

Legislative Assembly

Tuesday, 14 April 1981

The SPEAKER (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

HEALTH: NURSES

Accommodation: Petition

MR BARNETT (Rockingham) [4.31 p.m.]: I present a petition which carries 367 signatures and conforms with the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I kindly ask the member to state the subject to which that petition relates.

MR BARNETT: It is a petition in respect of young nurses accommodated in hospital accommodation. They refuse to accept the fact that the Government wants them moved out.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 25.)

TRAFFIC

Reduction of Road Carnage: Petition

MR H. D. EVANS (Warren—Deputy Leader of the Opposition) [4.32 p.m.]: I present a petition in the following terms—

TO—THE HONORABLE, THE SPEAKER AND MEMBERS OF THE LEGISLATIVE ASSEMBLY AT THE PARLIAMENT OF WESTERN AUSTRALIA IN PARLIAMENT ASSEMBLED:

We, the undersigned residents in the State of Western Australia do herewith pray that Her Majesty's Government of Western Australia shall continue to support the effective measures being used by the Road Traffic Authority to reduce the carnage on our roads.

Further that they will introduce necessary legislation to reduce the legal blood alcohol limit from 0.08 to 0.05 as now applying in Victoria and New South Wales, and require compulsory alcohol tests for all traffic victims admitted to hospital.

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

The petition carries 36 signatures and conforms with the Standing Orders of the Legislative Assembly, and I have certified accordingly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 26.)

TRAFFIC

Reduction of Road Carnage: Petition

MR BLAIKIE (Vasse) [4.33 p.m.]: I have for presentation a petition in similar terms to that submitted by the member for Warren. It carries 29 signatures and I certify it conforms with Standing Orders.

The SPEAKER: I direct that the petition be brought to the Table of the House.

(See petition No. 27.)

EDUCATION: BENTLEY AND TUART HILL HIGH SCHOOLS

Closure: Notice of Motion

MR PEARCE (Gosnells) [4.34 p.m.]: I give notice that at the next sitting of the House I shall move—

That this House—

Call on the Government to reverse its decision to close Bentley Senior High School and Tuart Hill Senior High School while both have a significant student enrolment;

Declare its opinion that this decision was reached without proper consultation with those concerned in the decision, particularly students, parents and teachers, or sufficient regard for the educational disruption caused by it;

Express its belief that the Senior College concept, as described by the Minister for Education, is an effort to avoid building much needed technical and adult education facilities in local areas convenient to those who need them.

I might say that by telegram I have given the Minister an undertaking that the Opposition will not seek to debate this motion tomorrow evening so that he will be free to attend the public meeting at the Tuart Hill Senior High School.

SETTLEMENT AGENTS BILL

Second Reading

MR HASSELL (Cottesloe—Chief Secretary) [4.36 p.m.]: I move—

That the Bill be now read a second time.

The purpose of the Bill is to establish a settlement agents supervisory board to control and supervise the activities of persons engaged in effecting settlements of real estate transactions and settlements of sale of business transactions.

Although settlement agents have operated in Western Australia for up to 15 years, the major growth in their operations has occurred since 1970. In that year changes took place in the operations of the Land Titles Office which placed greater responsibility for settlement of property transactions outside the titles office.

In addition public demand has expanded the business of settlement agents in Western Australia.

The agents' role is basically to carry out for clients, details of property transactions which they are legally entitled to do for themselves.

It has been suggested by the Association of Settlement Agents that settlement agents effect approximately 75 per cent of the annual volume of settlements in this State. The figure has not been confirmed, but it is clear that settlement agents effect a substantial proportion of house property settlements.

The majority of the balance would be handled by solicitors and banks. However, it is important to realise that in settlements conducted by settlement agents, solicitors could in many cases be involved for advice and legal services.

In 1976, the association of settlement agents conducted a survey of its members which indicated that funds totalling over \$300 million were involved in transactions handled by settlement agents. The figure would be considerably higher today.

Obviously, settlement agents have access to a significant amount of trust funds belonging to the public and it is pertinent to mention that there was a recent defalcation by a settlement agent which was dealt with in the Supreme Court.

There is legislative control over trust fund operations related to the activity of solicitors, real estate agents and finance brokers, and a Bill is now before the House for similar control over insurance brokers.

Clearly, in the public interest, there is a need for legislation to determine and control the activities of settlement agents. The Government is not keen to regulate unnecessarily, but it must respond to a situation which does exist, in which professionally unqualified persons are doing skilled work without any control, or specific protection of large sums of trust moneys.

In June 1980 the Government decided to adopt a draft Bill on the understanding that it would be circulated to interested parties for consideration and comment.

The draft Bill was distributed widely, resulting in numerous submissions being received, including those from—

The Law Society of Western Australia,
The Settlements Agents Association
The Real Estate Institute of WA,
The Associated Banks in Western Australia,
The Real Estate and Business Agents
Supervisory Board, and
The Finance Brokers Supervisory Board.

In addition, many private submissions were received.

To examine submissions, a working party was established and asked to report its findings to the Government. The working party comprised—

The Chairman of the Real Estate and
Business Agents Supervisory Board,
a representative of the Settlement Agents
Association,
a solicitor,
a licensed real estate agent, and
a representative of the Chief Secretary's
Department.

The Bill now before the House represents the result of consideration of all submissions by the working party which have been endorsed by the Government.

I wish to place on record my appreciation of the work of and contribution made by the members of the working party towards the production of the Bill.

For some time, the Law Society of Western Australia has expressed concern over what is regarded by it as infiltration by settlement agents into an area of work which, traditionally, has been undertaken by the legal profession.

It is important to stress that the functions of a settlement agent, as detailed in the schedules to the Bill, are those actually being carried out now, and which have for some years been carried out, by settlement agents. In a sense, the Bill is a recognition of the reality that a new type of business operation has grown up in this State, and for the reasons stated it is necessary to impose a limited form of regulation upon it, particularly when it is realised that no prerequisite academic qualifications are specified, and a great deal of trust money is involved.

The Bill defines the role of a settlement agent and will ensure that there will be no erosion of

functions which are properly the prerogative of the legal profession.

In general, it can be said that a settlement agent will be limited to the settlement of sale transactions and the preparation and submission of documents in connection with the transaction.

Although it may be maintained that some of the work which will be permitted should be regarded as work requiring the skills or supervision of a legal practitioner, it is my view and that of the Government that the Bill strikes a reasonable balance between those areas where, for the sake of public protection, the training of a qualified legal practitioner is necessary, and those areas which have been established in practice as capable of being handled by settlement agents.

The Bill will establish a settlement agents supervisory board—composed of five members, appointed by the Governor, as follows—

- One not a licensed settlement agent, as chairman;
- one, not a licensed settlement agent, who is a solicitor;
- one, not a licensed settlement agent, experienced in commercial practice; and
- two who are licensed settlement agents elected by fellow settlement agents.

The board when first constituted will include two settlement agents nominated by the Minister.

Persons, firms, or bodies corporate engaged in the activity of settlement of real estate transactions or business transactions will be required to be licensed by the board.

A real estate transaction is defined as—

- (a) the disposal by sale or exchange, and the acquisition by purchase or exchange of real estate; and
- (b) includes any disposal by sale or exchange, or any acquisition by purchase or exchange of goods, chattels or other property relating to a real estate transaction of a kind specified in paragraph (a).

A business transaction is defined as—

- (a) the disposal by sale or exchange, and the acquisition by purchase or exchange of a business and any share or interest in a business or the goodwill thereof within the state; and
- (b) includes any disposal by sale or exchange, and any acquisition by purchase or exchange of goods, chattels, or other property within the State relating to a business transaction of the kind specified in paragraph (a).

But it does not include the sale, exchange, or other disposal or a purchase, exchange, or other acquisition of a share in the capital of a body corporate, or an option in respect thereof.

A real estate settlement agent is defined as—

any person who arranges or effects the settlement of a real estate transaction for reward or who, whether for reward or otherwise, carries on business arranging or effecting settlements of real estate transactions and whether or not that business is carried on in conjunction with or as part of or associated with any other profession, trade, occupation, or employment, but does not include the exceptions specified in the Bill.

A business settlement agent is defined as—

a person who arranges or effects a settlement of a business transaction for reward, or who, whether for reward or otherwise, carries on business transactions and whether or not that business is carried on in conjunction with or as part of or associated with any other profession, trade, occupation, or employment, but does not include the exceptions specified in the Bill.

Clause 4 of the Bill exempts legal practitioners and stock brokers from the meaning of settlement agents and they will not be required to be licensed under the provisions of the Bill.

A bank, building society or trustee company engaged in settlements will need to be licensed, but will be exempted from the parts of the Bill dealing with monetary controls.

Separate licences will be issued to persons engaged in settlements of real estate transactions and persons engaged in the settlement of business transactions.

The functions allowed to be carried out by a real estate agent and a business settlement agent are detailed in schedules 2 and 3 to the Bill.

The board will have powers of investigation and inquiry into the activities of settlement agents and the Bill vests in the board both administrative and judicial functions, including power of licensing, disciplinary matters, hearing of complaints, and the establishment of a code of conduct.

The Bill provides for the proclamation of an appointed day, by which date all persons engaged in real estate or business settlements must be licensed.

Before the board may issue a licence it must be satisfied that the applicant is a person who—

- (a) is over the age of 18 years:

- (b) is a person of good character and repute and a fit and proper person to hold a licence;
- (c) has sufficient material and financial resources available to him to enable him to comply with the requirements of the Bill;
- (d) is ordinarily resident in the State; and
- (e) understands fully the duties and obligations imposed by the Bill on settlement agents.

In paragraph (b) a "fit and proper person" includes being qualified in accordance with schedule 1 to the Bill, which provides that a person must have passed the prescribed examination and have had at least two years' experience in arranging and effecting real estate transactions, immediately prior to his application.

The schedule provides also that until a date three years after the appointed day, a person who has had at least two years' continuous experience in effecting real estate settlements and who passes a written and oral examination set by the board, or is a person who has had at least five years' continuous experience immediately prior to the appointed day, may be granted a licence.

Similar provisions exist in relation to a person applying for a licence as a business settlement agent.

Firms and bodies corporate are subject to similar provisions in respect of licensing, but in addition, where a firm or body corporate is constituted by no more than three persons, at least one of them must be licensed and the person in bona fide control of the business must be licensed and hold a current triennial certificate.

Where a firm or body corporate is constituted by more than three persons at least two of them must be licensed and the person in bona fide control must be licensed and hold a current triennial certificate.

A triennial certificate confers on the licensee the right to carry on business for a period of three years.

Settlement agents must carry professional indemnity and fidelity guarantee insurance. The Bill enables the board to enter into a master policy agreement with an insurance company or companies to provide a maximum cover of \$250 000 in respect of each claim.

Each licensee who is the holder of a current triennial certificate must at all times remain insured under the master policy agreement under the Bill. The State Government Insurance Office is authorised to undertake liability under a policy of this nature.

For reasons of economy, a tentative arrangement has been made with the State Government Insurance Office to obtain the cover required under the master policy agreement which indicates that the cost to each settlement agent would approximate \$500 per annum.

However, there will be no obligation on the part of the board to effect that master policy with the State Government Insurance Office if other satisfactory arrangements can be made.

A settlement agent has the right to take out additional insurance cover for professional indemnity and fidelity guarantee, over and above the master policy agreement.

Settlement agents who conduct branch offices will be required to have as manager of that office, another licensee.

The board shall, with the approval of the Minister, fix by notice in the *Government Gazette*, maximum amounts of remuneration for services rendered by licensees.

Clause 46 of the Bill provides that a licensee shall not effect a settlement of any real estate transaction if the land—

- (a) is not a lot or lots within the meaning of the Town Planning and Development Act 1928;
- (b) is leasehold—other than land under the Land Act 1933—;
- (c) is composed in whole or part of a business other than a business which is wholly for farming—whether or not the land is conveyed separately—; or
- (d) comprises any mining tenement or mining licence.

Clause 47 provides that a licensee shall not effect a settlement of any business transaction if the business—

- (a) is composed in whole or part of real estate not being an interest in leasehold—except an interest in leasehold from the Crown—whether or not the business is conveyed separately, or
- (b) comprises any mining tenement or mining licence.

A settlement agent may act for either the vendor or the purchaser in a settlement, but may not act for more than one party to a settlement except with the prior consent and knowledge of all persons involved.

Provision exists for settlement agents to maintain at least one trust account and the Bill specifies the manner in which deposits and withdrawals may be made. Trust accounts are

subject to annual audit provisions which a qualified auditor must undertake and he must deliver to the board a statement verified by statutory declaration.

A person aggrieved by any decision of the board has the right of appeal to the District Court.

The Bill provides for the establishment of a fund called the settlement agents fidelity guarantee fund to which licensed agents will be required to contribute. The board will administer the fund and deposits may be made with a bank, building society or on loan to the Treasurer. The purpose of the fund is to reimburse persons who suffer pecuniary loss or loss of property by reason of any defalcation by a licensee during any period he was the holder of a current triennial certificate.

Provision is made for the establishment of a settlement agents deposit trust administered by the board. Settlement agents will be required to deposit to the credit of the deposit trust a prescribed percentage of the lowest balance of their trust account during the previous financial year. Pending the withdrawal or application of money to the credit of the deposit trust the board shall invest money with a bank, building society or on loan to the Treasurer.

Profits from investments on deposit trust money are to be directed firstly, in payment of costs and expenses of administering the trust, and secondly, the balance thereof to the fidelity guarantee fund.

The board is required to publish an annual list of persons holding licences and current triennial certificates. In addition, the board is required to publish an annual report to the Minister for the year ending 30 June by 31 October.

The Government believes that in the public interest, legislative action is essential to formalise and control the activities of agents engaged in settlements of real estate and business transactions.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Jamieson.

ADDRESS-IN-REPLY: ELEVENTH DAY

Motion

Debate resumed from 9 April.

MR BERTRAM (Mt. Hawthorn) [4.52 p.m.]: At the outset, I think I should claim some form of record, this being the third time I have spoken in this debate. I commenced speaking at 12.42 p.m. on Thursday, 9 April and here I am, still going. That seems to call for some recognition.

Mr Skidmore: Move that the debate be adjourned.

Mr BERTRAM: Because so much time has elapsed since I commenced my remarks, I am sure members would like me to recapitulate briefly on some of the ground I have already covered.

Members will recall that the member for Murray made some remarks to do with the State Executive of the Australian Labor Party. When I sought to get him to clarify those remarks he either refused or neglected to do so. I then found it appropriate to remind him and this House that there is a considerable amount of public unrest about a body in the Liberal Party which is the equivalent of the State Executive of the Australian Labor Party—of course, I am speaking only in the administrative sense—because the public does not know when, where or even why that body meets.

The Minister for Health was helpful by way of interjection last Thursday and it has occurred to me he may be good enough to supply me with a list of the members of that body. I certainly would not hesitate to reciprocate by giving him a list of those people who are members of the State Executive of the ALP. I just pause for a moment; perhaps the Minister for Health may be good enough to give me an indication whether he will be prepared to supply me with that list.

Mr Young: I do not think it would be a fair exchange.

Mr BERTRAM: We are entitled to treat that as a clear example of evasion on the part of the Minister for Health; however, I think I will put it down to an attempt at humour. To give him an opportunity to improve on that effort, I ask him again whether he would be good enough to supply the House with the requested list of names.

Mr Young: No, it is not my province to do so.

Mr BERTRAM: The Minister for Health refuses to supply us with that list of names.

It is only a few short years ago that a considerable amount of capital was made about "faceless men" in various organisations and in one organisation in particular; namely, the Australian Labor Party. Perhaps, therefore, it is worth noting and acknowledging there are faceless men and perhaps some faceless women in this executive of the Liberal Party. That is a thoroughly unsatisfactory situation; we are entitled to know who are those people who form the policies of the Government.

In a sense, it is difficult to imagine why the executive meets because the public are often told—and seem prepared to believe—that the

parliamentary wing of the Liberal Party is an independent organisation and is under no real direction or control from the party. If that happens to be so, one wonders why the Liberal Party executive meets at all.

The other aspect which should be mentioned is that when the Australian Labor Party State Executive meets, provision is made for the Press to be present; facilities are provided for them, and they are encouraged to take advantage of those facilities and to report the proceedings.

However, there appears to be some arrangement—the operative word is “conspiracy”—between the media and the Liberal Party not to report that party’s meetings. Either there is a conspiracy, or the media has unilaterally determined that the people of this State will be censored in that they will not be given information as to the decisions and activities of the Liberal Party administration. I believe that is thoroughly bad, and something should be done about the matter.

This practice reflects no credit on the Liberal Party or on the media. It indicates a clear disinclination to allow the public to have a reasonable idea of what goes on within the Liberal Party. The public clearly are entitled to have that knowledge.

Mr Shalders: The next thing you will be suggesting is that the Press should also be invited to Caucus meetings.

Mr BERTRAM: The member for Murray is rather like the member for Karrinyup when we are discussing voting matters: He tries to introduce a matter which is completely irrelevant to the subject under discussion.

Mr Clarko: You are the world’s expert on irrelevancy.

Mr BERTRAM: When we are discussing an obvious and—to most people—understandable proposition about fair and reasonable voting in Western Australia, the member for Karrinyup starts talking about voting in companies or political parties which, of course, has nothing to do with the subject under discussion. Anybody who knows anything knows that—except, of course, the member for Karrinyup.

The member for Murray should know proceedings in Liberal Party Caucus are very different from proceedings in Liberal Party meetings.

During an earlier part of the debate the member for Murchison-Eyre—

Mr Clarko: You are the member for hot air.

Mr BERTRAM: As far as I am concerned, if the member for Karrinyup’s performance is any indication, he does not represent anyone. However I think it was the member for Murchison-Eyre. I remind the member for Karrinyup that he represents an electorate and with a thorough knowledge of what he is about he is stealing his electors votes, and in a democracy, to steal a vote from one’s fellow man is about the lowest thing on the calendar. For far less reprehensible offences a person can be placed in gaol.

Mr Clarko: At one stage the member for Perth represented 13 000 people and the member for Canning represented 26 000 people. Did they have twice the vote in Perth?

Mr BERTRAM: I apologise for my earlier error, as I meant to refer to the member for Roe not Murchison-Eyre. In his contribution he listed a number of things which were wrong in the community, in general what was wrong with the people and particularly the young people. He pointed out things they do which they should not do and things they do not do which they should do, and so on. He used the word “we”, which would mean all of us in this Parliament. I remind him that except for a space of about three years when the Labor Party was temporarily in office the Liberal Party, apart from that aberration, has been in power since 1959 and in a real sense long before that. In my view it is grossly unfair and misleading to saddle the Opposition with the wrongs which have occurred as the result of this Government’s activities.

