it until I raised the point. All your argument has been in favour of trafficking-users.

Mr PARKER: The Minister is resorting to statements that simply are not true. Neither the member for Collie nor I spoke in favour of trafficking-users. We have said—

Mr Hassell: You have not said that they be penalised.

Mr PARKER: We have not done any such thing. We have said we do not believe the legislation deals correctly with major traffickers. The Minister said he wants legislation to deal with major traffickers, but this legislation does not. In addition, we believe that the legislation will not improve problems associated with illegal drugs, and we believe a distinction ought to be made between the types of drugs involved.

Under the British system the mere possession of a certain quantity of a drug—the quantity referred to in this legislation is much smaller than that referred to in the British legislation—does not prove intent to sell by the possessor of the drug. Under British legislation prosecutors must prove by some other means intent to sell. The

mere possession of a certain quantity of a drug does not prove intent to sell.

It would be better for us to follow the British example. If it can be proved that a person has entered a school with intent to sell an illegal drug, that person should be dealt with in the most serious way possible as a trafficker. If a person merely has in his possession, or in his house, a sufficient quantity of a drug which would enable him under this legislation to be deemed a drug trafficker, we believe he should not be regarded as a trafficker, but as a person merely in possession of a prohibited drug. If the Minister wants to introduce a two-tiered offence—a certain quantity in one tier to show merely possession, and a greater quantity in the other tier for a higher penalty—that might be a change which I would be prepared to support. I do not believe mere possession of a certain small quantity should indicate that the person in possession is a drug trafficker. The mere possession of a prohibited drug should not be the proof, and that applies particularly to possession of a drug in a school, a situation to which the Minister referred.

It is quite wrong for the Minister to suggest we on this side are in favour of trafficking-users. We are trying to ensure that decent laws are passed for our community and that a decent position is achieved for the people of Western Australia.

The penalties the Government proposes for many of the offences under this legislation are draconian. Again I will refer to the British legislation. Schedule 4 of the British Misuse of Drugs Act 1971 deals with the punishment for various offences. The maximum penalty is 14 years' imprisonment, and that relates to the importation of illegal drugs. For the minor offences the British legislation sets out considerably lesser gaol sentences. The British Minister at that time (Mr Maudling) said on behalf of the Heath Tory Government that the legislation was a severe, hard-hitting attack on drug traffickers. However, no offence warrants a penalty of more than 14 years' gaol, and great emphasis is placed on rehabilitation.

Unfortunately my time is limited. I wanted to refer in detail to schedule 4 of the British legislation. I seek the leave of the House to have schedule 4 of the British Misuse of Drugs Act 1971 incorporated in *Hansard*.

In conclusion, let me say—

The ACTING SPEAKER (Mr Crane): Order! The member seeks leave to incorporate in *Hansard* the pages to which he has referred.

By leave of the House, the following material was incorporated—

SCHEDULE 4 PROSECUTION AND PUNISHMENT OF OFFENCES

Section 25.

Section Creating Offence	General Nature of Offence	Mode of Prosecution	Punishment			General
			Class A drug involved	Class B drug involved	Class C drug involved	
Section 4(2)	Production, or being concerned in the production, of a controlled drug.	(a) Summary	12 months or £400, or both.	12 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	14 years or a fine, or both.	14 years or a fine, or both.	5 years or a fine, or both.	
Section 4(3)	Supplying or offering to supply a controlled drug or being concerned in the doing of either activity by another.	(a) Summary	12 months or £400, or both.	12 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	14 years or a fine, or both.	14 years or a fine, or both.	5 years or a fine, or both.	
Section 5(2)	Having possession of a controlled drug.	(a) Summary	12 months or £400, or both.	6 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	7 years or a fine, or both.	5 years or a fine, or both.	2 years or a fine, or both.	
Section 5(3)	Having possession of a controlled drug with intent to supply it to another.	(a) Summary	12 months or £400, or both.	12 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	14 years or a fine, or both.	14 years or a fine, or both.	5 years or a fine, or both.	
Section 6(2)	Cultivation of cannabis plant	(a) Summary	—	—	—	12 months or £400, or both.
		(b) On indictment ..	—	—	—	14 years or a fine, or both.
Section 8	Being the occupier, or concerned in the management, of premises and permitting of suffering certain activities to take place there.	(a) Summary	12 months or £400, or both.	12 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	14 years or a fine, or both.	14 years or a fine, or both.	5 years or a fine, or both.	
Section 9	Offences relating to opium	(a) Summary	—	—	—	12 months or £400, or both.
		(b) On indictment ..	—	—	—	14 years or a fine, or both.
Section 11(2)	Contravention of directions relating to safe custody of controlled drugs.	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.
Section 12(6)	Contravention of direction prohibiting practitioner etc. from possessing, supplying etc. controlled drugs.	(a) Summary	12 months or £400, or both.	12 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	14 years or a fine, or both.	14 years or a fine, or both.	5 years or a fine, or both.	
Section 13(3)	Contravention of direction prohibiting practitioner etc. from prescribing, supplying etc. controlled drugs.	(a) Summary	12 months or £400, or both.	12 months or £400, or both.	6 months or £200, or both.	
		(b) On indictment ..	14 years or a fine, or both.	14 years or a fine, or both.	5 years or a fine, or both.	
Section 17(3)	Failure to comply with notice requiring information relating to prescribing, supply etc. of drugs.	Summary	—	—	—	100.
Section 17(4)	Giving false information in purported compliance with notice requiring information relating to prescribing, supply etc. of drugs.	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.
Section 18(1)	Contravention of regulations (other than regulations relating to addicts).	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.
Section 18(2)	Contravention of terms of licence or other authority (other than licence issued under regulations relating to addicts).	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.
Section 18(3)	Giving false information in purported compliance with obligation to give information imposed under or by virtue of regulations.	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.
Section 18(4)	Giving false information, or producing document etc. containing false statement etc., for purpose of obtaining issue or renewal of a licence or other authority.	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.