If the member for Roe wants a better performance from the community, and particularly young people, he and members of his party, both in this State and federally, should behave at a better level and they should set an example. I believe example-setting is the best way to achieve results. Example-setting does not mean the sort of conduct and conspiracy which occurred between the Prime Minister and Sir John Kerr a few years ago. That matter has not been forgotten, and in the interests of Australia it should never be forgotten. It was a disgraceful affair. The sad thing about it is that whilst poor old ex-Governor General Kerr at every opportunity is rubbished because of his participation in that shoddy deal his co-conspirator—there was at least one other; there were certainly two—the Prime Minister rarely draws any odium because of his participation in that deal, which is very wrong. The extraordinary paradox of the Governor General misbehaving in the way he did is that he has been sent to the other end of the globe whilst his co-conspirator, who had he acted criminally would have received

the same discipline, has become the Prime Minister. The young people of Australia I feel sure—those capable of understanding—find that extraordinarily difficult to comprehend.

I also find it extraordinarily difficult to understand how it is that this Government should sit idly by and do nothing about the matter of cigarette advertising, a matter I first raised in this Parliament in 1969. The Minister for Health has admitted that as a direct consequence of having smoked cigarettes, an estimated 1 300 Western Australians die each year. That is not my statistic; it was produced by the Minister himself. By way of rather simple calculation that means since the first time I spoke on this matter in 1969 something like 17 000 Western Australians have died and, for all practical purposes, this Government has done nothing about it.

Mr Young: That is not true. We are doing more than any other State.

Mr BERTRAM: Recently I was speaking with a doctor who had been to England. He said that people in England are dying like flies as a result of the enterprise of these tobacco-pushing companies. Most, if not all of them, are multinationals or transnationals who have their eyes on the dollar and could not care two hoots about the health and welfare of the people they exploit. I remind members that 17 000 people is very close to the number of people in some State electorates. If members store that point in their minds they may come to realise the immensity of the problem I am speaking of. No member blushes, no person in this place seems to get excited about this matter; what an extraordinary forum, what a wonderful example for the young people of Western Australia who the member for Roe, amongst others, manages to condemn! He should be condemning himself and other members in this Chamber who just sit idly by whilst this slaughter continues.

I shall refer now to something which occurred in this Chamber last Thursday. Late on that afternoon a debate took place touching on the question of the tapping of telephones. It was a most unenlightening debate in the sense that the Minister for Police and Traffic came out of it very poorly indeed.

Mr Blaikie: Rubbish!

Mr BERTRAM: It is not rubbish at all. The Premier backed up the Minister with his usual spate of verbiage, tautology, and verbosity. Over the weekend people have expressed grave concern to me about what they call—not what I call—the emergence of a police State. This is simply

another manifestation of a trend as they see it—incidentally, as I also happen to see it.

The refusal of the Minister to answer a question was an extraordinary act on his part. Members will recall we were reminded that under the provisions of the Listening Devices Act of this State the Minister administering the Act has the right to seek and be supplied with, as of right, information in relation to bugging. That is how important these types of operations are viewed by this Parliament. That provision is expressly written into the Act in the case of bugging, but not with telephone tapping. However, it is that spirit which should be applied in respect of the tapping of telephones.

It is very important that the public should be satisfied that the Government is acting properly in respect of listening devices and telephone tapping operations. I am informed—and I believe it to be true—the Opposition has adequate evidence to show that as a matter of fact the Police Force in this State is tapping telephones. If that is so I believe the Minister should be prepared to satisfy the people not just that the tapping is occurring but also that it is being exercised and instituted in a proper manner. I therefore propose to move an amendment to the Address-In-Reply.

I would like to say—it should not be necessary—that this amendment is not designed as any sort of attack on the Police Force.

Mr Blaikie: Rubbish! That is precisely what you are doing.

Mr BERTRAM: I say this explicitly to counter any other accusation which might turn this debate into a shambles. I have received splendid co-operation from the Police Force and I will do so in the future. I have no desire to attack the police and I am not doing that. Members should get that point perfectly clear. Further, I do not share the views that there should be no bugging devices used or no tapping of telephones, if it is in the public interest and in a carefully administered fashion to have those things to protect the public from the mischief-makers and criminals.

Amendment to Motion

Mr BERTRAM: There is very real call for further debate and consideration on this matter. In order that this can be done and to manifest the Opposition's concern on this question I move an amendment—

That the following words be added to the motion—

but we beg to inform Your Excellency that your Government has failed to

fulfill its responsibility through its refusal to assure the public of Western Australia that:

1. State Police are not engaged in the illegal recording of telephone conversations;
2. proper, settled and appropriate safeguards are being followed by State Police whenever telephone conversations are recorded.

MR B. T. BURKE (Balcatta) [5.13 p.m.]: I second the amendment.

Point of Order

Mr BLAIKIE: I have the impression that when amendments such as this are moved some courtesy is extended to members of the other side of the House by way of a copy of the amendment being supplied before the amendment is in fact debated.

The SPEAKER: Order! There is no point of order. There is no requirement under Standing Orders for that to occur. The only requirement is for any such amendment to be handed to the Speaker in writing. That has been complied with and I have caused copies to be made available for distribution to members. It is helpful if such copies are made in advance so that members can be informed at the outset of what the amendment contains. I think it is a courtesy which perhaps should be followed.

Debate (on amendment to motion) Resumed

Mr B. T. BURKE: On behalf of the Opposition I apologise for not making copies available for distribution. It was simply an oversight.

In its editorial on Thursday, 9 April, *The West Australian* newspaper had this to say—

We cannot afford to become careless in the protection of civil liberties . . . the danger to freedom lies in its piecemeal erosion, not in its sudden disappearance.

It is not inevitable that I will agree with editorials published in *The West Australian* newspaper, but I think there are very few members of this Chamber who would take issue with the sentiments expressed in that editorial.

One of the prime safeguards against the abuse of power by officers of the Police Force or by other people who are responsible to a Government Minister is that the Minister in turn should be responsible to Parliament. That responsibility on the part of the Minister presupposes an elementary acceptance by the Minister of his need

to inform himself of the activities in which his department is engaged and of his need to assure himself also that, firstly, those activities are legal and lawful and, secondly, they are in the public interest—that they are for the good of the people.

By questioning the Minister for Police and Traffic on Thursday last, the Opposition demonstrated conclusively the present Minister in that portfolio was unwilling or unable to make sure that he was aware of what was happening in the Police Force in this State. The Minister indicated this initially by his statement when he said he would not inquire whether members of the Police Force were recording telephone conversations and then by his refusal to rise from his place in an action which was the first of its kind in the memory of most members of this place. The Minister failed even to respond to a legitimate and proper question posed by the member for Ascot which touched upon the matter of telephone tapping.

Throughout this entire debate the Opposition has been at pains to express that its prime concern is that if the recording of telephone conversations is to be carried out in the Government's name, then the Minister responsible for the actions of those implementing the policy should be familiar with and assured of the legality of those actions. We have been at pains also to point out our prime preoccupation has been to obtain a guarantee to this Chamber and to the people of this State that any such activities on the part of police officers in Western Australia have been carried out in a manner which complies with accepted and appropriate safeguards.

I have said already that in the first and possibly pre-eminent safeguard available—that is, the knowledge of the Minister and his responsibility to Parliament and to the public—this Minister has failed to meet the test. What other Minister in this place—what other member from either side of the House—would rise in this Chamber and say, "I am not going to ask those people for whom I am responsible what they are doing"?

I can accept a situation in which a Minister might make the inquiries and then refuse to divulge the information he obtained, but I cannot concede a situation in which the Minister will simply not inquire of the police officers of this State, firstly, whether they are tapping telephones, and, secondly, if they are tapping telephones whether they are doing so in a manner and according to procedures which will protect the public interest.

I want to draw to the attention of the House a specific instance that has been brought to the

attention of the Opposition following the publicity this matter has received. I remind members of this place that, by Thursday of last week, there was very little doubt that the question of telephone surveillance was about to die a natural death in terms of publicity. The Minister had dug in his heels and was refusing to talk. He had turned back the fundamental obligation of a person who holds a position similar to the one he holds. And yet it was the Minister himself who ensured that this issue would continue to flourish and would continue to be important in the minds of the public.

It was the Minister's action, in refusing to answer legitimate questions, that prompted a flood of information to members of the Opposition. I want to tell the Government about one such piece of information and I want to test the bona fides of this Minister. I will give him as much information as he needs to examine in detail, or have examined, this particular instance and then I will say to the Minister that it is his responsibility to undertake the inquiries. I will ask him also for an assurance that he will tell the Parliament what he has found when he has completed his inquiries.

If the Minister finds that the information given to the Opposition is correct, the Opposition will expect him either to revise his stance in respect of not inquiring into the activities of the Police Force, or, if the Minister maintains that stance, the Opposition will expect him to resign.

About 18 months ago a business proprietor in Mt. Lawley discovered two recording devices attached to the two lines of his telephone. He rang a friend of his who was a member of the Police Force and told that friend of his discovery. The member of the Police Force first contacted indicated to the chap who was telephoning him that he was aware of the situation and referred him to a second police officer who the first police officer said had placed the recording devices on these two telephones.

If that sort of claim is not sufficient, the Minister should bear this in mind: The person who discovered these devices on his telephone then approached the second policeman to whom he was referred and that policeman confirmed what had happened and asked for the "bugs" back!

Mr Davies: Well, they don't come cheap, you know.

Mr B. T. BURKE: The dutiful citizen returned the recording devices to the policeman.

Mr Bryce: The austerity campaign has even reached the Police Force.

Mr B. T. BURKE: I want now, with the assistance of an attendant, to pass over to the Minister, on a confidential basis, a circuit diagram of the listening devices attached to the phones, together with the details of the telephone numbers affected and the address of the establishment in which the devices were found. If the attendant would pass that to the Minister he will have all the information he requires, bearing in mind only this: I understand the proprietor of the establishment has since moved on, and the establishment now is in other hands, but the original proprietor will certainly be available if even the most superficial inquiries are made.

I want to make one or two other points before concluding and the first is this: I am informed that the person who discovered the recording devices on his telephone at no time allowed anybody onto his property to place such devices in position. That begs the supposition that, if the devices were in fact placed in position by a policeman as this man says, then that policeman broke and entered to ensure that the recording devices were put in position.

Mr Coyne: Were the devices inside the building?

Mr B. T. BURKE: The devices were inside the building, attached to the two telephones operated by this man.

Mr McPharlin: What were the reasons for the devices?

Mr B. T. BURKE: I shall turn to that matter in a moment.

I am informed that at no time did the man give permission for this to occur and, if that is the case, the Minister has a responsibility to explain how this came about.

The second point is the one touched upon by the member for Mt. Marshall who quite rightly asked the reasons for the devices. As the member for Mt. Hawthorn has said, and as we on this side have said previously, we do not have any objection to entertaining the notion of the tapping of telephones and the recording of conversations in the pursuit of certain classes of criminals. The Minister said, and everyone will remember his words, that members of the Opposition, when confronted by a kidnapper, would certainly want the police to take every avenue open to them in an endeavour to catch the criminal. Members heard the way in which the Minister used such emotive examples to try to cover up the possibilities to which we were referring.

I understand from this man that he was told by the police he was under investigation for a crime that has as its maximum penalty for a first

offence a fine of \$250 or three months' imprisonment. That hardly lines up alongside the Minister's examples of drug traffickers, kidnappers, or murderers.

The other point I want to make is it is my information the person concerned in this matter was not charged, not convicted, indeed, not impugned in any matter whatsoever. And the Minister wonders why we are aghast at his refusal even to inquire into whether the police are recording telephone conversations and, if they are, whether they are observing minimal safeguards to protect the public from any abuse!

We have every right to ask that this Minister assure himself that the safeguards being followed are appropriate and are in fact adopted. This Minister has said, when he bothers to rise to his feet, that he is not going to ask the police what they are doing.

Mr Bryce: And the Premier supports him.

Sir Charles Court: I do support him 100 per cent. We have always said "Give us a case and it will be investigated thoroughly."

Mr H. D. Evans: You have it now!

Sir Charles Court: Give us a complaint and it will be investigated thoroughly.

Mr Davies: Why do we have to go around making investigations?

Mr B. T. BURKE: Before I resume my seat I want to make one further point and that is that my Federal colleagues inform me—and this will be a matter of record—

Mr Hassell: Senator Walsh no doubt—a great authority!

Mr Davies: He would eat you in one bite!

Mr B. T. BURKE: The Minister seemed just to pop up!

Mr Bryce: He did not pop up on Thursday.

Mr B. T. BURKE: My Federal colleagues inform me—and I hasten to assure the Minister and go on the parliamentary record as having said that Senator Walsh is not one of them—

Mr Hassell: You wanted a reliable source, did you?

Mr B. T. BURKE: I suggest that, at this stage, the obligation is on that side of the House and not on this side.

Mr Coyne: I would not bet on it!

Mr B. T. BURKE: My Federal colleagues inform me that Telecom in this State has revealed that, of the inquiries it receives from people who suspect their telephone calls are being monitored, tapped, or interfered with, a big majority come

from people about whom the State Police have made inquiries also.

I say that and I say this: It will be a matter of record as to the truth of that situation and it will be incumbent upon the Minister not only to explain the circumstances touching on the first example I have given to him, but also to test the truth of that statement. As I said previously, if the Minister is able to determine the truth of these incidents or statements and if he persists in maintaining, in the face of that truth, that it is not his responsibility to inquire into and assure himself that the State Police are acting quite legally, then the Minister should resign.

MR HASSELL (Cottesloe—Minister for Police and Traffic) [5.29 p.m.]: I just wonder whether the member for Balcatta would like to tell me whether the piece of paper he has had delivered to me is the substance of the complaint he wants investigated. Is that all the information he has for me?

Mr B. T. Burke: I am prepared to say to you—

Mr O'Connor: Is that it or not?

Mr B. T. Burke: With your forbearance, Sir, my complaint is that that recording device was placed at that address and that it monitored those telephone numbers. That is my complaint, added to the other matters to which I have referred.

Mr O'Connor: Is that the total substance of the Press report today?

Mr HASSELL: I should like to ask the member for Balcatta the date on which this occurred.

Mr B. T. Burke: I told you that in my speech.

Mr Young: You said "About 18 months ago".

Mr HASSELL: That is not a date. What was the name of the complainant?

Mr B. T. Burke: You have it there.

Mr HASSELL: I have not got it here on the paper.

Mr B. T. Burke: Have you the name of the trade establishment or not?

Mr HASSELL: What was the name of the complainant? Why does not the member tell me the name of the complainant, the name of the two police officers, and the date?

Mr Bryce: You would love to get your hands on the names of the two police officers.

Mr B. T. Burke: What are you frightened of?

The SPEAKER: Order! The member for Balcatta made his speech while the House was in almost total silence. There were one or two interjections during the course of his speech but I

believe they were quite helpful. In the short time the Minister has been on his feet there have been many interjections which have not assisted the debate. Members will desist from such interjections.

Mr HASSELL: The member for Balcatta, supplied with a great build-up in the media today about some dramatic disclosure, sent a sealed envelope to me which contained this piece of paper I am holding in my hand. I assumed this piece of paper would supply me with the name of the complainant, dates and the names of the policemen concerned. I inform the House that this piece of paper, this great secret, states as follows—

Shown below is a circuit diagram of a recording device found attached to two telephones at Curbside Motors, 77 Walcott Street, Mt. Lawley. 3286355, 3286478.

Imported American design, approximate cost \$2.

Then there is a squiggle at the bottom of the page which is a circuit diagram.

If the member for Balcatta is serious, then I suggest that he should give me the information on which an investigation could be carried out; namely, the name of the complainant, the date, and the names of the police officers concerned.

Several members interjected.

Mr HASSELL: He should inform me of the date on which the actions concerned are alleged to have taken place.

Several members interjected.

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

Mr HASSELL: The member for Balcatta should inform me of the date on which the alleged actions took place, the names of the policemen spoken to and the name of the complainant. How else could anyone carry out an investigation?

Mr B. T. Burke: Ring them up. Ring the two numbers I have given to you.

Mr HASSELL: Good grief, there is no complaint in this letter. This is not a letter of complaint. I think this is the greatest farce we have ever seen in this House. It is ridiculous and absurd to see such a farce and the member for Balcatta ought to be ashamed of himself for having put up such a stunt. It has always been a fact that when a complaint is made to the police, it is properly investigated.

Mr B. T. Burke: Well investigate it!

Mr HASSELL: The first thing done by the police when a complaint is made is for a senior

officer to interview the complainant and take a proper statement from that person so that if subsequent officers are involved, there is a written record of evidence which has been verified by the complainant, which can be used.

Mr Davies: You know where to start.

Mr HASSELL: I am sure I heard the member for Balcatta say that the ownership of this motor firm had changed. Now, which complainant do we talk to—the present owner, the former owner, or the next owner?

Mr B. T. Burke: All I said to you was that if you inquire as to the previous ownership of the firm you can assure yourself of the person to be involved. Why don't you want to do that? If I am wrong, you will make hay of it.

Mr HASSELL: If the member for Balcatta wishes to make a complaint on behalf of a member of the public, it will be received and investigated. I am not acting on a stunt, a pure stunt put up for media purposes. The member for Balcatta knows that that is the case.

Several members interjected.

The SPEAKER: Order!

Mr HASSELL: If a complaint is made against the police in this State, in a proper form, it is properly investigated. The actions of the member for Balcatta are a complete farce and he knows it.

Several members interjected.

Mr HASSELL: The member for Balcatta knows he should provide the names, the dates, and the details.

Mr B. T. Burke: You have the names written down in front of you. I think you may be worried. Why don't you ask the members of the Police Force whether they placed any bugs there?

Several members interjected.

The SPEAKER: Order! I am worried about the number of interjections. The interjections will cease; if they do not I will warn members and then name them.

Mr HASSELL: We may have thought that as a result of the carry-on which has occurred today, the great build-up in the media and all the chit chat about it, we were about to hear something interesting from the Opposition.

The Commissioner of Police said, in a one-line statement last week, that members of the Police Force in Western Australia do not tap telephones.

Mr B. T. Burke: That is tapping telephones, not using recording devices. You have made that distinction yourself.

Mr HASSELL: If the member for Balcatta has a complaint as distinct from his media posturing

which occurred today, why does he not tell me the dates of the events, the names of the police officers concerned, and the name of the complainant?

Mr B. T. Burke: What are you frightened of?

Mr HASSELL: If the member is so worried about the issue why will he not give me that information so that an investigation can take place?

Mr Laurance: He threw a dart at the telephone book.

Mr HASSELL: Let us refer briefly to the terms of the motion which states—

but we beg to inform Your Excellency that his Government has failed to fulfill its responsibility through its refusal to assure the public of Western Australia that:

1. State Police are not engaged in the illegal recording of telephone conversations.

Is it not amazing? The week before last, the Opposition had nothing to say about the subject. I issued a statement supporting the combined and unanimous view of the Australian Commissioners of Police that the powers of telephone tapping conferred on the Federal Police Force should be conferred on the State police with appropriate safeguards. In my original statement, I said it was a policy which did not relate to past or present practice. Since then, we have heard a barrage of nonsense from Opposition members; we have heard wild and unsupported allegations about the illegal activities of the police in this State. We challenged Opposition members to produce evidence, and today, we have received it. We have received it and here it is in my hand; this is the evidence and the best the Opposition could do.

Mr B. T. Burke: If you don't follow it up I am sure the Press will and you will look mighty silly.

Mr HASSELL: If the Press wishes to follow it up, I am sure it will. If the members of the Press have nothing better to do than run around with these little diagrams—

Mr B. T. Burke: You are pretty weak.

Mr HASSELL: I have said that if the member for Balcatta cares to tell me the name of the complainant, the dates of the events, and the names of the police officers, the complaint will be investigated.

Mr Parker: You have said that before.

Mr B. T. Burke: I know the name of the complainant and I know the approximate date, but I do not know the names of the police officers concerned.

Mr HASSELL: Does not the complainant know the names?

Mr B. T. Burke: I am not sure; he has not told me but it is a completely stupid proposition that just because I cannot name a police officer the Minister won't look at anything.

Mr Young: Absolutely embarrassing.

Several members interjected.

The SPEAKER: Order! I have called the House to order several times and members have interjected from both sides. Interjections are unacceptable to me and I will warn the next person who interjects.

Mr HASSELL: In the debate over the past week and a half, the real issues have not been dealt with by the Opposition members at any stage. They have not dealt with the issues of law enforcement in this State; the prevention of crime which is what the Police Force is all about—

Mr Shalders: Hear, hear!

Mr HASSELL: —and the integrity and quality of our Police Force.

The effective enforcement of the law is very important to the people of this State. The right of individual citizens and their privacy, as well as their right to go about their lawful business is important to this State and to the people of this State. It was on that basis that the statement was made on behalf of the Government that we supported the combined and unanimous views of the Commissioners of Police of Australia that subject to proper safeguards the same powers of telephone tapping as applied to the Federal Police Force should be extended to State police. The State police have the essential and primary task of law enforcement.

In addition to that, I am concerned with our Police Force in this State and that it has the highest integrity and highest capacity and level of ability—

Mr B. T. Burke: And the worst Minister!

Mr HASSELL: —to deal with crime in this State. They should deal with crime after it has occurred and should prevent it from occurring.

Mr Pearce: Before it occurs.

Mr HASSELL: On many occasions in our history in this country we have witnessed the experiences of other countries. One example is that of the United States which has had many unfortunate phases and South America also. We have seen civil disturbance and terrorism and we have not learnt the lesson until it has occurred in our country.

I am concerned to ensure that our Police Force is ahead and not behind in its efforts to prevent crime. I have supported our Police Force in its endeavours to be a force of the highest integrity. When the former Commissioner of Police had occasion to say to me that certain officers should be dismissed—I am not sure of the number of occasions—because questions had been raised about the integrity of such officers, I did not hesitate to accept his recommendation.

That is how the position ought to be. It is essential that our officers be of the highest integrity and standard. There is no question that in a force of men drawn from all walks of life, some 2 700 people, there should be some occasion when some stray from the rules and do the wrong thing.

However, that is an entirely different matter from the suggestions made by members of the Opposition during the last week. It has been implied that our Police Force has been involved in illegal interference relating to electronic surveillance. It is the essence of the protection of the liberty of the people in this nation that all people are subject to the law. The police, the trade unions and their members are subject to the law. Of course, we have heard, quite often, from the members of the Opposition, the proposition that the trade unions should be above the law and not subject to the rules of the community. According to members of the Opposition trade unionists who pursue campaigns of industrial action which involve the deliberate destruction of property, should not be subject to any penalty. We are talking about millions of dollars worth of damage.

Several members interjected.

Mr Pearce: Tap their phones then.

Mr HASSELL: It has been suggested that these people should not be subject to any action.

Several members interjected.

The SPEAKER: Order! I warn the member for Gosnells that if he continues to interject I shall name him.

Mr HASSELL: As far as I am concerned, and as far as our Police Force is concerned, trade unions and trade union members are and will remain subject to the law.

Several members interjected.

Mr HASSELL: While this Government is in office the Police Force in our State will continue to be free of political direction. I cannot imagine anyone who would make more fuss than the member for Balcatta if it were suggested, or established, that the police should be subjected to

the direction of the Government as to how they should enforce the law or as to what action they should take in regard to any case.

The member would object, other members of the Opposition would object, and all the members of the Government would object because it has taken 1 000 years of history and 1 000 years of conflict within the society which preceded the present society in Great Britain to establish the fundamental principles upon which we operate. The fundamental principle so far as the police are concerned is that we do not interfere in the judicial process, and the judicial process begins at the stage of prosecution. We do not tell the police when to prosecute, how to prosecute, who to prosecute, or who not to prosecute.

Furthermore, we do not tell the police who to investigate, when to investigate, or how to investigate, because to do so would amount to political interference and we will not do that.

Mr Jamieson: That was not the case with Noonkanbah.

Mr HASSELL: It is the bounden duty of every police officer to uphold the law. Each police officer swears an oath to do that, and has an obligation to do it. However, that is not to say there are no communications between the police and the Government and between the commissioner and the Minister. It is not to say the Government is not concerned about the level of police activity or the number of policemen because, of course, the Government must provide for that in the Budget and account for it to the Parliament. On the other hand, it is to say that we will not concern ourselves in the details of police operations and we will not involve ourselves in asking the Commissioner of Police—which is what the member for Balcatta wanted me to do last week—"Mr Commissioner, have you or your officers been breaking the law?" What an absurd question.

Mr Bryce: That was not the question at all. It was "Are you tapping telephones?"

Mr HASSELL: It was the question indeed. We know that the tapping of telephones may well be considered illegal and the member is asking me to ask the Commissioner of Police "Are you breaking the law by tapping telephones?" and I do not intend to ask him that.

Mr Bryce: All of your front bench colleagues would.

Mr HASSELL: I repeat and make it clear that if any complainant lodges complaints against the police in respect of their alleged activity and provides the details necessary to enable an investigation to be made, that investigation will be

made; and it will be made by a senior officer of the Police Force—a commissioned officer—under a system which has worked effectively and strongly over a very long time. It is a system under which police officers who are subject to investigation know full well they are being investigated by people who have the competence and capacity to ensure they give the answers; they know full well they are being investigated by men who are fearless in dealing with errant police officers.

Short of that we will not interfere. However, I go further: If complaints are not dealt with properly it becomes a matter of concern to the Government and the Minister. However, until that point they are not the concern of the Government and the Minister.

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

QUESTIONS

Questions were taken at this stage.

Sitting suspended from 6.15 to 7.30 p.m.

ADDRESS-IN-REPLY: ELEVENTH DAY

Amendment to Motion

Debate resumed from an earlier stage of the sitting.

MR BRYCE (Ascot) [7.30 p.m.]: I support the amendment moved by the member for Mt. Hawthorn and seconded by the member for Balcatta. I should like to say at the outset that, by his performance this evening and in respect of his performance over the last few days, the Minister for Police and Traffic has all the hallmarks of someone who is concealing the truth.

Sir Charles Court: Oh, oh!

Mr BRYCE: It would have been very easy for the Minister to answer simply the questions which have been asked in this place. In that way he would have allayed the concern and anxiety some people have that indiscriminate telephone tapping could be occurring in our city.

The Minister could quite easily have said to the member for Balcatta or myself in answer to questions in this place "No, the State Police Force is not tapping telephones." That is all he needed to say to have set this question to one side.

The Minister has refused repeatedly to answer that simple question, but, more importantly as a matter which should concern this House, he has refused repeatedly to follow up with his department these questions of concern which have been raised by members of the Opposition.

I ask you, Sir, to reflect by looking along the front bench and asking yourself which other Government Minister in this Cabinet would dare to turn his back on this sort of allegation concerning the function and operation of his department?

Mr Hassell: What allegations?

Mr BRYCE: The allegation to which I refer is that the police are tapping telephones in this State.

Mr Hassell: On what evidence?

Mr BRYCE: Let me demonstrate the point for the benefit of this "keystone corporal" who has been unable to follow up the information which has been given to him by the member for Balcatta. During the tea suspension a journalist—not a police officer—from *The West Australian* has been able to identify, locate, and speak to the individual who was referred to by the member for Balcatta.

Mr Young: Big deal!

Mr BRYCE: And yet we saw the Minister for Police and Traffic—

Mr Old: How clever!

Mr Young: Do you mean the member for Balcatta could not do it?

Mr BRYCE:—declare that he needed more names, more details, and more information before his department could follow up that sort of information.

By virtue of his performance here this evening the Minister reflected very badly on the Police Force over which he presides as the number one law officer in this State. He stood here and said he did not have sufficient information and yet a journalist has done the work—presumably on the first part of the work—

Mr Hassell: We knew that was going to happen. That was the big statement you have been organising all day.

Mr BRYCE: The Minister for Police and Traffic has demonstrated his incompetence. I am astonished members on this side of the House to hear, during the course of remarks on Thursday the Premier interject to the effect that he would not have expected his Minister for Police and Traffic to ask the Police Force whether it was tapping telephones. If I remember correctly, he said "... and no more he should" when we on this side of the House were insisting that a Minister had a ministerial responsibility to follow up the query.

Mr Hassell: What query?

Mr BRYCE: Can you, Sir, imagine the Minister for Health suggesting to this place that he was not going to follow up a query in respect of his department—a perfectly legitimate query based on legitimate anxiety expressed by members of the Opposition?

We have seen countless examples of Ministers who have, at question time or during the course of debate, noted concern expressed by members on this side of the House and who have given an undertaking by way of interjection that they will follow up, investigate, and follow through the query or source of anxiety expressed by the member. There is nothing new in this technique. The Minister has behaved for nearly two weeks as if he has something to hide, because he has refused numerous invitations to make a simple check.

It concerns me to hear the argument put forward by the Minister for Police and Traffic and supported by his Premier that this Government, when it is in trouble or under some sort of pressure—

Mr Hassell: Who is in trouble?

Mr B. T. Burke: Who is in trouble!

Mr BRYCE: —seeks to distance itself from the Police Force and the Commissioner of Police and suggests the Minister for Police and Traffic is quite a separate person and not really responsible for the performance of that particular part of the system of government in this State. That occurs only when the Government is under pressure.

Could I suggest to you, Sir, in all seriousness, that if this is the Government's attitude, it ought to dispense with the position of Minister for Police and Traffic. We ought simply to have a commissar of police and leave it at that. Why bother to have a Minister of the Crown seated in this House who is allegedly responsible for the portfolio of Police and Traffic if, when he is questioned, by virtue of our right to question him under the Westminster system of government, he refuses to answer those questions?

I deplore the actions of the Minister for Police and Traffic in this Chamber this evening. He did a dastardly thing when he revealed information which was handed to him in confidence by the member for Balcatta.

Sir Charles Court: Oh don't come at that!

Mr Young: The member for Balcatta had already given that information to Channel 7. It was too late to retract it. That is what appeared on Channel 7 news.

Mr BRYCE: That information was subsequently given accurately to the media. The

member for Balcatta in this place this evening offered information to the Minister for Police and Traffic on a confidential basis, requesting him—

Mr Young: Tell Channel 7 that!

Mr BRYCE: —to investigate that query. You, Sir, might well ask why members of the Opposition are not prepared at every turn to reveal the names of people who come forward to express their anxieties about this Government's performance and the secrecy within Government departments.

Mr Parker: And particularly this Minister.

Mr BRYCE: Frequently members opposite challenge us and say "Give us the names of the individuals." The Minister said "Give us the name of the person." Can you, Sir, understand that members on this side of the House have very good reason not to accept the word of a Minister like this?

Mr Young: You have to be kidding. You people use accusations and will not even give the information to us in confidence when we ask for it in writing.

Mr Hassell: That is a stunt! If he was vaguely concerned about the issue, he would have sent me a letter about it weeks ago.

Mr BRYCE: I should like to draw to the attention of the Minister for Police and Traffic a matter I should like him to investigate. It was mentioned to me by a senior law officer in this State.

Mr B. T. Burke: Name him! What colour clothes does he wear?

Mr BRYCE: This officer has expressed concern as a result of this Minister's evasion and meandering when he has been asked to answer the simple question "Are the police officers of this State tapping telephone conversations?" As a result of this Minister's performance, this message has been conveyed to me by a concerned law officer. He has drawn my attention to the fact that in the CIB headquarters there is a secret room—a room to which there are only two keys; a room which is used for the precise purpose of monitoring and recording telephone conversations. He informed me also that every senior sectional head of the Police Force of this State is aware of the existence of that room and knows its purpose.

I ask the Minister to accept his responsibilities and to investigate that as an assertion from a member of Parliament, passed on from somebody who is very concerned indeed as a result of this Minister's meandering and evasive conduct on this subject.

Mr Hassell: What is his complaint?

Mr B. T. Burke: What is his complaint! What is his wife's name?

Mr Blaikie: What is his complaint?

Mr BRYCE: In essence, his complaint to me is that this Minister has treated this Parliament and the public of Western Australia with complete contempt; that the Minister has sought to convey the impression to Western Australians in all walks of life that there is no tapping of telephone conversations. This law officer has suggested in his message to me that there is a secret room at the CIB headquarters for this very purpose. I ask the Minister—

Mr Blaikie: What is the complaint?

Opposition members interjected.

Mr Hassell: The police have no secrets—is that what your complaint is?

Mr BRYCE: Let me return to the theme of the Minister's comments this evening. He suggested everybody in this community—and he named the trade unions and the Police Force and I interjected and named the owners of capital—has a responsibility to uphold the law and the Statutes of this State and of Australia as a whole. This is the nub of the question. We are concerned that there is a possibility the law of this nation is not being upheld.

Mr Sibson: Well, make a complaint to the proper place and it will be dealt with.

Mr Parker: This is the proper place.

Mr BRYCE: The Minister must know that the law relating to this matter is a Federal law. It is the Telecommunications (Interception) Act of 1979. Under that particular Statute not only is power not given to any member of this House or any member of the State Police Force or any other individual to tap people's telephone conversations, but also that Statute explicitly prohibits anybody, other than designated officers of the Federal Police Force and the security service, from engaging in the practice of tapping telephone conversations.

Mr Hassell: Are you now saying the police are tapping telephones?

Mr BRYCE: Mr Acting Speaker (Mr Watt)—

Mr Hassell: Is that what you are saying?

Mr BRYCE: —I am asking the Minister to ensure that the very high-blown principles and philosophies that he is quick to expound to the public—

Mr Hassell: Is that what you are saying?

Mr BRYCE: —that everybody must uphold the law, are followed in precisely the same way by his departmental officers.

Mr Hassell: Are you now saying the police are tapping telephones?

Mr BRYCE: I ask the Minister whether he wants to change places with me so that I can answer the question. If so, I will accommodate him and take over his portfolio immediately. I would be very happy to do that.

Mr Hassell: What is the complaint?

Mr BRYCE: The only person in this House who can unequivocally say one way or the other whether the Police Force of this State is tapping telephones is the Minister for Police and Traffic. He now has the hide to ask me whether I am saying the police tap telephones. I do not happen to be the Minister for Police and Traffic.

Mr Hassell: I am asking: What is the complaint you want investigated? Why can't you tell us that? What is the complaint you want investigated?

Mr BRYCE: Mr Acting Speaker, I anticipate you will be in politics for a long time before you see another example of a Minister seeking to squirm out of a situation for which he has no answer. The member for Balcatta gave this Minister information this evening. I suggest, with respect, that any other Minister of the Crown would have followed up such information with very great speed indeed.

Mr Bertram: That is for sure.

Mr BRYCE: We saw the present Minister for Education when he was the Minister for Immigration instigate a few years ago a CII inquiry in respect of the affairs of the Department of Immigration before the break of dawn the day after he was informed of a situation. He did so because he felt that some of the things said in this State Parliament warranted urgent CII investigation. Yet this Minister was confronted with concrete evidence from the member for Balcatta—

Mr Blaikie: You have been out in the sun too long.

Mr BRYCE: —which, I might say, a journalist used to put the Minister for Police and Traffic to shame.

Mr Blaikie: Rubbish!

Mr BRYCE: The Minister for Police and Traffic has acted like a Keystone Cop. It is regrettable that by his behaviour he seeks to bring a sense of disgrace and shame upon the Police Force. Let me say that I feel very sorry indeed for his new commissioner who has inherited a set of practices and form of standards which his predecessor bequeathed to him, a character who

many of us on this side of the House were very pleased indeed to see retire.

Government members interjected.

Mr BRYCE: The present commissioner has the complete confidence of my parliamentary colleagues. I assume he has the complete confidence of everybody throughout Western Australia. He has the best wishes from us to do a very successful job. The situation would be satisfactory if only he had a Minister prepared to stand and defend him.

When any question concerning the Police Force is raised in this place this Minister runs for cover and seeks to distance himself from his commissioner and the Police Force. What I would like to do in the two minutes remaining to me is to outline what the Opposition believes ought to happen in respect of the use of telephone tapping, recording or monitoring for the detection of crime.

Mr Hassell: Is this your view or the view of the Opposition?

Mr BRYCE: Our position has been distorted by the Minister. I imagined he would seek to confuse the issue. We hope any phone tapping is justified by the pursuit of hardened criminals.

Mr Blaikie: You are running for cover!

Mr BRYCE: We believe the use of phone tapping should be controlled stringently and defined narrowly. The offences involved should be serious and specifically identified. We are of the view that members of the Police Force should seek approval from a superior court to be able to carry out phone tapping. Phone tapping should be justified.

Mr Hassell: Are you speaking on behalf of the Opposition?

Mr BRYCE: I am outlining what our policy happens to be.

Mr Hassell: What happened to the Opposition police spokesman?

Mr BRYCE: The Opposition's police spokesman has also outlined our position. He does not want to see the extension of indiscriminate phone tapping. The spokesman for police on our side of the House was ill when this matter arose, and the Minister for Police and Traffic has attempted to gain political capital out of that—it is a cheap stunt. We are firmly of the view that whilst telephone tapping is in progress it ought to be monitored. The people doing the tapping ought to receive permission to do so on a temporary basis, and they ought to justify any extension of time that is necessary or required to do the job.