SCHEDULE 4—continued

PROSECUTION AND PUNISHMENT OF OFFENCES

Section 25.

Section Creating Offence	General Nature of Offence	Mode of Prosecution	Punishment			
			Class A drug involved	Class B drug involved	Class C drug involved	General
Section 20	Assisting in or inducing commission outside United Kingdom of an offence punishable under a corresponding law.	(a) Summary	—	—	—	12 months or £400, or both.
		(b) On indictment ..	—	—	—	14 years or a fine, or both.
Section 23(4)	Obstructing exercise of powers of search etc. or concealing books, drugs etc.	(a) Summary	—	—	—	6 months or £400, or both.
		(b) On indictment ..	—	—	—	2 years or a fine, or both.

The ACTING SPEAKER (Mr Crane): That is the completion of your time.

MR GRILL (Yilgarn-Dundas) [3.40 p.m.]: It is my submission to you, Sir, and to the House that this legislation as it presently stands is an empty and worthless piece of window dressing. It is not only just window dressing, but also harmful window dressing. It is harmful, in particular, to the youth of this State, and other citizens generally. By its very nature it will lead to a situation of many young people being exposed to drug pushers and hard drugs. It will lead to a situation where many young people who otherwise abide by the law will be exposed to that great college of crime, the prison system of this State. It will lead to a situation in which ordinary citizens find it less safe to walk the streets of the cities and towns of Western Australia. It will lead to a situation in which ordinary citizens are not safe in their homes at night. Ample evidence exists that the approach taken by this Government to illegal drugs and other forms of vice will lead directly to a higher rate of crime in this State.

The Minister referred to this Bill as a code; however, he denied only a few minutes ago that he had called it a code.

Mr Hassell: I said it was a codification of the existing law.

Mr GRILL: I will quote the Minister's words just to remind him that he used the word "code". At the beginning of his second reading speech he stated—

This Bill places in one piece of legislation a comprehensive and coherent "code" relating to drugs of addiction . . .

Nothing could be more clear than that, and nothing could be more misleading to this House

and the people of this State than the remarks the Minister has made. This legislation was intended to be a code, and the Minister's interjection to say that it was a codification is incorrect. The Minister is leaving his chair. I am sorry to have hurt his feelings. If he must leave, I can understand.

Mr T. H. Jones: He wants to get advice from the back.

Mr GRILL: Obviously he badly needs that advice.

Mr T. H. Jones: He must confirm his position with people in the Gallery up the back. A note has been handed across.

Mr GRILL: After the pounding given to him by the member for Collie and the further pounding by the member for Fremantle I can understand the Minister's need for advice.

Mr T. H. Jones: He has just been handed a note.

Mr GRILL: On his return he seems to have his tail between his legs.

The ACTING SPEAKER: According to Standing Orders it is not appropriate to cast aspersions upon a member of this House.

Mr GRILL: I did not realise I was abusing a Standing Order of this House.

As indicated, this legislation is dangerous. It will lead directly to a higher incidence of crime and to exposure of this State's young people to hard drug pushers. There will be a greater incidence of mugging, general assault, and housebreaking in all areas of our community.

The Bill represents a fair sample of the channel of thinking of this Government in connection with great social problems. No-one can deny that drug abuse in this State is a great problem which has seemed to permeate every level of our society—from the very young to people reaching middle-age. The drug abuse to which I have just referred does not relate to drugs of addiction; it involves alcohol, tobacco, and a wide range of barbituates and analgesics, and I include the accepted drugs of addiction such as marihuana and cannabis.

In the words of the Minister, this legislation is supposed to be a codification of the law, and if it is, it is a mockery of the law. Not in any sense of the word can it be described as a codification. It does not relate to the social and economic problems associated with wide-ranging drug abuse within our society.

As a supposed code this legislation offers no answer to those social and economic problems which relate to chronic drug abuse within our society. The shallowness of the Government's thinking is exemplified by this legislation. The Government's thinking is highlighted by the editorial in this morning's edition of *The West Australian* which referred to crime. The Government Bill does certain things. Firstly, it enacts provisions to catch a wider range of petty offenders; and, secondly, it enacts provisions for dramatically increased penalties for existing offences.

However, where does that take us? If the Government or the Minister could point to a situation anywhere in the world where dramatically increased penalties for drug offences has led to a diminution of drug use, perhaps the Opposition would be prepared to support this legislation. It is simply a fallacy to believe that draconian penalties for drug users and suppliers will stamp out the use of drugs or in any way diminish their use. One has only to look at the situation in Thailand. As we are all well aware, in Thailand the death penalty is imposed for possession, use, and trafficking of heroin; yet almost every second day of the week one can pick up a newspaper and find that a member of the Australian community has been arrested in Thailand on a drug possession, use, or trafficking charge.

As the member for Collie has already pointed out, some of the penalties to be imposed under this particular Bill are as severe as those for murder. To make that clear, I am talking about second degree murder. I doubt whether they will

be of any benefit. We are talking about the efficacy of these particular laws. I would certainly argue that it would be unfair to take somebody's life or to incarcerate somebody for most of his life in the circumstances outlined under this Bill. We are talking basically about the efficacy of the laws and whether they are to be any deterrent to people using and trafficking drugs.

These draconian measures will be absolutely no deterrent and in fact could go in the other direction and lead directly to dramatic increases in the incidence of crime in our society.