Mr Hassell: Did we say anything different?

Mr BRYCE: Is the Minister doing anything different?

MR H. D. EVANS (Warren—Deputy Leader of the Opposition) [7.51 p.m.]: This matter has gone completely beyond the realms of the pail.

Government members interjected.

Mr H. D. EVANS: It has reached that extent because of the actions of one Minister of this Government. He asked by way of interjection, "What is the complaint of the Opposition?" We now have three areas of complaint. What could have been resolved by a simple and honest one-syllable word has become something of a mess which has brought into this debate the question of the whole range of responsibilities of Governments—not just the Minister but the entire Government and the system under which we operate.

First and foremost if we look at these three areas we see the concept of ministerial responsibility. At the outset I say we are dealing with somebody who is not a Minister's boot lace. The role of a Minister is to accept the total responsibility of the department with which he is entrusted and of which he holds the stewardship during his period of office. If there is to be responsibility he is accountable to somebody, and that is the Government of the day. Through his position he also is accountable to the Parliament; albeit this Government tries to play down that aspect of responsibility and all the time wants to work in secrecy. However, that aspect of responsibility is part and parcel of the system no matter how much it is disregarded at present.

If we further consider the responsibility of a Minister we see that he is not only accountable for the financial aspects of his department and the responsibility to ensure his department receives the proper priorities and attentions it merits at Budget time, but also charged with the propriety of the actions of his department and, furthermore, its operation.

These matters come back to the responsibility of one individual, a Minister. It is his role. He cannot pass it to his subordinates; he cannot try to hide when the going gets tough and say his administration should not be brought into the arena of government.

A Minister cannot dissociate himself from his department. This Minister has abrogated his true responsibility in ministerial office. In doing what he has he has brought discredit to the Government of which he is an integral part. We cannot have a Minister not fulfil his proper role and pull his weight when it comes to running the Government of a State. Under the traditions of

the Westminster system a Minister of this kind involved in the sorts of actions outlined would be expected to resign.

Sir Charles Court: Don't talk rot. What Government gives directions to its police?

Mr H. D. EVANS: Members of Governments under the Westminster system who have resigned because of their behaviour or of giving false information are in a Sunday school class compared with this Minister. That is the first point with which we now become embroiled—ministerial responsibility and the total system of Westminster democracy as we knew it before the advent of this Government.

The third point within this entire question, and the third area of complaint, is the alleged conduct of the police on this occasion. Reasonable grounds to ask a question were brought to the Opposition. If a question or action cannot be initiated in the Parliament on reasonable grounds, where then can it be initiated? The Opposition would abrogate its role if it did not press this matter and seek a full explanation from the Minister for Police and Traffic. He had his chance; he had the opportunity to use a one-syllable word as to whether at this time tapping or recording of telephones is carried out by the Police Force. If we look at the grounds for this question we can see the member for Balcatta furnished some reasonable information.

Mr Coyne: Fair go!

Mr H. D. EVANS: Does the Government believe that the degree of information which the member for Balcatta gave is not acted upon by the police on any day of any week, whether it be in regard to a kidnapping or car stealing? The Government cannot expect the public of this State to believe that the member for Balcatta did not provide sufficient information for action to be taken. In addition, the allegation—it cannot be called a great deal more than that—was given in good faith to the member for Ascot. He knows a little about such matters because he has felt the full weight of ministerial responsibility in the course of his time in this Parliament. It was on less information than provided by the member for Balcatta that a CID investigation was ordered against the member for Ascot—against a member of Parliament. It was on more flimsy information than the Minister has before him at this moment.

The information was given in sincerity and on the basis of the bona fides of this Minister. Information was given in good faith to a member of Parliament and there is no way at this stage in which he can be expected to divulge the source of

his information, even in confidence, in the light of the Minister's actions earlier this evening.

We of course realise that at CID headquarters facilities for tapping and recording telephone conversations are available. With that in mind believe the Opposition was more than reasonable in seeking the information it sought. What does the Minister have to hide? If he does not come forward to make a clear statement in his interest to satisfy the responsible inquiry of the Opposition, the Press, and the people of the State he ought to do it for the sake of the Police Force for which he is responsible. If the Minister is to act like this he is leaving his entire Police Force vulnerable to attack from the Press and justifying suspicion on the part of the public, the public that it is the task of the Police Force to look after. The relationship between the police and the public is most at risk. Great pains are taken—

Mr Hassell: You are doing your best to destroy it as you and your colleagues always try to do. You never give up.

Mr H. D. EVANS: I was waiting for that interjection. What a miserable weak-knee. Minister the Police Force has here.

Mr B. T. Burke: The Minister for irresponsibility!

Mr H. D. EVANS: He could have cleared this matter up in the interests of the Police Force with one word, but he chose to posture and create a image, but he has come badly unstuck.

Three areas are brought into full focus. The Minister has asked for complaints and he has them. Firstly, the Opposition has asked whether the Police Force is acting illegally at the present time, and there are reasonable grounds to ask this question. Secondly, the Minister's action, attitude and conduct as a Minister are something less than desirable and satisfactory. Thirdly, there has been the denigration of this Parliament and the role it should play in the democratic processes of the Westminster system. For those three things the Minister stands condemned, and I suggest it would be quite reasonable to ask for his resignation.

SIR CHARLES COURT (Nedlands—Premier [8.01 p.m.]: The amendment moved by the Opposition to the Address-in-Reply has two parts to it.

Mr E. T. Evans: We all know that.

Sir CHARLES COURT: Well, I am glad the honourable member knows something.

Mr E. T. Evans: We don't have to be told by you.

Mr Sibson: Last week he did not even know where the Kalgoorlie Regional Hospital was.

Sir CHARLES COURT: The amendment commences—

but we beg to inform Your Excellency that your Government has failed to fulfill its responsibility through its refusal to assure the public of Western Australia that:

1. State Police are not engaged in the illegal recording of telephone conversations.

Of course that immediately raises the questions: Are they? Who said they are? And what evidence is there?

Mr H. D. Evans: Quite reasonable evidence.

Sir CHARLES COURT: Tonight we had the greatest balloon of all times pricked with a great big pin and it went pop. This followed the big build-up today. They do this sort of thing on television day after day. Viewers are told "If you listen tonight you will see great sensational news." More often than not, when one turns on the television after such a message, the result is a fizzog.

On the front page of tonight's edition of the *Daily News* we saw a great build-up. There was supposed to be a great disclosure; names, etc would be given. We were supposed to hear of a real complaint—the first complaint we had ever had. What did we have? A piece of paper passed across the Chamber with great secrecy. The Opposition hoped that the Minister would leave it sealed in its envelope overnight and that the Press would be able to come out with big headlines to the effect that the member for Balcatta disclosed a big secret; some particular person made a complaint that had to be investigated.

I must remind the Opposition that it is completely out of touch with this matter. The Opposition tried to create an emotive atmosphere, but it has become a farce. The member for Ascot talked about public concern and anxiety, as though everyone stays up at night, afraid to put the light out and to go to bed because somebody is tapping a telephone. It has been all very mysterious and quite theatrical.

Mr Davies: So is your performance.

Sir CHARLES COURT: The self-righteous and hypocritical attitude of the member for Balcatta takes the bun. It is the best I have ever heard in this place. Members of the Opposition say that all the Minister had to do was to say one word—"No"; that is, "no phone tapping". The Minister was not entitled to say "No" and he

should not have said "No" because he should not know enough to be able to say "No".

Mr Parker: He should know enough about the law and how it is being served in Western Australia.

Sir CHARLES COURT: I must remind members—I know members are sick of hearing it but I have to tell them again—that the Government of this State does not direct the Police Force. We do not go around asking the commissioner how he is doing his work, and we do not ask the police officers how they are doing their work. We assume they are operating within the law; they are sworn to operate within the law. Apart from the odd exception that we have experienced over the years, I think it is acknowledged generally—although I question whether the Opposition would agree with me—that the Police Force of this State has served us well and honourably over a long period of time and frequently in difficult circumstances. If the Minister went around asking the commissioner what he was doing about this or that crime, he would immediately place the commissioner in the situation that he felt he was being directed, being queried as to his competence, or that the Minister was attempting to interfere and influence the work of the commissioner.

The Minister has my complete support in the attitude he has adopted; his predecessor adopted the same attitude, and very rightly so.

Mr Davies: You surprise me.

Sir CHARLES COURT: If the Minister questions the commissioner or his officers about the way they are doing their particular work, he is starting to direct and influence their work, and that would be a disastrous thing.

Let us go back to the origin of the melodrama we have seen develop over the last few days, and I emphasise the prefix "melo"—this is a phony drama. The Minister came out in support of all the Commissioners of Police in Australia with my complete support and concurrence before he made this statement—to say that the Western Australian Government would support legislation to give the police of the several States—not only our State—the power to indulge in telephone tapping with the required safeguard. From the point of view of the Federal Police Force, the required safeguard is that the force has to have the approval of a Federal Court judge to allow telephone tapping. In the case of Western Australia, we sought to have the approval of a Supreme Court judge. We did not seek to have the approval of a magistrate or even the approval of a District Court judge; we sought the approval

of a judge of the Supreme Court of Western Australia as we felt this was more than the equivalent of a Federal Court judge and that this course was desirable. The story is as simple as that.

The Minister said that the Government wanted the Police Force to have this authority because of the nature of crime that is developing in the present social order. No doubt one day this sort of crime will increase in our own State, although heaven forbid that that happens. However, we want our police officers to have the same power as their Federal counterparts, with the safeguard I have referred to, so that the rights of individuals are fully protected.

All of a sudden we seem to have lost sight of that principle. The media has referred to telephone tapping as though many people's phones are being tapped. Probably hardly a member of this place has not received a call from a constituent claiming that his phone is being tapped. This happens when a person hears his phone go "tick tick" or if it does not go "buzz buzz" when he picks up the receiver. People are very concerned about this matter, and rightly so, but it has been blown out of proportion because of all the drama surrounding the subject. In most cases when a member receives a complaint such as I have referred to, he refers the matter to Telecom Australia and he receives a very quick and sensible answer. My experience has been that Telecom has given a very prompt and very positive answer to people who have made such complaints. I cannot recall one occasion over my period as a member of Parliament when I have submitted such a complaint to Telecom and there has not been a technical reason for the peculiar noise in the telephone.

People hear about telephone tapping in films and through the media, and they believe that evil people resort to telephone tapping. The police officers do not resort to it for an evil purpose—they resort to it to overcome evil. For the first time the Opposition has now admitted that they believe there should be telephone tapping with the required precautions—

Mr Parker: We said it last week.

Sir CHARLES COURT: —so that a decision is not made by one person alone; approval must be sought from someone in the community who is trusted.

I come back to this famous word "No" referred to by the Opposition. It is nonsense to say that all we needed a few days ago was the Minister to say this one word. The Minister was not entitled to say "No" and he would have been very foolish to

have said it. I remind members opposite that last week, in the clearest possible terms, the Acting Commissioner of Police said that the police in Western Australia are not tapping telephones and do not. Certainly he was entitled to say it as distinct from the Minister. For some reason or other the Opposition just dismissed that statement lightly as though it was of no consequence.

I suggest that if the Minister had said "No"—even though he was not entitled to say it—we would have had another motion tonight with that tidily-fiddly piece of paper a "misevidance"—if there is such a thing—produced in an effort to say that the Minister had not told the truth, or that he was incompetent and did not know what was going on in his department.

I want to remind members opposite, and would like to remind those listening in the Public Gallery, that this is one of those phoney balloons which has been blown up until it bursts.

Mr Davies: I think you are giving us baloney.

Sir CHARLES COURT: I want to congratulate the Minister on the way he handled the matter, in a calm, deliberate professional style.

Mr Davies: Shaking like a leaf and white as a ghost—that is how he was.

Several members interjected.

The SPEAKER: Order!

Mr Davies: He needed a brandy to bring him around.

Sir CHARLES COURT: It was one of the most straightforward, most effective—

Mr E. T. Evans: Precise.

Mr Bertram: Succinct.

Sir CHARLES COURT: No, those are not the appropriate words.

Mr Davies: Tremendous.

Sir CHARLES COURT: It was the most effective destruction of an argument I have heard in this place, and the simplicity of the response from the Minister—

Mr Parker: What responses?

Sir CHARLES COURT: —and the fact he was so precise about it was the telling feature. The member for Balcatta and his mates must be feeling rather sick at the present time.

Mr B. T. Burke: I am feeling perfectly well.

Mr Young: No reason to.

Mr Bryce: He wouldn't like to finish up in hospital.

Sir CHARLES COURT: We then come back to the melodrama. A humble journalist from *The West Australian* goes off into the dark of night and does what the Opposition says should have been done by the Minister. Of course the Minister should not do that sort of thing: that is the job of the Police Force. Let somebody come out and lay a complaint—that is what we are asking for. Let someone say, "This is my complaint; this is when it happened. These are the people involved" and just as the Minister has assured members, I promise that the matter will be investigated very thoroughly and reported upon. But we must have some basis from which to start.

For instance, the piece of paper handed over has the name of a trade firm on it, but it does not give the name of the person making the complaint or the police officer concerned. Then we are told that the proprietors there now are not the proprietors who were there when the incident happened. The member for Ascot, the Leader of the Opposition, and members on the other side have a responsibility, if they believe that phone tapping is occurring, to produce one of these people who has the courage to come forward and lay a complaint.

Mr Davies: Are you suggesting he would need courage?

Sir CHARLES COURT: From that point onwards the police officers would do the work in a professional way. Unless someone is prepared to make a complaint, the whole thing is a farce and phoney, and, I believe, the Opposition's amendment is exposed for what it is.

This question of the Minister's use of the word "No" is an old trick in the intelligence world. If one can get someone else to deny the presence of something, one has achieved a breakthrough and one can start to work on it from there. The Minister would have been failing in his duty, and not half as bright as I think he is—and I believe he is a very competent Minister—if he had fallen for the three-card trick.

Members opposite have been trying to get the Minister to fall for that trick, just to get them off "the hook". However, that would only be the start—members opposite would pillory him and the Police Force. How would the Minister know? There was no basis for him to say "No".

Mr Davies: You have to do better than that.

Sir CHARLES COURT: The amendment does no credit to the Opposition. The Opposition has been building the matter up for days. It has picked on an issue, hoping to get headlines for a while, and it is hoping like fury that this matter

will take everyone's mind off the event of last night.

Mr Bryce: What was that?

Sir CHARLES COURT: What an embarrassment it must be for members opposite to sit here as a parliamentary party after what their lay organisation did at a stacked meeting last night on the jarrah class action matter.

Several members interjected.

The **SPEAKER:** Order! The House will come to order! I suggest the Premier adhere to the amendment before the Chair.

Sir CHARLES COURT: Mr Speaker, I will gladly adhere to the amendment—having got my point across that there were a lot of very solid old Labor blokes who saw delegates last night they have never seen before and whom they do not want to see again!

The Government dismisses item (1) of the amendment. I have made the point that it seeks to fish for information, hoping someone will fall for the three card trick. We have no intention of doing that.

The amendment goes on to call for proper safeguards to be followed by State police whenever telephone conversations are recorded. I remind members opposite that this whole matter is about a Minister, who quite properly, and with the full knowledge and approval of the Government of the day, said that we wanted the Police Force in Western Australia and in all other States to have the same powers to tap telephones as are granted to the Federal police, because of some of the heinous, far-reaching and devastating crimes which are being committed, and with all the drug trafficking which is going on. We simply want to attempt to come to grips with these crimes and in this, we are seeking only the same powers as are granted to the Federal police.

Mr B. T. Burke: Appoint a Select Committee or a Royal Commission to investigate the matter.

Sir CHARLES COURT: There is no need for a Select Committee or a Royal Commission; what we need is something which has been approved and accepted at the Federal level; namely, to obtain the approval of a judge to instigate telephone tapping. In the case of the Federal police, it would be a Federal court judge and in the case of the State police, it would be a State Supreme Court judge.

We oppose the amendment.

MR PARKER (Fremantle) [8.17 p.m.]: I support the amendment moved by the member for Mt. Hawthorn and supported so ably by the member for Balcatta and the member for Ascot.

Mr Blaikie: Do you support the jarrah class action?

Mr PARKER: I am speaking to an amendment before the Chair. I would be completely out of order discussing anything else.

Several members interjected.

The SPEAKER: Order! I call upon those who sit on my right to desist from interjecting. The debate has been conducted in a fairly orderly manner to this point, and I wish to see that continue.

Mr PARKER: My views on that question were clearly outlined for over an hour yesterday on ABC radio.

The Premier seems to have taken the view that to provide information to the Parliament; to accept the forms of the Parliament; to accept that the Opposition in a Parliament or any other member of a Parliament has a right to obtain information about the activities of Government; to accept that the Press has the right to inform the public and to inquire from the Government as to its activities—including the activities of its agents and servants—for that purpose in some way is falling for a trick.

The Premier often refers to the Westminster parliamentary system which he claims exists in this State. I have very grave doubts as to whether it does exist in true form in this State. However, the Premier appears to believe that system—however inadequate it may be—has been created for the sole purpose of providing traps into which Governments such as his own are determined not to fall.

I would have thought the reverse was the case, and that the role of this Parliament, the Government, the Premier, and his Ministers—who in themselves are accountable to the Parliament—is to provide the information sought by members of the Parliament on behalf of the people they represent.

No-one here is engaging in activities simply for the purpose of exercising their vocal chords. We are here because we have been elected by a large proportion of the people of Western Australia to represent their point of view and to protect them from the sorts of things which can happen in any Government. The reason the Premier, the Minister for Police and Traffic, and all other Cabinet Ministers should be prepared to provide information sought by the Opposition or members of the public is that that is the way this system has developed. We are not supposed to have a system such as exists in a banana republic, which provides that these sorts of things can be withheld.

That is not to say we believe every single thing the Government undertakes. Every aspect of the matters should be divulged in their entirety to the Parliament.

As the member for Balcatta said, we would go along with the Minister for Police and Traffic. When he stood and said "I have made inquiries into this matter and, for various reasons to do with the security of the State and the various crime-solving activities in which the Police Force is involved, I am not prepared to divulge this information to the House." That is one thing, and it is a procedure frequently followed by Ministers in a Westminster systems.

However, simply to refuse to answer questions at all or to refuse to have anything to do with genuine inquiries from the Opposition or members of the Press is evidence that this Minister and the Government do not believe members of the Parliament, and the public have the right to receive general information about the activities of the Government of which they are a part.

To say that is to say that what we are doing when we are elected to this Parliament once every three years is not creating a Parliament but simply determining the numbers. When those numbers go up on the board and it is decided which party has the majority, that is the end of it. Parliament counts for nothing.