I have said earlier that we are a drug-ridden society. The present Government's attitude towards a whole range of social measures has contributed to this. Western Australia has the highest crime rate in Australia, a fairly new phenomenon. Western Australia has not had the highest crime rate for a very long period of time. That is why I conclude that this Government's policies, the shallowness of its thinking, and the authoritarian and unfeeling way in which it approaches a whole range of social and economic problems, in many respects, cause those social problems. This is leading to a situation in Western Australia where people resort, firstly, to the excessive use of drugs and, secondly, to the crime wave which is presently with us.

Mr Blaikie: That is being unfair.

Mr GRILL: I will explain to members step by step just how that happens.

Mr Blaikie: The original argument was all right, but you are being a little unfair in what you are saying now.

Mr GRILL: Perhaps if I explain for the edification of others as well, the member for Vasse can tell me whether he believes the logic is incorrect. The argument is in this form: If draconian penalties—severe penalties—are brought down for drug offences, especially those involving heroin—

Mr Blaikie: What would you describe as draconian?

Mr GRILL: I have already indicated that I believe some of the penalties under this Bill are draconian. That view was supported by the member for Fremantle who referred to these penalties in similar terms.

Mr Blaikie: It is an open book.

Mr GRILL: What is an open book?

Mr Blaikie: It is a penalty of up to 25 years' imprisonment and a fine of up to \$100 000.

Mr GRILL: Let me remind the member that the penalty is 20 years' imprisonment without the option of a fine. It is up to 20 years' gaol.

Mr Blaikie: Up to?

Mr GRILL: There is no alternative for a fine there. An offender must go to gaol. By the very nature of the legislation the Legislature is passing a direction to a judge or magistrate—it would be a judge in this case—that the penalty should be 20 years' imprisonment without the option of a fine.

Mr Blaikie: That could mean one day.

Mr GRILL: At no time in any court has any judge or magistrate suggested that the range of penalties for drug offences has been either too light or too lenient.

Mr Blaikie: What about drug trafficking?

Mr GRILL: To return to the argument, for the member for Vasse's edification, I began to tell the House how such penalties for drug offences lead directly to a higher crime rate. The argument is that a higher penalty for drug-related offences means that there is an increased risk associated with either the use or peddling of drugs. Because there is an increased risk, those people pushing drugs—heroin, in this case—look for higher returns, which seems logical enough. Because the supply of heroin within our community depends upon supply factors throughout the year or from year to year, it means that a higher price must be paid for it. In order to pay this higher price, drug users need to obtain more money to buy drugs. By and large, people with these habits need to spend an inordinate amount of money to purchase the drug in question and invariably have to turn to crime or, in some cases, prostitution, to earn that money.

In other words, people using drugs need to commit more and more serious crimes to obtain the necessary money to sustain their habits.

Mr Blaikie: This is relating to usage?

Mr GRILL: That argument is impeccable. The other consequence is this: If one wants to deal with not only the users, but also those pushing drugs, when it becomes more risky and the stakes become higher, drug pushers will in fact resort to more serious and desperate measures to ensure that they are not caught.

Mr Blaikie: Aren't they doing just that now?

Mr GRILL: Yes. They will do it with greater frequency in the future.

Mr Blaikie: It is a deterrent.

Mr GRILL: Criminology does not bear that out. We will find it is not a deterrent. To interfere

with the supply route does not ensure that those involved are not protected.

There will be within our society people such as Mr Big who will be prepared to commit murder, and tamper with juries, judges, witnesses, and lawyers. They all have their lawyers. So, on the user side and the peddler side, and in the case of Mr Big, there is a great danger in increasing penalties for drugs. That is not to argue that there should not be penalties; there should be reasonable penalties. However, I am arguing the efficacy of increasing penalties.

I ask the Minister: Where did he gain the source material, the "best advice", in the drawing up of this piece of legislation? That advice most certainly did not come from the Williams Royal Commission into drug abuse. It certainly did not come from the New South Wales Royal Commission into drug abuse and related crimes. It certainly did not come from our own Honorary Royal Commission report of 1972-73.

I ask the Minister: Just where did this "best advice" come from?

Mr Hassell: You know this Bill has been worked on for several years and very intensely in the last two years. It has involved not only the Police Department, which has considerable experience, but also the Crown Law Department, as well as a consideration of the Williams Royal Commission report. To some extent the recommendations of the report were implemented. There was also advice from the National Health and Medical Research Council, as well as the Police Ministers' Conference, and other sources. It has been very thoroughly canvassed over a long period.

Mr GRILL: By and large the Bill ignores the recommendations of the Williams report. By and large it ignores the recommendations of the New South Wales Royal Commission into drug abuse and related crimes. By and large it ignores the best advice of criminologists from around Australia. By and large it ignores the best advice of the most prestigious sociologists around Australia. By and large it ignores our own Honorary Royal Commission of 1972-73.

The source of the "best advice" is quite obvious. As indicated by the member for Fremantle, the source of the "best advice" is the Police Department simply to make the policeman's job easier. That may well be a good aim, and I certainly would not say it was not a proper aim.

Mr Hassell: Your opposition to effective drug laws is very clear. You and your colleagues have made it quite clear that you oppose effective drug laws.

Mr Parker: Absolute nonsense!

Several members interjected.

The SPEAKER: Order!

Mr GRILL: Just to make the situation absolutely clear to members of this House, and the Minister, I indicate that the Opposition does support effective drug laws! The Opposition does support the need for more police. The Opposition supports better police training. The Opposition supports better treatment and rehabilitation facilities for drug offenders. The Opposition supports more probation and parole officers.

Leave to Continue Speech

Mr GRILL: I move—

That I be given leave to continue my speech at the next sitting of the House.

Motion put and passed.

Debate thus adjourned.

QUESTIONS

Questions were taken at this stage.

ELECTORAL COMMISSION: REDISTRIBUTION

Report: "Government Gazette"

THE SPEAKER (Mr Thompson): I wish to announce that the *Government Gazette* in which a reasonable amount of interest has been expressed by members of this Chamber will be available in the office of the Clerk of the Legislative Assembly soon after noon tomorrow.

ADJOURNMENT OF THE HOUSE: SPECIAL

SIR CHARLES COURT (Nedlands—Premier)
[4.25 p.m.]: I move—

That the House at its rising adjourn until Tuesday, 8 September 1981.

Question put and passed.

House adjourned at 4.26 p.m.

QUESTIONS ON NOTICE

SHOPPING CENTRE

Development: Balcatta

1670. Mr BRIAN BURKE, to the Minister for Urban Development and Town Planning:

- (1) Further to my question 1622 of 1981 did she consider the potential viability of the Village Square shopping centre prior to approving the rezoning of the property?
- (2) What representations did she entertain prior to reaching a decision?
- (3) On what basis was the decision arrived at?

Mrs CRAIG replied:

- (1) Yes.
- (2) A decision was made after due consideration of all advice received, including regard for council's support of the rezoning.
- (3) An assessment of all factors involved.

HEALTH: DEPARTMENT OF HEALTH AND MEDICAL SERVICES

Pathology

1683. Dr DADOUR, to the Minister for Health:

- (1) Has the Department of Health and Medical Services undertaken any research into the costs of conducting common pathology tests like papanicolaou smear examination, full blood count, histopathology, blood grouping, and rubella anti-body tests within hospital pathology departments as against costs charged by private pathologists?
- (2) If so, what was the result of such research?
- (3) Are private patients in State hospitals required by direction of the Department of Health and Medical Services to have their pathology tests done by their hospital's pathology department?
- (4) If so, has this requirement resulted in an increase in costs as well as a restriction upon the patient's freedom of choice?

Mr YOUNG replied:

- (1) and (2) A great deal is known about the public health and teaching hospital laboratories unit cost per service tests, but very little, if anything, is known about the costs in private laboratories. For the tests outlined, the cost is covered by charging on the OP or HP scale. Private pathologists, in general, use the higher scale of charges—SP, or AMA scale.

Charges must not be confused with costs. In so far as costs are concerned, the teaching hospitals and State Health Laboratory Services costs for the common tests outlined in the member's question compare favourably with what is known of true costs in the private sector. However, teaching hospitals and the State Health Laboratory Services laboratories are available on a 24-hour basis and also engage in research into new tests and improvements into existing tests in addition to being reference laboratories for some complex tests referred to them by other laboratories, including private laboratories.

- (3) It has been decided that a single laboratory service should serve public hospitals in the interests of efficiency and accuracy.

A committee representing my department and the AMA, on behalf of pathologists, met some months ago on the subject of pathology services to non-teaching hospitals and recommended a single service.

No private pathologist was apparently in the position to provide such a service on a continuous availability basis.

- (4) No, there has been no increase in costs. In so far as freedom of choice is concerned, very few patients ever request a particular pathologist. Usually it is the attending doctor who selects where pathology tests are to be sent. Recently several private pathologists who were employed on a contractual basis withdrew their services from the central and branch laboratories of the State Health Laboratory Services thereby reducing the availability of choice to the practitioners who have their patients in metropolitan hospitals. The State Health Laboratory Services branch laboratories are under direct supervision of specialist pathologists.

BOATS

Cockburn Power Boat Club

1690. Mr PARKER, to the Minister representing the Minister for Lands:

With reference to the answer to my question 1447 of 1981 relating to the land at Woodman Point being used by the Cockburn Power Boat Club, what is the interim management arrangement proposed?

Mrs CRAIG replied:

Day-to-day management decisions regarding the land in question are made by the Minister. A decision on interim management has yet to be considered by the Government.

PRISONS: DEPARTMENT OF CORRECTIONS

Mr Kim Roberts

1707. Mr BRIAN BURKE, to the Chief Secretary:

- (1) Is/was a Mr Kim Roberts employed by the Department of Corrections?
- (2) If "Yes", what are the details of his service and remuneration?
- (3) Why was he employed and on what terms?

Mr HASSELL replied:

- (1) to (3) Mr Kim Roberts was working as senior education officer with the Department of Corrections under a two-year exchange agreement between the Public Service Board and the University of Western Australia.

Under the agreement the employers continued to pay their respective employees and meet all other commitments and conditions of their service.

LAND: RESUMPTION

Vincent Street

1708. Mr TERRY BURKE, to the Minister for Urban Development and Town Planning:

Would she please provide details of any resumption of land proposed in Vincent Street, between Loftus and Morriston Streets, North Perth?

Mrs CRAIG replied:

There are no resumptions proposed by the Metropolitan Region Planning Authority at this time. However, there is a reservation under the metropolitan region scheme, along Vincent Street at this point. Current planning indicates that five metres on either side of the existing road reserve will be required in the long term.

PUBLIC SERVANTS

Non-Australians

1709. Mr TERRY BURKE, to the Premier:

- (1) Are there any persons employed in a permanent capacity by the State Public Service, in administrative and/or professional areas, who are not Australian citizens?
- (2) If "Yes", would he please provide details?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) I am advised by the Public Service Board that it is considered it would be an unwarranted invasion of privacy to provide personal details of the persons concerned.