That appears to be the attitude adopted by the Premier and the Minister for Police and Traffic. They are effectively saying "We will have a form of democratic process—albeit a bowdlerized one—once every three years but between those three years we will have a virtual dictatorship in this State in which our Ministers are not prepared to advise the people as to what is going on."

In this case, it is not simply a question that the Government is not prepared to advise the public; it has also said it is not prepared to ascertain whether the laws of this Parliament are being enforced.

There are only two ways in which this sort of information can be obtained: One is for somebody actually to instigate prosecution proceeding under either the laws of this State or the laws of the Commonwealth against the Police Force of Western Australia. The difficulty in this sort of activity is that obtaining the necessary proof is almost an insurmountable task because—obviously due to the technology of the operation, where telephone tapping is carried out from the telephone exchange—the private citizen who feels his telephone has been tapped does not have the freedom of information which would

enable him to launch a prosecution with any success.

In the case of the Federal Parliament and the Federal Government, the responsible Ministers—the Minister for Home Affairs, who is responsible for the Federal Police Force, and the Attorney General, who is responsible for ASIO—are required to provide to the Federal Parliament information of a general character relating to the number of applications made to both those organisations to have telephones tapped, the number of such applications approved, the duration of the taps and whether certain of the taps were still in existence. That is the information which a cursory glance at Federal *Hansard* reveals is provided to that House.

All we are saying is that we believe the same sort of information should be provided to this House. If no taps are being conducted in the State of Western Australia by the Police Force here, that information should be provided to the House. As has been pointed out earlier in this debate, the answer would be a very simple and quick one, and would not even cost a great deal of money to research.

However, what we have heard tonight are very serious allegations concerning the conduct of—to be charitable—some members of the Police Force in this State. I have a great deal of respect for the Police Force of Western Australia and for the vast majority of its members. I have a great deal of confidence in and respect for the senior police officers I come across in my area, and I support their activities.

I have the same feelings about the newly-appointed Commissioner of Police (Mr Porter). On the occasions I have met him, he has appeared to me to be a very fair and able man. However, he has inherited a situation created by the previous Commissioner of Police, who was so paranoid about anything and everything that he used to make ridiculous statements such as "The reds are in the beds." They may be in his bed but they are certainly not in anybody else's! The previous Commissioner of Police was prepared to make the statement that we were in danger of invasion by the forces of the Fretilin army in East Timor—a group of people who could not defend themselves even against the massive might of the invading Indonesian army, let alone Western Australia!

Mr Jamieson: Even the Parliamentary Liberal Party could have defeated them.

Mr PARKER: That is quite correct; in fact, probably we could have manned the defences quite adequately had the situation arose. That is

the situation inherited by the new Commissioner of Police; I do not envy him his task.

How did this situation develop? The Premier gave his version of how it developed, although I believe that version was not too accurate. What in fact happened was that the Commissioners of Police in each State met with the Commissioner of Federal Police and decided they would like extended to their State Police Forces the powers currently available to the Federal Police Force.

The way in which this current dispute arose was that the Labor Party and other interested and concerned members of the public sought to obtain from the Government assurances that if those powers were extended to the State Police Force, they would be exercised with the same sort of discretion and judicial and ministerial review currently exercised within the Federal jurisdiction. We wanted those matters to have the same considerable precedence. That is the genesis of this matter.

It was because the Minister for Police and Traffic refused time and time again to give those assurances to this Chamber—to the elected representatives of the people of Western Australia—that the Opposition continued to pursue the matter.

Now, we find ourselves in a situation where, after seeing the Minister last week acting in a contemptuous way towards this House, refusing even to rise to his feet to answer a question from a senior member of the Opposition and on previous occasions having repeatedly refused to provide the information sought, we have the ludicrous situation in which a representative of the *Western Mail* telephoned the Assistant Commissioner of Police over the weekend and asked him whether in fact the police were tapping telephones. As the Premier said, his answer was an unequivocal "No".

I am not saying it is necessarily the case that the answer was incorrect. However, the Premier seems to feel it is quite appropriate that the answer to the question should be provided by the Acting Commissioner of Police to a journalist, to be printed in a weekend newspaper, rather than being provided by the Minister for Police and Traffic to this Chamber, based upon questions from the Opposition.

I find it to be an extraordinary state of affairs that the Premier should say it is quite appropriate the Acting Commissioner of Police should provide this answer to a journalist, to be printed in a weekend newspaper; the Premier seemed to believe it was quite a legitimate question to ask of the Acting Commissioner of Police. However,

apparently the Premier does not believe it is appropriate that the duly elected Opposition in this place should ask the same question of the Minister—the man responsible administratively for the Police Force in this State and to the people of Western Australia—and receive the same answer. The Minister for Police, who is accountable to this Parliament and to the people of Western Australia for the actions which he and the Police Force undertake refused to provide that very same answer to the Parliament.

That is what we are complaining about; namely, the contempt which is shown to this Chamber, the Parliament of Western Australia, and in particular the Opposition by the Government.

Mr Hasselt: It was always said by me that there was no evidence that the police were breaking the law. That was the answer.

Mr PARKER: That was not the answer because the question the Minister for Police and Traffic was asked was whether the police were tapping telephones and, at various other times and in other ways, monitoring telephone calls.

That was the question asked of the assistant commissioner. It was a question he chose to answer. I applaud him for answering it—at least someone had the decency to say something about the situation. But that very same question was not answered in this Chamber at any stage by the Minister for Police and Traffic. The answer the Minister is seeking to give is one which is based, one could say, on the situation where I imagine his coming back here at some time when a successful prosecution had been launched and saying that his advice from the Crown Law Department was that there was no breach of the law involved. That may be the case; there may be no breach of the law involved. But the Minister refused to provide the information to this Chamber.

The Premier made the extraordinary statement that the Minister for Police and Traffic should not know anything about the way in which the Police Force operates in this State to be able to answer the question put to him by the Opposition. I find that an absolutely extraordinary state of affairs. When questions on notice are asked the Minister obtains the information sought. For example, there were questions on notice asked last year and the Minister obtained the information concerning illegal brothel activities in Western Australia, something with which he said he did not keep in constant contact. But on being asked about the matter he was able to obtain the information. He had ample opportunity to obtain

the information in this case. These questions have gone on for some days—as the Premier said—even if he did not know *ab initio*.

He was not prepared to make the information available to the House in this instance. I do not believe the Minister for Police and Traffic does not know what the police are doing in this area. I believe he does know, but is refusing to tell the House and the people of Western Australia.

The Premier referred also to the question of interference with police work. I think we would all agree that interference with the day-to-day work—the ordinary everyday, hard-slugging work—of the police is something abhorrent to all of us. It would be abhorrent if the Minister were deciding which brothel owners would be prosecuted on one day and even more inappropriate if he were informing them of this fact. It would be abhorrent also if this were happening in regard to gambling institutions. But we are not talking about that sort of day-to-day operation; we are talking about an issue of principle; an issue where the police have said they need greater power. That is something which is very much within the province of the Minister for Police and Traffic. It is something about which he ought to be able to tell this House. This Parliament passed the Police Act in 1892 and it has been amended on a number of occasions. I point out that section 5 of the Act makes it very clear that the commissioner is responsible to the Government of the day, and that is as it should be.

In the few remaining minutes left to me let me deal with a couple of other matters. In the first place, the Premier says that a complaint has not been made and when one is made, the Government will deal with it. If what was said by the member for Balcatta and the member for Ascot tonight by way of statements as to allegations do not amount to serious complaints all I can say is that the Minister has a very narrow definition of a complaint which does not conform with the popular parlance used. I regard them as complaints and there is no question that in both cases the Minister has more than enough information to find out what is going on. There is no question about that whatsoever.

The fact that the Minister refuses to find out that information indicates to me that he is not interested at all in the welfare of Western Australians and in the welfare of legislation passed by this Parliament. I am authorised to say on behalf of the Opposition that if the Minister and the Premier will only undertake to investigate these matters and report back to the House, we would be prepared to withdraw this amendment.

Mr B. T. Burke: They are not even listening.

Mr PARKER: If they were prepared to provide us with the answers to the very serious complaints put forward by the members on this side of the House we would be prepared to withdraw the amendment because we would be prepared to wait for the investigation which we believe to be the proper role of the Minister and the Government. The Minister and the Premier do not seem to be interested in that possibility.

One needs to ask what it is the Minister is frightened of revealing. Why is it that the Minister will not answer these questions? There are plenty of other questions which he has been prepared to answer, and properly so. There are plenty of questions on similarly delicate matters which other Ministers have chosen to answer. We are not asking the Minister for Police and Traffic to reveal the nitty-gritty of the way in which the Police Force in this State conducts its affairs. We are asking him to detail to us broad generalisations of the way the force conducts its affairs.

I point out to members that the regulation-making powers of the Commissioner of Police as to the conduct of his police officers are subject specifically under the Act to the approval of the Minister for Police and Traffic; the Minister needs to approve the regulations before they come into force. Surely that on its own indicates the role the commissioner has in liaising on this matter. Why is it that the Minister attempted outside this Chamber to persuade the member for Balcatta to desist with this line of questioning? Why did he attempt to do that? Why did he ask him what sort of assurance he was after for him to be satisfied in order not to proceed with the sort of debate we have had tonight? Why is that the attitude of the Minister towards the member for Balcatta?

As members of the Opposition we have to know the answer. The public of Western Australia have a right to know how the Government of this State is run, and that includes the manner in which the Police Force in Western Australia is run—in particular, whether that force is obeying the laws which it is sworn to uphold. All we are asking is for information about the very general way things are being done and, if there is to be any extension of power, that it be subject to very considerable control by either the judiciary or the Parliament.

When we have the situation of a Minister of the Crown refusing point blank to have anything to do with finding out what his Police Force is doing, it gives one very little cause for optimism about

the way in which these powers, if granted, would be exercised.

Personal Explanation

Mr HASSELL: I seek leave to make a personal explanation in view of the comments made by the member for Fremantle concerning the conversation which took place outside this Chamber.

Mr Davies: You won't get it the way you are handling things.

The SPEAKER: Order! The Minister seeks leave of the House to make a personal explanation. Is leave granted?

Mr Davies: No.

Leave not granted.

Debate (on amendment to motion) Resumed

Mr Davies: You make your statement in the appropriate way tomorrow.

Mr Young: The truth will out.

The SPEAKER: Order!

Mr Davies: The Minister—

The SPEAKER: Order! I ask the Leader of the Opposition to desist from interjecting.

MR COWAN (Merredin) [8.37 p.m.]: I am rather disappointed that the Leader of the Opposition did not allow the Minister to make a personal explanation. This entire debate is related to information being withheld from the House. The Leader of the Opposition has just denied the Minister the opportunity to afford some explanation, the very argument which his side is putting.

Mr Skidmore: Rubbish!

Mr COWAN: The member for Fremantle spoke about the Police Act and referred to section 5. I have had a very quick examination of the Act and as far as I can see the Commissioner of Police is not subject to the Minister as are most permanent heads of departments.

Mr H. D. Evans: What are you talking about!

Mr COWAN: The commissioner is not subject to the Minister.

Mr Jamieson: Have a look at section 1.

Mr COWAN: The commissioner is appointed by the Governor and can be sacked by the Cabinet. But he is not subject to the Minister.

Mr Jamieson: How much more subject does he need to be?

Mr COWAN: The operation of the Police Force is the responsibility of the commissioner.

When it comes to the matter of the amendment before the House, the Opposition has made claims that the Minister for Police and Traffic is doing this House a disservice by not answering questions asked of him with a simple "Yes" or "No". I believe that to be true.

The Minister has a moral obligation to answer questions, but, in this case, before he can answer the questions he can only make a request of the commissioner as to the situation. He need not necessarily be aware of what happens in the Police Force. The Minister should at least have shown to members of the Opposition the courtesy of asking the commissioner about the information they were seeking. However, he chose not to answer the question.

The Premier made the statement that it is not the Minister's role to question the commissioner, and for some reason known only to the Premier he drew the inference that questioning the commissioner was in fact directing him. I cannot see any correlation at all between questioning the commissioner and directing him.

The Minister has an obligation to ask the commissioner for the information and convey the commissioner's answer to this House. The Minister has chosen not to do this and this has left a very great deal of doubt in the minds of the public about a very important issue, the issue of invasion of privacy of individuals.

The Minister's action has also raised the issue of the Police Force itself acting outside the powers conferred on it. One of the reasons this debate has suddenly mushroomed is the fact that the Minister, together with the Commissioner of Police in each State of Australia, has asked for powers to tap telephones. Because this has happened, the Opposition has come by information indicating that those powers, whilst they are not conferred on the police under any Act, have been used by the police. That is a very serious allegation which should be answered.

To my way of thinking the matter before the House is not something that should be the subject of an amendment to the Address-in-Reply.

Mr B. T. Burke: We have offered to withdraw it. We concede what you are saying. We have offered to withdraw it on the undertaking that the matter be investigated.

Mr COWAN: The Address-in-Reply will be terminated within the space of a day or two. The Opposition has the opportunity then to make this a substantive motion seeking the approval of the House to have the allegations investigated. As far as we are concerned, the commissioner is not subject to the Minister. The Minister can only

convey information to this House after the commissioner has directly answered a question from the Minister.

The Minister had a moral obligation to ask the commissioner for the information and to convey the commissioner's answer to the House. I am very disappointed the Minister did not do this. We must regard the allegations made by the Opposition as being very serious because they do deal with the privacy of the individual. I do not think this is something that can be dismissed purely and simply because we have before us an amendment to the Address-in-Reply which automatically or traditionally is taken as a vote of no confidence in the Government. It will be defeated, and the matter deserves more than that.

I think it deserves some investigation by the Minister. He may have been told quite truthfully by the commissioner that, to his knowledge, phone tapping does not take place. However, that does not necessarily mean that it did not take place. I think that fact has to be established. The powers are necessary, but they must be rigidly controlled.

While we do not support the amendment, I would like to ask members to bear in mind my comments because I believe there is a moral obligation that all Ministers should answer questions, regardless of whether they can answer them factually or convey the information given to them by a permanent departmental head.

They should answer questions and I believe the Minister should not let this matter rest. It should be investigated further.

MR JAMIESON (Welshpool) [8.45 p.m.]: I should like to lay to rest, for all time, the question as to whether the Government has power over the Commissioner of Police.

If, for some reason or other, the member for Merredin employed someone and then chose to fire him, he would have absolute right over that person and responsibility for the job that man held. Surely, a similar situation exists where the Act says that the Governor may, from time to time, appoint a person to be a Commissioner of Police and on occasion as may be required may remove the Commissioner of Police and appoint another in his stead. Surely, that expresses the right to hire and fire.

Mr Stephens: Yes, he has the right to hire and fire, but he is not subject to direction.

Mr JAMIESON: That states that he is subject to the Minister.

Mr Stephens: But, cannot direct him.

Mr JAMIESON: If one were to employ a fellow and tell him to plough a north-east

paddock and he ploughs the wrong one, he would be fired for not doing as he was told. That is exactly the same position if one has the right to hire and fire; one has complete control over the person concerned. So, if we consider the term "the Governor may" we realise that it is really the recommendation of the Cabinet, in the main; Cabinet would not be likely to take action if the Minister had not made a recommendation. Appointments are always made on a recommendation to the Governor, whether it be by Cabinet or by a board and there is no use in using different terminology to escape the fact that this power remains with and rests in the Administration.

I do not know whether this is expressed in the Federal Act or not, but the Premier mentioned that a Supreme Court judge must give permission before tapping can occur; that is, as far as the State is concerned.

The member for Merredin was not sure whether the Minister had the right to demand information. I refer him to the Listening Devices Act. It states that the Commissioner of Police shall furnish to the Minister, on request, a report containing such particulars as the Minister requires of the use of any listening device by any member of the Police Force to overhear, record, monitor or listen to any private conversation to which the member was not a party. So obviously, the authority is written into the Act. The Minister is responsible for that Act.

Mr Stephens: Tell me where it says that in the Act.

Mr JAMIESON: It does not matter which Act it is in, it so happens, as it does with many such things, the Minister and the Governor are one and the same and have collective responsibility for what occurs.

Mr Stephens: That Act does not specify. It does not say it is the responsibility of the Minister for Police. It says the Minister and that may well be the Attorney General.

Mr JAMIESON: It happens to be the Minister for Police.

Mr Stephens: How do you know? Does it say so in the Act?

The SPEAKER: Order!

Mr JAMIESON: One need only go to the *Government Gazette* to find out that it sets out the responsibility of the Minister. I also looked at the speech made by Mr O'Neil, as he then was, when he introduced this legislation. He said the Minister had a right to demand this information. That fact is reported very clearly in *Hansard*.

Having established the fact that the Minister has the right to demand such information, why did the Minister refuse to indulge himself in asking such a question? There may have been something of an ulterior motive; ASIO may have been involved in trying to apprehend certain people. When there is an action which may be detrimental to the Commonwealth, surely the Minister could, in confidence, explain the situation to the Leader of the Opposition.

It is imperative that there be no mix-up with such things because they could have far-reaching ramifications. The Minister has the right to find out whether the police are tapping, or are likely to be tapping, telephones. He has the responsibility to find out whether such an action is occurring.

If the law is being breached and the permission of the Commonwealth is not obtained to carry out crime research, it would be a dangerous pastime. Of course, if the Commissioner of Police does not know about it, enthusiastic sections of the Police Force could act on their own initiative.

The Act very clearly states that the Commissioner of Police, or someone he has nominated, will be the person who gives the permission, and if he does not then another danger is involved.

I do not know what type of crimes would come under the criteria of phone tapping. Of course the members of the Police Force would be subjected to certain criteria if they are to go about enforcing their operation. They may wish to investigate car dealers, land sharks, or illegal bookies. I do not know which matter would come under the jurisdiction of the police in regard to telephone tapping. It may be used for investigating murderers, bash artists, or hardened criminals; whatever it may be, there must be a submission to a Supreme Court judge to obtain permission.

If we do not have this information, as elected personnel, and if the Government does not wish to investigate the matter, then the actions of the members of the Legislative Chambers legislating such powers will have inherent dangers.

Surely the Minister should want to inquire and want to know what is taking place. Surely the Minister would want to know something about the matter. If it is a matter of Government policy then surely the Minister for Police and Traffic would not take action without the Government knowing about it. If a Minister did take such action, then he and Government members ought to be in the same hole with a cover over them because such an action would not do them any justice.

We should not be fobbed off by the suggestion that the Minister for Police and Traffic does not want to know what is going on.

Mr H. D. Evans: Do you think he might want to know what was happening if a hijack occurred?

Mr JAMIESON: I think he would want to know whether the Liberal Party headquarters in Colin Street were robbed. However, he would not be so interested if the funds were taken from the Trades Hall. As the Premier indicated, he seems to know about a meeting which took place at the Trades Hall last night. The Premier is inclined to say that he has been misreported in the Press because something has gone wrong and things have not turned out exactly as they should have done. The papers of that meeting are available to the public and give quite a different interpretation from that of the Premier.

The Listening Devices Act deals with and refers entirely to the activities of the police and to the powers of the Commissioner of Police. There is no doubt about who would be in charge of the Commissioner of Police.

If recordings had been made and once listening had occurred and the tape had been used for a particular legal action, it would be destroyed. Perhaps we should make it known to the Government of the day that when they do tap telephones for the protection of certain people, there should also be some provision for the person who is involved in the allegation. There should be some provision for the person concerned to have access to the information in order that he may protect himself.

If the police feel it is to their advantage to use such information in order to prosecute then there should be a number of reasons for such action of the Police Force in taking such powers other than those conferred on them by those in the Legislative Chambers.

It would be expected that the Minister for Police and Traffic should know what is happening. It seems he does not want to know and is saying he is not interested in his portfolio. It is not good enough because the people of this State should be able to expect more from those who are appointed to the Ministry and those who have the responsibility to administer the various portfolios, including the jurisdiction over the Police Force.

The Minister should make available to the Leader of the Opposition, on a confidential basis, any information with regard to telephone tapping, if it is being carried out. That has been done from time to time and that confidence is kept. There was consultation with the Commonwealth

Government and the Leader of the Opposition in the Commonwealth on such a matter.

That must happen, otherwise many problems could be caused if a sudden change of Government occurred and the tapping had to cease. The authorities would have to go through the rigmarole all over again. Some of this business must continue for various reasons of national security, and probably it is right and proper this should occur. However, there should be elected, responsible people who know what is going on. That is essential in a democratic society. For that reason I think the Opposition has every justification in moving to amend the Address-in-Reply to ascertain whether the State police are really engaged in the illegal recording of telephone conversations and to ensure that proper, settled, and appropriate safeguards are being followed by the State police whenever telephone conversations are recorded.

We are entitled to know that and if the Minister for Police and Traffic is not prepared to tell us straightout, we are entitled to demand some sort of inquiry and to go further than we have been prepared to go so far in the House. For the reasons I have given, I support the amendment.

MR BLAIKIE (Vasse) [9.01 p.m.]: I wish to make some comments to the amendment to the Address-in-Reply. I indicate at the outset that I do not support the amendment moved by the member for Mt. Hawthorn. The member for Welshpool, who has just resumed his seat, has made a speech which is entirely out of character for him. It was a milk and honey speech; he was trying to soften up the Government and at the same time pour oil on the troubled waters of the Opposition.

Mr Jamieson: I gave quotations, which you will not give.

Mr BLAIKIE: No doubt the member for Welshpool has been embarrassed by the stand taken by some members of the Opposition.

The amendment asks the Minister to ensure that the State police are not engaged in the illegal recording of telephone conversations and to ensure that proper, settled, and appropriate safeguards are being followed by State police whenever telephone conversations are recorded.

Referring back to the sequence of events, it is important to realise that the member for Balcatta seconded the amendment, and in doing so he continued a sequel of events—or as the Premier said earlier, a melodrama—which was started a week ago.

The reason for this was that the member for Balcatta had an expose he wished to make and not only that, but also he was determined that the Parliament was the place in which he would make it. I was delighted about that because I was a little concerned during the afternoon to read a headline in the *Daily News* "Police used phone taps—MLA". The article went on to say—

The State Opposition says it has clear evidence that State police used secret devices to record private telephone conversations.

Mr O'Connor: That clear you could see right through it.

Mr BLAIKIE: That was a very clear statement and one which certainly would concern most Western Australians. It is a very sad state of events that the member for Balcatta is no longer in the Chamber.

Mr B. T. Burke: Rubbish!

Mr BLAIKIE: I only wish he were in his seat so that he could interject and say whether in fact the report in the Press is correct.

Mr B. T. Burke: In what respect?

The SPEAKER: Order! The member for Vasse will address the Chair and the member for Balcatta will desist from interjecting.

Mr BLAIKIE: I pose a question to you, Sir, regarding the authenticity of the newspaper report. No doubt you, too, would have wondered whether the report was correct when it said the State Opposition had clear evidence that the State police used secret devices to record private telephone conversations. The report went on to say that the member for Balcatta intended to reveal details to State Parliament later today. I do not know how much longer we have to wait for that revelation. In the Press report the member for Balcatta went on to say—

"I believe the police were responsible for placing the listening devices in position and I will produce details to substantiate that," he said.

Mr E. T. Evans: How much proof do you want?

Mr BLAIKIE: It is a matter of grave concern to me because, first of all, the member for Balcatta has placed the Police Force of Western Australia under attack and has caused the public of this State to hold the Police Force in grave concern in respect of whether or not its members are carrying out their duties. In addition, we had the revelation of the member for Balcatta in respect of a recording device, and I only hope members of the Press gallery will do their duty in printing this. I quote as follows from the revelation of the member for Balcatta—

Shown below circuit diagram of recording device found attached to two telephones at Curbside Motors, 77 Walcott Street, Mount Lawley.

It then gives two telephone numbers and says the device is of imported American design with an approximate cost of \$2. Then follows a circuit diagram—or I presume it to be such; it could be the fantasy of a child. Whether the circuit concerns a phone-tapping device, I would not know. However, where are the names?

Mr Parker: The names are there. The Press will find them out in two minutes.

Mr BLAIKIE: If this matter is of the seriousness indicated by the member for Balcatta, he has an obligation at least to reveal the names to the Minister. Consequently he has an obligation to reveal the matter to the Police Force. The member for Balcatta could have done that privately had he so wished, but instead he was hunting headlines.

So we see the worth of this member who brought forward a valueless piece of paper. Members should recall also that not long ago the same member blackguarded the Police Force in relation to the Baymis Ugle case.

Mr B. T. Burke: Your Government appointed a Royal Commission into that.

Mr BLAIKIE: And what happened?

Mr B. T. Burke: Well, you appointed the Royal Commission.

Mr BLAIKIE: The accusations made on that occasion by the member for Balcatta were found to be completely wrong.

Mr B. T. Burke: The Royal Commissioner did not say that, did he?

Mr BLAIKIE: The accusations were wrong.

Mr B. T. Burke: Will you support a Royal Commission into this?

The SPEAKER: Order!

Mr BLAIKIE: I will not support a Royal Commission.

Mr B. T. Burke: No, of course you will not.

The SPEAKER: Order!

Mr BLAIKIE: I will not support a Royal Commission into this matter because the member for Balcatta has not given the slightest thread of evidence in respect of his claims. He has perpetuated a hoax upon the Parliament and the people of Western Australia. All his actions in this regard have been totally obnoxious and repugnant to members of Parliament. His entire argument is spurious in nature and no matter

what his motives he has succeeded in doing nothing other than denigrating the Parliament.

With those comments I oppose the amendment.

MR DAVIES (Victoria Park—Leader of the Opposition) [9.09 p.m.]: I am delighted to support this amendment. I wish to say first of all that the Opposition makes no apology whatsoever to the mute Minister for not allowing him to make an explanation which he felt it necessary to make earlier this evening.

Mr Hassell: Don't worry. It will come to the day when you want to say something.

Mr DAVIES: Last Thursday afternoon the Minister sat there and we could not get a word out of him. Tonight, suddenly, having failed to answer the charges laid and having made a complete mess of the debate, he received an inspiration two hours later when something a member said sprang a chord in his memory and he wanted the House to suspend Standing Orders so that he could have another go at the amendment. There are proper procedures to do that, and this occasion, under the present circumstances, is not one of the times when we should do that; nor are there procedures which we would allow to be followed to enable the mute Minister to find his tongue.

Mr B. T. Burke: He forgets the example when members on his side of the House curtailed our explanation.

Mr DAVIES: I was about to remind the Minister of that, but now it has been done.

This whole situation arose out of a Police Commissioners' conference after which a statement was made by the commissioners, which was endorsed by the Minister. I suppose we could go further back than that if we wanted to. However, we are not really concerned with that; we are more concerned with the fact that the Minister has not shown the courtesy we would expect from a Minister to the members of this House—common courtesy. Had he shown that courtesy he also would have allayed public concern. Despite what the Premier says, not very effectively, the public are concerned about this question and their concern could have been allayed long ago by the Minister supporting the Police Force, acknowledging his duty, asking the commissioner if it was happening, and extending to the Parliament the courtesy of giving it some information.

We know what the answer would be. Anyone who read the *Western Mail* on the weekend would know the answer, but that is no excuse for the Minister not extending to the Parliament the courtesy to which every member is entitled and to

which every member of the public is entitled. Like a spoilt brat, he has sat in his seat sulking.

A Government member: Now you are getting to the bottom of the barrel.

Mr DAVIES: That is exactly how he struck me. He sat with his hands on his knees, saying "You will get nothing out of me"; and then one of his colleagues complained later that the question was loaded. Some of the questions asked in this House are loaded, and one would expect them to be.

The Minister would give us to understand that he does not speak to the police, and he says he has no power over the police. He says they are a power to themselves. I suggest that over the Christmas period when the road blitzes were commenced the Minister had some discussion with the police about what was going on, and certainly I hope he would make known to the Commissioner of Police the wishes of the Government and its feelings in respect of such matters. Does the Minister suggest the only intercourse he had with the Police Force was through the newspapers? That is nonsense. Of course he talks to the Police Force; of course he must talk to the commissioner. He would be negligent in his duty if he did not do that because he has a responsibility to know what is going on and he is answerable for his administration of the department.

Who is going to take the blame in the end? Is it the commissioner or the Minister? Obviously it is the Minister. I would expect any Minister to protect his departmental heads in respect of a matter of consequence which could be an embarrassment to the Government. But to suggest he would not interfere under any circumstances, or to lead us to believe that he does not talk to the Police Force is asking us to accept something we cannot possibly accept.

The Minister said he did not know what is the law in regard to the tapping of telephones. Obviously when he made the statement arising from the Police Commissioners' conference he knew what was the law because he said at the time "We need these laws in our State." Obviously he knew we did not have laws in our State, otherwise that would not have been the nature of his statement at the time, and he would have seen no need to make it. He need not have said anything. However, obviously he knew what was the position because he said we need these laws. It has been brought out in the debate tonight that we need laws similar to those contained in the Telecommunications (Interception) Act which was passed by the

Federal Parliament in 1979. That legislation was supported, with certain safeguards, by the Australian Labor Party.

The member for Ascot has made patently clear in the debate this evening the attitude of the Opposition to telephone tapping. We do not deny that there are certain circumstances, with certain safeguards, in which telephone tapping can and should take place; but the Act says specifically that Commonwealth police only can do it. Section 7 of that Act reads—

7. (1) A person shall not—

(a) intercept;

(b) authorize, suffer or permit another person to intercept; or

(c) do any act or thing that will enable him or another person to intercept,

a communication passing over a telecommunications system.

Penalty: \$5 000 or imprisonment for 2 years.

That means you, Mr Acting Speaker (Mr Watt); it means me, and it means the police officers, because this Act gives the Federal police only the power to do that. Obviously the Minister knew that, otherwise he would not have said that we need laws in this area. He knew we did not have laws.

All we want from the Minister is an assurance that no telephone tapping is taking place. We hear about tapping. I do not think there is any morning when I try to use my private line or my line at home that I do not have to dial at least twice for the first call. I do not know why that is; and I have not bothered to find out because I treat my telephone as being tapped at all times. Unfortunately, that is the only way we can operate. I hope that the people who might be listening in do listen because they will not hear good of themselves. I would like them to know that sometimes we deliberately put "furphies" over the telephone in the hope they will be picked up. However, that is only by the way; and we rarely bother about that.

The fact remains that there is concern in the community. The Premier says "Right, we do get calls from people who are worried, and we steer them in the right direction." We do not bother to find out the results of that. If we are to have any confidence in the Police Force, the Minister should be protecting it. He should be standing up and saying "I have talked with the commissioner, and I am able to give an absolute assurance that there is no telephone tapping going on." I would be prepared to accept the assurance of the Minister and the commissioner. Confidence would

remain in the Police Force. We want to see it remaining there; but the Minister is not prepared to protect his own force. That is a matter of great regret to me.

The Premier made a strange statement when he was debating the question this evening. He said "The police resort to it for overcoming evil purposes." I do not know what he meant by that—whether it was a Freudian slip of the tongue, or whether he knew something that we do not know. I was a little alarmed at the attitude that they might be doing it for evil purposes. I suppose, like beauty, evil is in the eye of the beholder.

I agree there are circumstances when we should be in favour of telephone tapping, with the proper safeguards. But that statement by the Premier tonight gave me cause for concern. There was the situation in which a reporter from the *Western Mail* could speak to the Acting Commissioner for Police, obtain the information he wanted, and make it known publicly; but the Minister would not extend that courtesy to members of Parliament.

Let us move on now to naming a case. The Premier said "Give us a case and it will be thoroughly investigated." By the way of interjection tonight he said "Give us a case—any case."

Sir Charles Court: A complaint, I said.

Mr DAVIES: And the member came up with a case.

Sir Charles Court: I said "Give us a complaint."

Mr DAVIES: I wrote down "Give us a case" The Premier is shifting his ground.

Government members interjected.

Mr DAVIES: I am talking about what the Premier said tonight. I wrote it down when he said it—"Give us a case, and it will be thoroughly investigated." In any event, we will have a look at *Hansard*, if it has not been altered in the meantime. I am not a *Hansard* writer, and I took it down in longhand; but the note I have is that the Premier said "Give us a case, and it will be investigated." A complaint was given tonight.

I am quite certain that an address and a telephone number do not amount to a problem for a police officer to track down the person concerned. Indeed, only recently I made contact with the Police Department and all I was able to give was an address. I have had feedback that the matter is being investigated, to the satisfaction of the Police Department, and I will be advised of

the outcome. On that occasion, all I gave the police was an address.

Mr Blaikie: Very good!

Mr DAVIES: That information had been given anonymously over the telephone. I said to the police "I'm not in the business of sleuthing. I don't want to take over the duties of the police officers." I said "This is an anonymous tip I've got. I'm giving it to you exactly as I got it, and you can do what you like with it." They came back and said, "It's being pursued." All they had was an address.

Now, is it beyond the wit of the Minister, or any detective, or any probationary constable, or any member of this House to trace a name and ask the person for details? Surely to goodness any sixth standard child could do that. It is a slight on the police officers for the Premier to suggest that an address and a telephone number are insufficient material on which to work.

In addition, there is a printed circuit. I cannot read that printed circuit; but I am certain it would mean something to an electronics engineer, or someone in the Police Force who might know something about bugging.

What did the Minister do? He betrayed the confidence of the member immediately.

Government members interjected.

Mr DAVIES: Immediately! It was given to him in confidence; and he could hardly wait to read the information in this House. What kind of Minister is that?

Mr O'Connor: Who said it was in confidence?

Mr DAVIES: Why was it given to the Minister in an envelope?

Opposition members interjected.

Mr B. T. Burke: I have just corrected my *Hansard* report, and that is in it.

Mr DAVIES: The member gave it to the Minister in writing, in an envelope. He sent it over to the Minister, to ensure that it was delivered properly. Then the Minister was on his feet, betraying that confidence in minutes.

Government members interjected.

Mr DAVIES: It was a scurrilous action. The Minister sought to take the heat off himself—a previously mute and obviously incompetent Minister. That was a scurrilous action, in the worst traditions of the Westminster system; and it was applauded by the Premier. That is the kind of Government we have to sit under at the present time.

I hope the members of the public in the gallery are listening to this, because they should be

ashamed of the Government. An address and telephone number were handed to the Minister in confidence, in a sealed envelope; and immediately he betrayed that confidence. The Press will be able to follow that up. They will be more competent at that than the police, apparently.

Government members interjected.

The ACTING SPEAKER (Mr Watt): Order!

Mr DAVIES: If the Minister can prove that the Press had that information beforehand, I will donate next month's salary to any charity he cares to name. We have some respect for confidences which are passed to us.

Government members interjected.

Mr DAVIES: Confidences are passed to us every day in the office. It is a matter of extreme distaste and disgust that the Minister should immediately do what he did in this House tonight, trying to take the heat off himself and his incompetence.

What is more frightening: telephone tapping or a Minister who will not level with the Parliament?

Mr Blaikie: All that scurrilous rubbish put up by the member was said to frighten the public.

Mr DAVIES: The member was prepared to give an address and telephone number and a printed circuit in confidence to the Minister for investigation. That is exactly what happened with me last week. I passed information to police officers, and something was done about it.

The matter would never have reached this House if the Minister had stood in his place and honoured his obligations to the Parliament, and told us what was going on. He should have told us what we read in the *Western Mail* on the weekend. There is nothing wrong with the Minister's doing that. As I said, what is more frightening: telephone tapping or a Minister who abrogates all his authority, who will not level with the Parliament, and will not let us know what he believes the position to be after contacting the Commissioner of Police? Why does he not want to protect his police officers? Why is he trying to denigrate them by not giving an absolute assurance to this House? Had he given that assurance, the whole matter would have rested there.

If the Minister will now undertake to give that assurance, if one can trust him—and after what he said tonight I do not trust him—we will withdraw the amendment to the Address-in-Reply. We will be happy to do that, because all we want is to have the Minister recognise his responsibility to level with the Parliament. That is all we want. We do not want a Minister who will

destroy his own credibility immediately he is given information in confidence.

Tonight the Minister has set a standard for this Parliament which will have serious consequences, because from now on there will be no matters in confidence. If that is the way the Minister and the Government will deal with matters of confidence, then no other member of the Parliament will be under any obligation to maintain a confidence. The Government can be proud of doing that tonight.

Mr O'Connor: If you recall last week, the Premier gave you certain confidential information, and you broadcast it.

Mr DAVIES: I did not at that time.

Government members interjected.

Mr DAVIES: I warned the Premier not to give that information to me. I warned him in advance, because it is an old, old trick, to come up and whisper something in confidence and then to say "You are bound by it." I was warning the Premier in advance last week not to give me that information in confidence, because if he did I would not treat it in confidence. What could be fairer than that? That was not accepting the information in confidence and then breaching that confidence immediately.

In nearly 20 years in this Parliament, I have never seen anything like this.

Mr Blaikie: Neither have we.

Mr DAVIES: We ask that the Minister acknowledge his responsibility; and then we would be happy to withdraw this amendment.