AGENT GENERAL

London

1710. Mr JAMIESON, to the Premier:

- (1) Is the Government considering replacing the present Agent General in London?
- (2) If so, when can an announcement be expected as to the new appointment?

Sir CHARLES COURT replied:

- (1) and (2) I will seek leave to table copy of a Press release which I made on 5 June 1981, setting out the current situation with respect to the office of Agent General in London, and when a decision on his replacement is expected to be made.

The paper was tabled (see paper No. 380).

1711. *This question was postponed.*

FUEL AND ENERGY: SEC

Capital Works

1712. Mr I. F. TAYLOR, to the Minister for Fuel and Energy:

What is the proposed cost of State Energy Commission capital works in 1981-82?

Mr P. V. JONES replied:

The commission's proposed capital works programme is still subject to Cabinet deliberations, and has not yet been finalised.

FUEL AND ENERGY: ELECTRICITY

Power Station: Bunbury

1713. Mr I. F. TAYLOR, to the Minister for Fuel and Energy:

What is the current State Energy Commission estimated cost of the proposed Bunbury power station development?

Mr P. V. JONES replied:

Final cost estimates are dependent upon the size of units to be installed. For the first stage, the estimated cost of the project in June 1981 dollars is \$450 million, based on 2 x 275 MW units, which includes interest during construction.

PUBLIC SERVANTS

Australian Labor Party

1714. Mr I. F. TAYLOR, to the Premier:

- (1) Will he confirm that following my pre-selection for the seat of Kalgoorlie and following the so-called leaking of the inter-departmental report for the mineral royalties committee, he issued a confidential minute or instruction to departmental heads in so-called sensitive departments to prepare a list or make themselves aware of the names of any known members or supporters of the Australian Labor Party in their departments?
- (2) If "Yes", will he indicate whether it is his or his Government's intention to run such persons out of the service or at the very least do his best to jeopardise their promotional prospects?

Sir CHARLES COURT replied:

- (1) and (2) I refer to my reply given yesterday in response to this question, which at that time had not been placed on notice, but had previously been asked without notice.

FUEL AND ENERGY: SEC

Borrowings Programme

1715. Mr I. F. TAYLOR, to the Minister for Fuel and Energy:

In June 1981 dollar terms, what is the State Energy Commission's estimate of infrastructure borrowings required for each of the following projects—

- (a) Dampier-Perth gas pipeline;
- (b) Muja C;
- (c) Pilbara power pool?

Mr P. V. JONES replied:

- (a) See answer to question 1390;
- (b) the Muja 'C' project is not a project under the infrastructure borrowings programme;
- (c) the expenditure in the Pilbara area for the financial year 1981-82 is estimated to be \$12.4 million.

COMMUNITY WELFARE

Homeless Youths

1716. Mr WILSON, to the Minister for Community Welfare:

- (1) Has he been able to reach agreement with the Federal Minister for Social Security regarding Western Australia's share of Commonwealth funds for homeless youth projects?
- (2) What is the amount of funds involved and what age group stands to benefit from their allocation?
- (3) Does Western Australia stand to lose access to these funds because of the stance he has adopted in his dealings with Senator Chaney on this matter?

Mr HASSELL replied:

- (1) Yes.
- (2) The total amount available is \$114 127. This figure includes \$17 331 for the June quarter of 1980-81. The total available this year is \$96 796. The scheme's guidelines provide that assistance be given to youths up to 18 years of age. However, at the discretion of the funding agency, a youth older than 18 years may be assisted where appropriate.
- (3) No.

EDUCATION: NON-GOVERNMENT SCHOOLS

Funding

1717. Mr WILSON, to the Premier:

Adverting to his answer to question 1368 of 1981 in which he referred to a likely increase in dollar terms in 1981-82 in expenditure on Government schools carrying over to an increase in *per capita* subsidy to private schools, will not any failure to take full account of increases in inflation in education expenditure result in an actual reduction of the value of the Government's *per capita* subsidy to private schools and an extended cost burden on such schools?

Sir CHARLES COURT replied:

Yes, if that were the case.

TRAFFIC: LIGHTS

Beach Road-Mirrabooka Avenue: Intersection

1718. Mr WILSON, to the Minister for Transport:

- (1) What priority is the Main Roads Department giving to the installation of traffic signals at the Beach Road-Mirrabooka Avenue intersection?
- (2) In what way was the channelisation treatment of this intersection carried out by the City of Stirling not in accordance with the plan previously agreed to between the city and the Main Roads Department?
- (3) Is the requirement for the City of Stirling to comply with the agreed plan of channelisation the only remaining obstacle to the immediate installation of traffic signals at this intersection?

Mr RUSHTON replied:

- (1) It has been listed for work in the 1981-82 programme and completion can be anticipated prior to March 1982.
- (2) Kerblines are different resulting in shorter turn slots and tighter curvature at corners.
- (3) No, there are other intersections with high priority for installation of traffic signals.

EDUCATION

Technical and Further Education Advisory Council

1719. Mr DAVIES, to the Minister for Education:

- (1) For what reasons does he believe the technical and further education advisory council has reached the stage where it is redundant?
- (2) When is it likely that the person approached to be chairman will be available?
- (3) Has such person previously been a member of the council, and if so, for how long?
- (4) If not, why is it necessary to await the return of such person?
- (5) Is there a vice chairman of the council?

Mr GRAYDEN replied:

- (1) The task of keeping the technical and further education advisory council apprised of, and the reason for, activities within the Division, hinders the division and possibly outweighs any advantages.
- (2) September 1981.
- (3) Yes. Since March 1979.
- (4) Not applicable.
- (5) No.

PASTORAL LEASES

Number and Ownership

1720. Mr EVANS, to the Minister representing the Minister for Lands:

- (1) How many pastoral leases exist in Western Australia at this time?
- (2) Of these leases, how many have at least 50 per cent local equity?

Mrs CRAIG replied:

- (1) 552—station units.
- (2) As indicated in the answer to question 1453 of 1980, Lands Department does not maintain a specific record which would enable the compilation of the information sought by the member. Only an extensive search at the Corporate Affairs Office would reveal the shareholders in those pastoral leases held in the name of a company, and such shareholdings could change daily.

report of the redistribution of electoral boundaries made available to Parliament House tonight?

Mr HASSELL replied:

I have arranged for 100 copies of the Electoral Commission's report to be delivered to the House at 12 noon tomorrow.

POLICE

Firearms

1721. Mr EVANS, to the Minister for Police and Traffic:

- (1) Is it intended to change the existing gun laws in Western Australia this session or in 1982?
- (2) If "Yes", what areas of the existing laws is it proposed to change?

Mr HASSELL replied:

- (1) and (2) All aspects of firearms legislation are currently under review by Mr O. F. Dixon. Mr Dixon commenced this review on 8 June 1981 and his terms of reference are—

- (a) the grounds upon which the Commissioner of Police or his delegate can refuse a firearms licence,
- (b) the system of appeals and how that system works in practice,
- (c) training requirements (of which none exist at present) for persons seeking to license firearms,
- (d) the licensing of shooters in addition to the licensing of firearms,
- (e) relations between the administering authority (the police) and the public and the possibility of establishing a consultative group as has been done in South Australia.

QUESTIONS WITHOUT NOTICE

ELECTORAL: BOUNDARIES

Commission: Report

424. Mr WILLIAMS, to the Chief Secretary:

Has the Chief Secretary been able to make arrangements to have the *Government Gazette* containing the

HEALTH: WOMEN'S REFUGE CENTRE

Newman

425. Mr DAVIES, to the Minister for Health:

- (1) Has he received representations seeking the establishment of a womens' refuge in Newman?
- (2) If so, has the Government made any decisions on the matter?

Mr YOUNG replied:

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

EDUCATION

School Swimming Programme

426. Mr WILSON, to the Minister for Education:

- (1) Did the Minister give an assurance at the annual general meeting of the WA Branch of the Royal Lifesaving Society of Australia early in July that swimming programmes conducted by the department would not be cut?
- (2) Can he confirm that such programmes are to be cut by up to 75 per cent?
- (3) Can he also confirm that in future only Education Department staff will be employed to conduct in-term swimming classes and that other swimming teachers who hold the Australian teaching certificate and have been involved in conducting such classes for several years will no longer be employed?
- (4) What will be the effect of proposed cuts on vacation swimming classes?

Mr GRAYDEN replied:

- (1) to (4) Quite obviously I was talking about a completely different matter from that of the questioner at the meeting to which the member refers. I thought I was asked a question whether classes for non-swimmers were to be curtailed under the department's swimming class proposals as distinct from the school programme. I said under no circumstances would swimming classes be cut. I was referring to swimming classes where children would be taught to swim.

Mr Davies: Good heavens!

Mr GRAYDEN: I have already made it clear that there is to be no cut of that kind. Similarly classes where children can obtain proficiency in lifesaving will be continued.

As for the general question: It is a matter which will no doubt be considered when the Budget is formulated. No decisions of any kind have been made up to date, and even if they are made I still emphasise there will be no cuts in respect of classes for non-swimmers or poor swimmers, or for those who are undertaking proficiency tests for lifesaving.

ABORIGINES

Yungngora Community

427. Mr BRIDGE, to the Minister for Mines:

Is the Minister aware that the Yungngora Community at Noonkanbah have had their access road severely damaged by upgrading work for the "Noonkanbah Convoy"?

Is it not a fact that the matter has been raised with the Minister, and Amax and the Shire, urgently requesting that work be done to the road to put it back in a condition where the community's truck bringing stores to the station will not be bogged, and also to truck cattle out in cattle trains?

Is it not a fact that the complaint particularly concerns a 600-metre wide section of sand 30 kilometres north of the station?

Since the Minister's Government was responsible for this imposition on the Yungngora Community, what steps in fact—

- (a) has he taken; or
- (b) will he take

to reinstate the road so that it can be used by the community?

Mr P. V. JONES replied:

I am not aware of the current situation regarding the state of the road and I do not feel it falls within my responsibility. I strongly reject the assertion that the road was in any way brought to its present condition today by the something like a year ago.

Mr Davies: Have you had a look?

Mr P. V. JONES: The point I am making is that finance was made available to upgrade the road which would not have been provided had it not been for the event which took place. It was graded to an acceptable standard with funds provided for this purpose. If there is a problem with the road at the present time I am not aware of it but I will refer the matter to the Commissioner for Main Roads.

INCOME TAX

Zone Allowance

428. Mr SODEMAN, to the Honorary Minister Assisting the Minister for Regional Administration and the North West:

- (1) What do the new zone tax allowances announced in the Federal Budget mean to people living in isolated areas of Western Australia?
- (2) How does the State Government view these new allowances?

Mr LAURANCE replied:

- (1) The new allowances are contained in the tabled schedule prepared by the Office of Regional Administration and the North West.
- (2) While the State Government is pleased that the allowances have been increased, the rise is not generous and was long overdue anyway.

The increases fall far short of the recommendations contained in the State Government's detailed submission to the Federal Government's zone allowances inquiry.

I have criticised the inquiry's report on five main grounds—

It did not pay sufficient recognition to the extra costs incurred by people living in the Kimberley.