Amendment put and a division taken with the following result—

Ayes 17

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

(Teller)

Noes 26

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mr Cowan	Mr Sibson
Mr Coyne	Mr Sodeman
Mrs Craig	Mr Spriggs
Mr Grayden	Mr Stephens
Mr Grewar	Mr Trethowan
Mr Hassell	Mr Tubby
Mr Herzfeld	Mr Watt
Mr P. V. Jones	Mr Williams
Mr Laurance	Mr Young
Mr McPharlin	Mr Shalders

(Teller)

Pairs

Ayes	Noes
Mr Bridge	Mr Mensaros
Mr Tonkin	Mr MacKinnon
Mr Harman	Mr Rushton
Mr McIver	Mr Crane
Mr T. H. Jones	Dr Dadour

Amendment thus negated.

Debate (on motion) Resumed

MR HASSELL (Cottesloe—Minister for Police and Traffic) [9.32 p.m.]: I have not yet spoken in the Address-in-Reply and I intend to use the time to which I am entitled to make an explanation—

Mr H. D. Evans: It is about time.

Mr HASSELL: —which the Leader of the Opposition and one of his colleagues refused to allow me to make tonight after the member for Fremantle had made certain comments which, frankly, I found to be quite incredible. I can only say I hope I misheard the member for Fremantle, but I do not believe I did, because he referred to a discussion which I had last week with the member for Balcatta in the corridors of this place.

Mr B. T. Burke: Are you saying he breached a confidentiality?

Mr HASSELL: I do not say he did anything except that he behaved in the most unutterably contemptible manner I have ever witnessed.

Mr Bryce: As you did tonight when you opened that letter.

Mr B. T. Burke: You went to a good school!

Several members interjected.

The SPEAKER: Order! I call on members to desist from interjecting.

Mr HASSELL: It has been my understanding that discussions in the corridors of this place are not subjects that ought to be raised in this Chamber and it has been my practice also to limit those sorts of things to what is entirely proper.

In speaking to the amendment to the Address-in-Reply in which it was sought to condemn some action I was alleged to have taken, the member for Fremantle raised all sorts of malicious innuendoes and suggestions about the objective of my speaking to the member for Balcatta in the corridors.

Mr B. T. Burke: Your words to me were "What will you be satisfied with?"

Mr HASSELL: I shall never again speak to the members for Balcatta and Fremantle in the corridors of this place concerning anything to do with this place.

Mr B. T. Burke: You are breaking my heart!

Mr Blaikie: You haven't got one.

Mr HASSELL: I would not expect the member for Balcatta—

Mr B. T. Burke: How can you talk about confidentiality?

Several members interjected.

The SPEAKER: Order! I suggest this debate would go a lot better if members desisted from cross-Chamber conversation and certainly members should not interject when they are out of their seats.

Mr HASSELL: I would not expect the member for Balcatta to understand the import of the point I am making. However, he has at least acknowledged that what I thought the member for Fremantle said was indeed said by him and with the malicious intent with which I thought it was said.

I explain the situation as it occurred last week quite simply and from the written record of this House with which there can be no argument. In this place on Wednesday, 8 April, as reported at page 794 of *Hansard*, the member for Balcatta asked me a series of questions, the first of which reads as follows—

- (1) Is the Minister aware that the Listening Devices Act provides that the Minister for Police and Traffic shall be entitled, as a right, to be informed by the Commissioner of Police of the particulars of any listening device used by the members of the Police Force?

At the time I did not have a copy of the Listening Devices Act with me and when I rose to answer the question I said to the member for Balcatta—

I do not have the legislation in front of me. I understand that the Minister for Police is entitled to request the information.

The member for Balcatta had the Act with him at the time. He replied "No, that is wrong." Section 5 of the Act reads, in part, as follows—

The Commissioner of Police shall furnish to the Minister on request a report containing such particulars as the Minister requires of the use of any listening device . . .

If that was not a direct and deliberate misrepresentation to the House, I do not know what was. However, the next day, having checked the Listening Devices Act, I spoke to the member for Balcatta in the corridor and pointed out what might have been said to have been an error and from doing that some conversation developed.

Mr B. T. Burke: Don't tell us what the conversation was! I am happy for you to tell everybody.

MR GRILL (Yilgarn-Dundas) [9.37 p.m.]: I should like to deal with three subjects in the Address-in-Reply debate, the first of which is the question of the viability of the regional administration system in this State. It is my submission to the House that the regional administration system should be abolished unless real powers and responsibilities are given to regional administrators to decentralise the functions of Government departments in regional areas. Undeniably the present system is a miserable failure.

Mr Laurance: That may be your opinion.

Mr GRILL: The present system, I might add for the benefit of the member for Gascoyne, is a miserable failure because it is a mere pimple on the rump of a bureaucratic Government.

I shall detail the reasons for the failure of the system. They are legion, but some are as follows: Firstly, regional administrators have no more power and responsibility in respect of decentralising Government departments than those Government departments will allow them and every Government department very jealously guards its right to allow those regional administrators any powers at all.

Secondly, those administrators have no real ability to initiate any decentralisation moves.

Mr Laurance: That is quite wrong.

Mr Sibson: Of course, under your party's policies all decisions would be made in Canberra anyway.

Mr GRILL: Thirdly, the stated functions of regional administrators are not being carried out or, alternatively, are irrelevant.

Fourthly, the stated functions of regional administrators are, in most cases mere duplications of powers that can be carried out by other bodies in the community and in fact, in most cases, regional administrators are merely usurping the role of local government or the elected representatives of the people; namely, members of Parliament.

Mr Sibson: That is absolute rot!

Mr GRILL: Fifthly, regional administrators are bureaucratic centralisers of the system, rather than decentralisers of the system. They are public servants who are paid at Public Service rates; they are given Public Service conditions; and they are without real powers.

Sixthly, those public servants, by admission of the Treasurer, cost this State \$1.8 million a year and for that we get very little service. The only real jobs which are carried out by regional administrators are the dissemination of

propaganda in regional areas and the activity of acting as public relations officers for the Government. We certainly do not need any more PR men for the Government, bearing in mind the burgeoning lot it has at the moment.

Mr Laurance: That is mealy-mouthed criticism.

Mr GRILL: I shall look firstly at the set-up of regional administrators in this State, and I refer to question 284 which I directed to the Treasurer on 1 April this year. In answer to the question, the Treasurer supplied some information and indicated, firstly, that there are seven regional administrators in this State stationed at Kununurra, Karratha, Carnarvon, Geraldton, Bunbury, Albany, and Kalgoorlie. There are also seven assistant regional administrators stationed at Kununurra, Port Hedland, Geraldton, Bunbury, Albany, Kalgoorlie, and Esperance.

The Treasurer went on to outline the staff which attach to each of these regional administrators and the total figure was something like 21. The Treasurer then indicated that the regional administrator system was actually under the control of one R. A. Hamilton in Perth and that under that particular gentleman were 15 staff members.

Mr Laurance: That has nothing to do with it.

Mr GRILL: This is in a body which is supposed to decentralise the operations of government, when in fact it is centralising them.

Mr Laurance: I wish you would get your facts straight. That figure includes also the offices of the north-west, and there are also satellite committees and other important functions in the north-west which are carried out by that office and they have nothing to do with regional administration.

Mr GRILL: A total of 42 per cent of the staff employed by the regional administration system are employed in Perth.

Mr Laurance: You are looking at only one function of the director, not at his other functions.

Mr GRILL: Those facts were given to me by the Treasurer, and if the member for Gascoyne wishes to contradict his leader he may do so.

Mr Laurance: It is tunnel vision. You are seeing what you want to see.

Mr GRILL: I am quoting information given to me by the Treasurer. Regional administrators are given Public Service housing under GEHA. They pay normal GEHA rentals and, in other words, they are in a privileged position. They are paid approximately \$30 000 a year for this work.

The assistant regional commissioners are paid very healthy salaries indeed. It is ironic that 42

per cent of the staff employed by the regional administrator system is centralised in the metropolitan area. What do they do? In his answer to me the Treasurer outlined just what these regional administrators do.

Firstly, the Treasurer states—

Assist and, where required, represent Government departments in the region.

I expect that is their primary function and, as I have said before, Government departments by and large look after themselves and very jealously guard their powers and responsibilities. I think we can accept that the assistance provided by regional administrators is very minimal indeed. Secondly, the Treasurer states—

Assist all departments and instrumentalities to decentralise their activities and to increase the authority and decision-making powers of regional officers.

That is just mere words; everyone knows they do not have that function, have never carried it out, and have no responsibility to carry it out.

Mr Laurance: The results can be seen. We lead Australia in housing, which is just an example.

Mr GRILL: Thirdly, the Treasurer states—

Act as chairmen of regional development committees and generally assist in the development of their regions.

If the Treasurer wanted to outline the functions referred to by the Honorary Minister for Regional Administration and the North West, he could have done so, but he did not. The third function is correct; the administrators act as chairmen of regional development committees. However, that does not say much because those committees by and large consist of people very frustrated indeed because they do not see their committees going anywhere, just running up against centralised bureaucratic bodies—mainly Government departments. These people see very little at all done for regional committees. I speak with many people associated with the committees and generally I receive the same comments such as "You can't do anything. You put up the same arguments month in and month out to Government departments and you get the same result—absolutely nothing."

Mr Laurance: They didn't do so well under the Tonkin Government. The first thing Herbie Graham did was abolish them all.

Mr Jamieson: I am glad you see that point.

Mr GRILL: Fourthly, the Treasurer stated—
Disseminate information.

They certainly do disseminate information; they disseminate propaganda. When the system of regional administrators was first established I said that would be their job, and that is exactly what they have done and done it fairly effectively. They disseminate Government propaganda for regional centres. Fifthly, the Treasurer stated—

Be a sounding board for local opinion.

What does that mean? I do not know. If it simply means they should be some sort of spy for the Government in areas where Labor members have been elected, perhaps they carry out that function. If it means they are just public relations men for the Government, perhaps that is right, but it is a fairly amorphous function to be a sounding board for public opinion. Sixthly, the Treasurer states—

Be a focal point for visitors from overseas, eastern states or other regions.

I understand that is a legitimate function of local government and always should be. I do not know why that function should be usurped by regional administrators. Apparently it is okay for regional administrators who are no more than bureaucrats in any event, to take that role from the legitimately and properly elected local government representatives in an area.

Mr Laurance: Most of the administrators do so in co-operation with the local authority as you would know from your involvement in these matters.

Mr GRILL: I know of the situation because I have spoken to regional administrators whose words support what I am saying tonight. Seventhly, the Treasurer states—

Be a liaison and co-ordination focal point.

That is an amorphous statement which could be taken as saying the administrators are public relations people for the Government in pro-Labor areas hostile to the Government. The administrators' functions are minimal and usurp the functions of local authorities. Very few of their functions are not carried out by other bodies and the functions they carry out alone are of minimal benefit to the people they are supposed to serve.

The Honorary Minister for Regional Administration and the North West, who is responsible for the system, told me by way of interjection that these regional administrators are quite important, carry out an important role, and do a good job. If they have all sorts of functions to carry out one would think that a regional

administrator who gave some notice of his intention to resign would be replaced expeditiously by this Honorary Minister so that somebody else could take up the very important position of administrator. The crowning irony of the matter is that the Honorary Minister did not act expeditiously in one situation which occurred in the eastern goldfields. The regional administrator gave notice of his intention to resign, and I suggest he did so out of boredom and frustration—

Mr Laurance: That is quite wrong.

Mr GRILL: The Honorary Minister was very slow to replace the administrator. I will refer to another answer given by the Premier on 7 April this year in answer to question 323. He indicated in that answer that the regional administrator of the eastern goldfields, a fairly important area I think all would concede, gave notice on 20 November 1980 that it was his intention to resign. He tendered his resignation on the same day and the resignation was to become effective as from 1 April 1981, but later amended at the request of that officer to 18 March 1981, some 12 or 13 days earlier.

It took this Honorary Minister who considers these positions to be very important until 28 February 1981, some three months later, to call for applications for the position.

Mr Laurance: What was the date of the advertisement?

Mr GRILL: The Honorary Minister heard me. The officer gave his resignation on 20 November 1980, but the Honorary Minister waited until 28 February 1981 to advertise the position.

Mr Laurance: What was the date he was due to leave?

Mr GRILL: He was due to leave on 1 April 1981, but later amended his resignation to 18 March 1981, and the advertisement was placed a month before he was initially due to leave. That is fairly typical on the part of the Honorary Minister. The Premier goes on to say that it takes six to eight weeks to fill such a position, not one month. There was no earthly possibility that the position would be filled within any of the dates specified. The Honorary Minister knows that either he or his department was very slow to fill the position, a position which he considers to be important.

Mr Laurance: He was an extremely good officer. He left for personal reasons; to attend to personal business matters in Queensland with which he was quite successful. He was a loss to this State. If there is any chance of getting him back to the Public Service in Western Australia I will take it.

Mr GRILL: For the Honorary Minister's information he volunteered to return and help the new man in the position, but the department refused to take up his offer. He complained to me about that situation. This shows that the Honorary Minister has no regard at all for such positions. The officer said he will leave the State with absolute disgust at the way the department operates, and he is the fellow the Honorary Minister believes is so good. He has no time for the Honorary Minister or his department.

Mr Laurance: That is quite contrary to the personal conversation and correspondence I have had with him.

Mr GRILL: I ask the Honorary Minister to show that correspondence to me.

Mr Laurance: I will. You will have to answer to him for your remarks because I will refer them to him.

Mr GRILL: I would be pleased if the Honorary Minister referred my remarks to him.

What are these bureaucratic functionaries paid?

Mr Laurance: We will take great care in finding a replacement.

Mr GRILL: Also a great deal of time will be taken in doing so.

Mr Laurance: He will be hard to replace.

Mr GRILL: These bureaucratic functionaries not considered important enough to replace in time specified for effectiveness of resignation, who have no real responsibilities, are paid \$30 000 per annum, well in excess of the salary paid to a back-bench member of this Parliament. These functionaries are given virtually unlimited expenses and Government cars.

Mr Laurance: They must work within the normal expenses paid.

Mr GRILL: They are allowed expenses of an amount more than that allowed for members of Parliament. They are given electric typewriters and a staff of three or four plus an assistant. They are given Government houses and all the other perks under the sun. In reality, what are they? They are an extension of the bureaucratic centralisation which has taken place in this State.

Mr Laurance: How can it be centralisation?

Mr GRILL: They merely funnel information from country areas.

Mr Laurance: On behalf of country people.

Mr GRILL: That is not so at all.

Mr Jamieson: On behalf of the Government!

Mr Laurance: In conjunction with country people.

Mr GRILL: They gather information for the centralised bureaucracy and put out propaganda for the centralised administration. Even their title is a misnomer. What do they administer? They administer their own offices and no more. Most of them, if they have any conscience at all, are either casting around for jobs to do or resigning.

I submit that the present system should be abolished unless this Government is prepared to give regional administrators real powers and responsibilities. I know it is not prepared to do that; therefore I call upon the Government to scrap the present system.

Mr Sodeman: What powers do you suggest they should have?

Mr GRILL: In my view they should have the power to administer within their own areas; to give directions to various operations of departments within an area and be able to administer schemes on a broad front within an area.

Mr Sodeman: If the ALP were in Government would it initiate those changes?

Mr GRILL: I ask the member for Pilbara whether he has any argument with my suggestion.

Mr Sodeman: You say the position should be abolished. Is that what you would do?

Mr GRILL: We would abolish the position. The shadow Minister made that quite plain.

I will move on to the second topic which I wish to discuss tonight, and that deals with the role of small manufacturing enterprises in regional centres and the inefficient job this Government is doing to foster and promote that manufacturing.

Under this heading I refer to the State's inability to protect its own manufacturing industries. I would like to discuss the loss of a small manufacturing enterprise to a Western Australian regional centre.

Mr Laurance: What is the business?

Mr GRILL: I intend to refer specifically to a small manufacturing company which operates in Kalgoorlie. Before I give its name I indicate to the House that it is highly efficient, operates on a modest profit and has not lost due to industrial disputes any production hours during the last six years; has not lost any time by way of industrial accidents over the last five years; has a 4 per cent annual employee turnover only; supports 18 families within the community; and has an annual budget of around \$2.5 million.

I indicate also that this company gives to its workers some democratic rights to govern the

business of the community, and the way the jobs may be carried out. This operation, which is one of 60 similar operations carried on by the same company throughout the world, is its most efficient manufacturer.

Mr Coyne: Don't keep us in suspense.

Mr GRILL: I will tell the member right now the name of the company; it is Readymix Costaine.

Mr Laurance: It is interesting you are mentioning this because the greatest support that company has had in Kalgoorlie has been from the regional administrator. The fact that he was on the spot, that he had business experience, and was a supporter of that particular company, I think speaks volumes for the system of regional administration. Your argument is damned out of your own mouth.

Mr GRILL: The fact for which it speaks volumes is that the business is closing down on 30 June—negative volumes!

Mr Laurance: What have you done about it?

Mr GRILL: We will see what I am able to achieve. Perhaps I will succeed where the Minister has failed.

Readymix Costaine manufactures pre-pressed concrete sleepers for the Kalgoorlie railway line and the Australian National Railway.

I have outlined the operation of this company. It is efficient, and I am sure most members will agree that it should be fostered by this Government and protected against biased and unfair actions of the Federal Government.

Mr Laurance: Anything you say after your original argument is weak.

Mr GRILL: The facts are quite to the contrary. This particular operation is to close down on or after 30 June of this year. This skilled and dedicated work force will be retrenched and then disseminated. All this action is due to the policy of the Federal Government.

The history of the company is that it has tendered successfully for Government contracts on the ANR Port Augusta railway line for six years. Presently it is producing 120 000 sleepers. The contract for these sleepers expires in June of this year. Approximately 490 000 sleepers are still to be laid on the Western Australian side of this track to complete its refurbishing, and that represents about five years' work for the company.

The Federal Government has indicated that its policy is to cease refurbishing of the line, and it intends to give priority in its Budget to certain other tracks. Two tracks are involved, and neither

track is in Western Australia. The first track is from Crystal Brook to Adelaide, and the second track is from Port Augusta to Leigh Creek. In reality this means that Readymix Costaine must close in June of this year and that the Monier company—which by the way operates a similar sort of plant in Port Augusta—will supply sleepers to the South Australian priority line. When tenders are called finally for the completion of the refurbishing of the Kalgoorlie-Port Augusta line the only company that will be in operation, and the only company which can then tender for that contract, will be the South Australian Monier company.

This South Australian company will then have a complete monopoly, and it is quite obvious what it will do—it will increase the price of the sleepers. So much for the much-vaunted policy of free and open competition which is put forward by members on the Government side of the House. When the only competitor for the Monier company closes down, there will be no effective control over the price of pre-pressed concrete sleepers and the ANR will have to pay more for the product.