People living in small isolated communities in the Pilbara would still be at a disadvantage despite their proximity to a large town.

The lack of recognition for the disabilities of remote wheatbelt towns.

No increase for single taxpayers who are not in the new special category.

The five yearly review.

For the assistance of members I also table a news release I have issued on this matter.

The news release was tabled (see paper No. 381).

EDUCATION

New South Wales

429. Mr SHALDERS, to the Minister for Education:

In light of the fact that the Opposition has condemned a foreshadowed increase of over 10 per cent in education expenditure in this State as being totally inadequate, is the Minister aware that the Wran Labor Government of New South Wales has increased its spending in that State by 9.3 per cent which is below the anticipated rate of inflation in 1981-82?

Mr GRAYDEN replied:

I did read in this morning's *The West Australian* that the Wran Government proposed to increase the education vote by 9.3 per cent. I understand this has caused considerable consternation among members of the Opposition; but there is absolutely no truth in the rumour that the member for Gosnells has decided to desist continuing with his and the parents' action groups' protests against this Government's proposals—

Mr Davies: You will not dodge that debate.

Mr GRAYDEN: —and in turn mount a protest against the Wran Government.

FUEL AND ENERGY: GAS

North-West Shelf: Potential Customers and Volume

430. Mr HARMAN, to the Minister for Resources Development:

In respect of my question 1612 on notice for Wednesday, 19 August, wherein I requested information on the break

down of the volume of gas to be used by industry when the North-West Shelf gas comes on stream—

(1) Does he agree that I did not seek the names of the proprietors and the different categories of industry with a potential to use gas?

(2) Does the Minister agree that I was merely seeking the volume of gas?

Mr O'Connor: You ought to know what you were seeking.

Mr HARMAN: I am asking him whether he knows what I am seeking.

Mr P. V. Jones: I am not sure what you are seeking now.

Mr HARMAN: I ask the Minister why he is being so secretive about this whole business. The Opposition is trying to find out what volume of gas will be used in certain categories of industry. So I ask the Minister—and I do not seek the names of the owners of the various categories of industry—

(3) How can he refuse to supply the information on the basis that this information is confidential?

Mr P. V. JONES replied:

(1) to (3) It is not very easy to provide an answer to this question because I am still not sure what information the member is seeking because he refers to "categories of industry". Some deliberation was given to providing the answer to the original question. It was thought that such-and-such a company would have so much and that some other company was negotiating.

Mr Harman: I didn't ask for the names.

Mr P. V. JONES: I can provide the general framework which exists at the present time regarding that and I would like to talk to the member about this in private to ascertain what he means by "categories of industry".

EDUCATION: HIGH SCHOOLS

Right-to-Life Association: Film

431. Mr DAVIES, to the Minister for Education:

The question I would like to ask the Minister refers to recent questions and answers relating to the film being

screened by the Right-to-Life Association. It is as follows—

- (1) Could the Minister advise when the matter first came to his notice?
- (2) Who are the authorities that say whether or not a film can be seen?
- (3) Do censorship facilities exist in regard to films which are shown in schools?

Mr GRAYDEN replied:

- (1) to (3) I first heard of the controversy about a week ago when it was published in *The Sunday Times*. I subsequently had one or two representations from officers of the Right-to-Life Association. The question of what films can be shown in schools is normally left to the discretion of the principals. If a film were particularly objectionable a directive would be issued by the Education Department that the film was not to be shown.

HOSPITALS: FEES

Patients and Outpatients

432. Mr HODGE, to the Minister for Health:

- (1) How much per day will the charge be for day hospital patients?
- (2) Will the charge for day hospital patients be fully refundable under "hospital only" insurance?
- (3) Will the charge for pharmaceuticals prescribed for chargeable outpatients at Government hospitals be included in the \$15 or \$8 fee or will it be in addition to these amounts?
- (4) Will the cost of pharmaceuticals prescribed for chargeable outpatients at Government hospitals be refundable under "hospital only" insurance?
- (5) How much will be charged at Government hospitals for aids, appliances and prosthesis?
- (6) Who will be charged for aids, appliances and prosthesis and is it known if refunds will be made by the health funds of "hospital only" tables or any other table?

Mr YOUNG replied:

- (1) "Public" patients, no charge. All other patients, \$23 per day.
- (2) Yes.

- (3) Yes, it will be included in the fee where a medical consultation is provided.

- (4) Yes, where such drugs are prescribed by a doctor as being necessary for immediate treatment. This may range from a starter dose of antibiotics and a few analgesics to tide a patient over until the prescription can be dispensed at a private pharmacy, to a short course of treatment where the patient is unable for some good reason to get to a private pharmacy.

When attendance at hospital is solely for the purpose of obtaining repeat pharmaceuticals which are normally obtained from a private pharmacy the charge is not refundable on insurance.

- (5) No charge will be raised.
- (6) Answered by (5).

MINING: IRON ORE

Industry: Federal Budget

433. Mr BRYCE, to the Premier:

Is the Premier now in a position to provide information in respect of the possible impact of the Federal Government's sales tax provisions on privately-owned railway systems in Western Australia?

Sir CHARLES COURT replied:

From the information to hand at this point in time on the provisions of the Commonwealth Budget, it would appear that a sales tax of 17½ per cent will apply to purchases made by iron ore companies for their railways.

Further inquiries are being instituted with the Commonwealth Government because, if the present indications are correct, it is hard to understand why purchases associated with the construction and operation of privately-owned railways were not specifically excluded from the new tax—especially at a time when the Commonwealth Government is exhorting State Governments to get this sort of industrial infrastructure undertaken by the private sector.

MINING: DIAMONDS

"Daily News": Article

434. Mr BRIAN BURKE, to the Minister for Fuel and Energy:

Is the Minister prepared to name those two news-covering organisations which yesterday he said had refused to publish the material which was published in the *Daily News* in reference to diamond mining?

Mr P. V. JONES replied:

No, I am not. Indeed, one of those organisations subsequently has indicated to me confirmation of the information.

- (b) Aerial photography of these sites was undertaken in July, the earliest that an aircraft was available.
- (c) Ground location and detailed survey work is now being carried out.
- (d) Preliminary drawings are anticipated by the end of September.

(4) It is my intention to visit the town with the member for Pilbara on Friday, 2 October to discuss with the local committee the progress that has been made to date.

FOREIGN INVESTMENTS

Monitoring

436. Mr BRYCE, to the Treasurer:

Given that the State Government is unable to quantify the inflow of speculative investment capital into Western Australia because of lack of sufficient data, is he able and prepared to identify the countries from whence the speculative investment is coming, outside of Britain—specifically, Asia?

Sir CHARLES COURT replied:

I thought the Minister for Agriculture last night very effectively dealt with this question so far as it related to pastoral, farming and urban land. I presume that now, the member for Ascot is referring to another category of speculative capital which escapes me.

Mr Bryce: Urban real estate is a good example, and agricultural land. I was not here last night.

Sir CHARLES COURT: I thought the Minister for Agriculture dealt with the matter very effectively and tried to remove some of the emotion which has been distorting this whole question.

The simple facts are that the Government is concerned and is interesting itself in a very practical way without at the same time wanting to scare off the people we really need. I suggest that if the member for Ascot read what the Minister for Agriculture said last night he will get a clear indication of this whole question in proper perspective and balance. He will also know the Government is stepping

WITTENOOM

Health Works and Tourist Committee

435. Mr SODEMAN, to the Honorary Minister Assisting the Minister for Regional Administration and the North West:

- (1) What was the resolution passed by the Wittenoom Health Works and Tourist Committees at the meeting held with the Honorary Minister in Wittenoom on 4 March 1981?
- (2) Did the Government subsequently agree in principle, to the terms of the resolution?
- (3) What steps have been taken by the Government since the meeting to comply with the substance of the resolution?
- (4) As an undertaking was given to keep the towns people informed, when does the Honorary Minister anticipate he will be in a position to report to the committees on progress achieved?

Mr LAURANCE replied:

- (1) The resolution, suggested by the member for Pilbara and adopted by the meeting of the Wittenoom Health Works and Tourist Committee at its meeting with me on 4 March 1981 requested the Government to identify a "clean area" adjacent to the existing townsite to allow for future expansion.
- (2) Yes, the State Government subsequently agreed in principle to the terms of the resolution, as outlined in my letter to the honourable member on 11 May 1981.
- (3) (a) Preliminary ground inspection was made by departmental officers and four possible sites were located.

up its system of monitoring the inflow of capital and, if necessary, will take legislative action to give itself power to obtain better identification of these funds. The honourable member will know that nominee companies, front companies, trusts and other companies are involved in these activities, which makes it very difficult to identify from which country the money is coming.

As to this speculative capital, the popular belief—and I say “popular belief” because no-one can be absolutely positive—is that most of the money is coming through Singapore. That does not mean to say it is Singaporean capital because Singapore has a reputation as and a capacity to be something of a financial clearing house for South-East Asia. Side by side with that, a considerable amount of capital is coming in and is available to come from Hong Kong. Again, we get into a situation where it might not necessarily be coming from residents of Hong Kong. Those two places have developed a lot of expertise over the last few years in the financial market, and have been something of a magnet for capital from many countries. So, when people say the capital is coming from Singapore, Hong Kong, or Kuala Lumpur—

Mr Bryce: Or Peking.

Sir CHARLES COURT: —it does not necessarily mean it is coming from residents of those countries.

The member for Ascot interjected and said, “Peking”. I cannot identify money coming from that particular part of the world because it is not improbable that money of that kind is coming through Hong Kong. The honourable member will realise that even in the days when mainland China was virtually cut off from communicating with the rest of the world, Hong Kong was a very convenient place for it to use as a means of communication on a two-way basis.

FUEL AND ENERGY: ELECTRICITY

Charges: Derby

437. Mr DAVIES, to the Minister for Fuel and Energy:

- (1) Is it a fact there is a differential charge for electricity at Derby as between the local community and the defence establishment in that area?
- (2) If so, can he tell us the difference between the rates and the reason for the difference?

Mr P. V. JONES replied:

- (1) and (2) Off hand, I cannot. I know some discussions have been going on about the matter because, amongst other things, it involves the provision of headworks, and the way in which the expenditure of that capital might be reflected in part in the final tariff. I will take note of the question, and provide the Leader of the Opposition with an answer.

STATE FINANCE: BUDGET

Introduction

438. Mr DAVIES, to the Treasurer:

Is he able to give us a forecast as to when he intends to bring down this year's State Budget?

Sir CHARLES COURT replied:

The objective was to be the Thursday before the House rose for the Royal Show recess. After conferring with the Under Treasurer and his senior officers, I have been advised that it may be physically impossible to present the Budget on that date, in view of the difficulty in formulating a Budget compared with any other time in the post-war period. The Under Treasurer and his officers have alerted me to the fact that it might be impractical to present the Budget at that desirable time, when the Show week would have been available to members for studying the Budget papers. That being the case, I will have to present the Budget on the first sitting day after we return, which would be Tuesday, 13 October. That would not be the latest date on which we have had a Budget, but it would be later than we have become accustomed to receiving it in previous years.