Readymix Costaine contends—and very confidently contends—that, firstly, it can produce sleepers at a lower price than can the South Australian company; secondly, it has a freight advantage when supplying sleepers to the Western Australian side of the line; thirdly, a number of other Western Australian companies and departments will lose revenue if it closes down. Readymix Costaine says that a branch of the Swan Portland Cement in the Kalgoorlie area will have to close down. Brambles Manford will lose revenue, as also will Bell Basic Industries, Australian Wire Industries, Embecon Pty. Ltd., the Readymix Group, and even Westrail, which delivers the wire and cement from the metropolitan area, will be affected. To top it all off, the State Taxation Department will lose revenue. So the closing down of this operation will have a compounding effect.

Readymix Costaine maintains that if it were given the opportunity to supply more sleepers on the ANR line over the next year or two, it could diversify into concrete power poles, and in 1984 it would be able to tender for sleepers on the Kalgoorlie-Koolyanobbing line.

This company will be forced to close down because of the Federal Government's policy and because this State Government has been unable or unwilling to exert sufficient pressure on the Federal Government to change its policy. A very skilled, dedicated, and highly motivated work force will be lost. In 12 months' time it will not be

possible to reform that work force so that it will operate at its present level of efficiency. A work force of that nature takes considerable time to build up, to motivate, and to get into operation. This Government should be condemned for not being able to exert sufficient influence on its confreres in Canberra for what is certainly a discriminatory policy in favour of South Australia.

Mr Coyne: And the Northern Territory.

Mr GRILL: Certainly discriminatory against Western Australia, and I am glad that the member for Murchison-Eyre agrees it is discriminatory.

I would like to hear of any steps that the Government has taken to avert this closing down. If it has taken any steps, obviously they have not been effective. As I said this operation has been highly efficient, and profitable. It has a large annual budget, it keeps 18 families in the region, and it plays an important part in the context of industry in the Kalgoorlie region.

I would now like to deal with the development of fisheries within the State, and in particular I would like the Government to give serious consideration to the establishment of a new port. I am referring to the need for a port and townsite facilities in the region of Eucla. This Government has abrogated its responsibility to the fishing industry of the State by not fostering commercial fisheries in the Great Australian Bight. At the present moment the fisheries in the bight area are exploited firstly by the Vietnamese, secondly by the Japanese, and thirdly—in descending order of participation—by the South Australians. It is only of late, and by the action of independent fishermen from the Esperance area, that Western Australian fishermen have exploited this area at all. The Esperance fishermen operating in the bight area have worked in very stringent conditions.

That situation could be remedied if this Government were prepared to undertake the establishment of a port and townsite at Eucla. Experienced and seasoned fishermen say that there is a good potential for fishing in the Great Australian Bight. In fact, they say the potential is tremendous. Over the last 12 months, four trawlers have operated in that area. They have recorded large catches, and they have been able to command good prices on the more lucrative wet fish markets of Adelaide and Melbourne. As I mentioned earlier, this result has been achieved under difficult conditions and without proper facilities. I submit to members that the

availability of proper facilities would enable a much larger industry to operate.

Pressure has been put on the Government to inquire into this matter, but so far the result has been negative. In June or July of last year I wrote to the Minister for Lands and to the Minister for Fisheries and Wildlife. In my letter to the Minister for Lands I asked about the possibility of the Lands Department making townsites available in the area, with access to water and electricity supplies. I asked the Minister for Fisheries and Wildlife to look into the question of establishing a fishery in the area.

On 1 September 1980 I received a reply from the Minister for Lands and I would like to quote his letter which reads as follows—

Dear Mr. Grill,

I wrote on July 14th in relation to your support of a group of fishermen wishing to petition for the establishment of a fishing port and attendant townsite facilities at Eucla.

The Lands Department has since received advice from the Departments of Public Works and Fisheries & Wildlife which, in summary, does not point to development of the fishing industry in the Eucla region in the foreseeable future.

Public Works Department has indicated that establishment of port facilities at Eucla would be of low priority when compared to other areas of the State and apparently quite extensive investigations would be required to be carried out before any preliminary planning of port facilities could be considered.

As far as Fisheries & Wildlife is concerned, that Department advises that fishing industry facilities exist in Albany with substantial processing facilities and maintenance back-up for fishing boats. Fishing industry facilities are being built at Esperance which port could accommodate medium sized trawlers of about 30 metres in length. It would be difficult to imagine Eucla taking priority over the Albany and Esperance ports, especially having regard to the small number of vessels likely to be involved.

In view of the advice received, it would appear that further Lands Department action is not warranted.

That was a complete wipe-off by the Minister for Lands. Prior to receiving that letter members will be interested to know that I had received a letter

from the Minister for Fisheries and Wildlife. In that letter dated 9 June 1980 the Minister said—

With regard to the provision of fishing boat facilities, I can advise you that the Government is aware of such a possible future need, although the potential of a fishery in that area has not been fully determined.

I will not read the whole letter but I can assure the House that the Minister does not tell us what the potential is.

So, on the one hand we had the Minister for Lands in September writing off the project in a most negative fashion while earlier on we had the Minister for Fisheries and Wildlife indicating that in fact the Government acknowledged there could well be some potential in that area but obviously not being prepared to do very much about it.

I submit to the House that the potential is more than likely in this area and that unless this Government is prepared to develop it, it will continue to be exploited by the Taiwanese, the Japanese and the South Australians.

Boats from Esperance are operating in the area. They do not operate from Esperance, where there are port facilities; they must travel down to Eucla and stay out until such time as they have fished the area. They then return to unload their catch, which is shipped to the Eastern States. Boats from either Albany or Esperance cannot fish the Great Australian Bight. However, they could fish the Bight if in fact there were port facilities at Eucla.

They could steam out from Esperance, fish the Bight, unload their catch at Eucla—which could then be taken to market—refuel and then trawl back to Esperance, fishing all the time. That is a logical progression, and that is the sort of thing the fishermen want to see. That is why 93 fishermen who operate boats, basically out of Esperance, have signed a petition to this Parliament requesting the Government give consideration to the establishment of such facilities.

The Government is showing no imagination in this matter; it is very lack lustre in the way it is approaching this potential industry. The Minister for Fisheries and Wildlife said there may well be a need for a report without being prepared to do anything about establishing the machinery to provide such a report while at the same time, the Minister for Lands, without any real consideration of the matter, is prepared to write the whole thing off.

The result of this lack of action on the part of the Government is that we are missing out on what could be a real—perhaps a major—commercial fishery in the Great Australian Bight. I believe the Government also stands condemned in this respect.

With those remarks, I support the Address-in-Reply motion.

Debate adjourned, on motion by Mr T. H. Jones.

House adjourned at 10.17 p.m.

QUESTIONS ON NOTICE

INDUSTRIAL DEVELOPMENT

Private Businesses: Assistance

510. Mr COWAN, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

(1) In each of the last five years—

- (a) what is the total amount of assistance either by direct loans, loan guarantees, or grants, given by the Government to private businesses;
- (b) what are the losses incurred by the Government in each of those years because of failure to meet loan repayments or by liquidation of any business that was assisted?

(2) Can he provide details of all businesses that have been assisted since 1974, together with the type and amount of assistance offered?

(3) Can he indicate which businesses have failed to meet their loan obligations or have gone into liquidation?

Mr MacKINNON replied:

	Direct Loans \$	Loan Guarantees \$	Grants \$
(1) (a) 1975-76	440 613	5 820 750	300 000
1976-77	435 356	20 738 200	250 000
1977-78	1 500 000	5 920 000	300 000
1978-79	100 000	6 283 000	400 000
1979-80	Nil	8 307 000	423 000
(b) 1975-76	1 165 760		
1976-77	799 898		
1977-78	366 387		
1978-79	781 009		
1979-80	1 528 144		

(2) Assistance to business covers many areas including—

- (a) Government guaranteed assistance
- (b) Grants
- (c) Direct loans
- (d) Interest subsidies
- (e) Rail freight subsidies
- (f) Payroll tax subsidies
- (g) Drought relief loans to small businesses.

The detail involved in obtaining this information is considerable. If the member would specify in which areas of assistance to business he is interested the details will be provided.

- (3) Lenham Tanneries Pty. Ltd.
Southern Ocean Trawlers Pty. Ltd.
Southern Ocean Fish Processors Pty. Ltd.
Academy Entertainment Pty. Ltd.
John Cockran Pty. Ltd.
Sherwood Overseas Pty. Ltd.
West Trade Centre Ltd.
Katanning Brick Pty. Ltd.
Gt. Southern Brickworks Pty. Ltd.
Mitex International (Australasia) Pty. Ltd.
G. J. Clarke Pty. Ltd.

MURDER

Penalties

520. Mr GRILL, to the Minister representing the Attorney General:

What are the range of penalties that can be applied to a 14-year-old convicted of wilful murder and murder?

Mr O'CONNOR replied:

The member is referred to sections 282(a) and (b) and also section 19(6a) of the Criminal Code. The Royal prerogative may also be relevant depending on the circumstances.

ROADS

Rockingham Road and Stock Road

521. Mr TAYLOR, to the Minister for Transport:

- (1) With respect to that section of Stock Road-Rockingham Road between Yangebup Road and Russell Road, is a wire fence to be constructed along the median strip?
- (2) If "Yes"—
 - (a) when is it likely to be constructed; and
 - (b) what is the estimated cost?
- (3) Are there plans to erect an overpass or underpass at or near Russell Road to allow the safe crossing of Stock Road-Rockingham Road by school children?

Mr RUSHTON replied:

- (1) No.
- (2) Not applicable.
- (3) Not at this stage.

LOCAL GOVERNMENT

Perth City

522. Mr DAVIES, to the Minister for Urban Development and Town Planning:

- (1) Has the State Government been requested by Perth City Council to investigate the use of reflective glass in buildings?
- (2) If so, has this been done?
- (3) What were the results of the investigation?

Mrs CRAIG replied:

- (1) Yes.
- (2) This matter has been referred to the Building Advisory Committee for consideration.
- (3) The matter is still under investigation.

FUEL AND ENERGY: GAS

North-West Shelf: Effect on Pilbara

523. Mr DAVIES, to the Minister for Resources Development:

- (1) Has he yet received the final report ordered by the Pilbara Regional Administrator which examines all aspects of the effects the North-West Shelf gas project will have on the Pilbara?
- (2) Has an interim report been prepared?
- (3) If so, will he table it?
- (4) Who are the members of the committee preparing the report?

Mr P. V. JONES replied:

- (1) to (3) A draft report and an addendum of revised population figures has been presented to appropriate Government departments and instrumentalities for comment and for use where forward planning is concerned.
- (4) Mr R. Pigott, Pilbara Regional Administrator (Chairman)
Mrs R. Crane, representing Roebourne Shire Council and Child Care Centre
Miss R. Palmer, representing Department of Health and Medical Services
Mrs C. Doyle, representing Department of Health and Medical Services
Mr D. Rogers, representing Department for Community Welfare
Miss Sue Walsh, representing Department for Community Welfare

Mr R. Mitchell, representing Department for Community Welfare
Mrs A. Langdon, Y.W.C.A., Department of Immigration and Ethnic Affairs

Mr T. Cosins, Ministers Fraternal
Mr J. Cochrane, Education Department.

HOUSING

Government Employees: Standard Policy

524. Mr DAVIES, to the Premier:

- (1) Has he set up a subcommittee to develop a standard housing policy for Government employees?
- (2) Who are its members?
- (3) How many times has it met?
- (4) When will it report and to whom?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) The members are—

Hon. A. Mensaros, Minister for Works, Water Resources, Minister Assisting the Minister Co-ordinating Economic and Regional Development;

Hon. E. C. Rushton, Minister for Transport;

Hon. I. J. Laurance, Honorary Minister for Housing, Regional Administration and the North West, and Tourism,

with power to co-opt as required.

- (3) Twice.
- (4) To Cabinet when the report is finalised.

TRANSPORT: AIR

Intrastate: Questionnaire

525. Mr DAVIES, to the Minister for Transport:

I refer to the questionnaire being distributed on flights within Western Australia for the review of internal air services. Can he explain the purpose of questions 15 and 16 with reference to the use of smaller non-jet aircraft flights?

Mr RUSHTON replied:

An important facet of the review of internal air services and policy is to determine the attitude and the demand

characteristics of air transport users in Western Australia.

The references to smaller non-jet aircraft, in questions 15 and 16, are specifically designed to satisfy this information requirement. The questions are intended to identify the preferences of the travelling public, with respect to various possible options available for the provision of intrastate air services in Western Australia. These options include the replacement or augmentation of F-28 services by non-jet commuter aircraft, with the possibility of subsequent gains to the traveller in the form of increased frequency of service. The air fare implications associated with such options are, of course, being examined by the review.

POLICE ACT

Section 54B

526. Mr DAVIES, to the Premier:

In view of his statement reported in the *Daily News* of 9 December 1980, that section 54B of the Police Act would be reviewed as a result of a State Full Court decision of 8 December 1980, will he advise—

- (a) who is conducting the review;
- (b) is it completed;
- (c) will he table any reports or recommendations;
- (d) is legislative action contemplated?

Sir CHARLES COURT replied:

On consideration of the decision, no detailed review of the section was considered necessary. As I said at the time, the decision reflected our view of the meaning and effect of the section which we did not believe had the wide and unintended consequences claimed prior to the decision by Opposition spokesmen. No amendments are now proposed.

MINISTERS OF THE CROWN

Media Christmas Party

527. Mr DAVIES, to the Honorary Minister Assisting the Minister for Tourism:

What was the cost of the ministerial Christmas party for media representatives involving a buffet lunch at Rottnest?

Mr LAURANCE replied:

\$198.60 which represented part cost of the luncheon which was shared with the hotel proprietor. Coach and ferry services were provided free of charge by the travel industry.

PORTS

Maritime Authority

528. Mr DAVIES, to the Minister for Transport:

- (1) Is it fact that the Government plans to set up a new maritime authority to supervise the planning and commercial development of ports in Western Australia?
- (2) Is the Government also examining legislation governing the operation of Western Australian ports with a view to redrafting it?
- (3) Will legislation be introduced this session?
- (4) Is it fact that the Director General of Transport and the Bureau of Transport Economics have completed a blueprint for promoting Western Australian ports?
- (5) If "Yes" to (4), will he table it?
- (6) If "No" to (5), why not?

Mr RUSHTON replied:

- (1) On 10 March this year, the Government announced the Department of Marine and Harbours, a new maritime agency. Amongst its functions will be the provision of management services including planning and commercial development.
- (2) Yes.
- (3) No.
- (4) The Director General of Transport and the Commonwealth Bureau of Transport Economics have completed "A Study of Western Australian Ports", a comprehensive examination of the State's port system. Port promotion is referred to in the report.
- (5) and (6) Yes, as soon as it is available for public release.

LOCAL GOVERNMENT

Welfare Facilities

529. Mr DAVIES, to the Minister for Local Government:

When will the report on welfare facilities in local government be completed?

Mrs CRAIG replied:

I anticipate receiving the report by 31 May 1981.

TOURISM

Senior Officers

530. Mr DAVIES, to the Honorary Minister Assisting the Minister for Tourism:

- (1) Has the State Government appointed any senior tourist officers to regions in Western Australia in the past four months?
- (2) If so, to where have they been sent?
- (3) What is the grade of these officers?
- (4) Are other appointments contemplated?
- (5) If so, when and to where?

Mr LAURANCE replied:

- (1) Yes—one.
- (2) South-west Region.
- (3) Grade C-II-5.
- (4) and (5) Under consideration.

TRANSPORT: GRAIN

Tenders

531. Mr DAVIES, to the Minister for Transport:

Will he table the report and recommendations of the review into the calling of tenders for grain haulage?

Mr RUSHTON replied:

I have not yet received from the Commissioner of Transport a report of the recent review into the calling of tenders for grain haulage from off rail Co-operative Bulk Handling receival bins, in certain areas of the State.

CONSUMER AFFAIRS: FOOD

Model Bill and Date Stamping

532. Mr DAVIES, to the Premier:

- (1) Was he correctly reported in *The West Australian* of 18 November 1980, as having stated that the State Government was planning to introduce a model food Bill?

(2) Did he also state that legislation covering the date stamping of food would be introduced in May this year?

(3) Did he also tell the annual dinner of the Food Technology Association of Western Australia that the Government would welcome submissions on the proposed legislation?

(4) Is it still intended to introduce legislation relating to a model food Bill?

Sir CHARLES COURT replied:

- (1) Yes.
- (2) The legislation covering the date stamping of food was in fact introduced in May 1980 to become effective in May 1981. It is now proposed to extend this date to November 1981 to allow for some necessary amendments.
- (3) Yes.
- (4) Yes, as an amendment to the Health Act.

FISHERIES

Mandurah and South West Fishermen's Co-operative

533. Mr DAVIES, to the Honorary Minister Assisting the Minister for Industrial Development and Commerce:

- (1) Has he received representations requesting a loan of \$20 000 and working capital of \$75 000 from the Department of Industrial Development for the Mandurah and South West Fishermen's Co-operative?
- (2) When was the submission presented to the department?
- (3) When is a decision expected on the submission?

Mr MacKINNON replied:

- (1) Yes.
- (2) On 1 April 1981.
- (3) When the submission has been processed.

EDUCATION: HIGH SCHOOL

Bentley

534. Mr JAMIESON, to the Minister for Education:

- (1) What additional buildings will be required to turn Bentley Senior High School into a technical college?

- (2) When will a commencement be made on these buildings?
- (3) Will a gymnasium complex be included in such a building programme?

Mr GRAYDEN replied:

- (1) Bentley Senior High School is not being turned into a technical college. It is being redeveloped as a senior college which will provide the opportunity for young people and adults who have left school, to undertake further studies to upgrade their level of secondary education. It is not expected that the redevelopment will involve a major rebuilding programme.
- (2) An analysis of any building requirements will be made during 1982, the transition year. Any needs identified will be incorporated into the Education Department's building programme according to its priority.
- (3) Most unlikely.

WATER RESOURCES

Restrictions

535. Mr CARR, to the Minister for Water Resources:

What are the advertising requirements under legislation when imposing water restrictions on a community?

Mr MENSAROS replied:

Under the provisions of the Country Areas Water Supply Act by-law 76 supplies of water can be limited by notice published in any newspaper circulating in the district.

EDUCATION

School Buses: Subsidy

536. Mr CARR, to the Treasurer:

What is the present level of the subsidy paid to assist children living within three miles of school to travel by bus?

Sir CHARLES COURT replied:

School children living in the metropolitan area and those living within five kilometres of a country school served by a regular private intra-town bus service, are required to pay only a concessional fare of 20c per trip. It is not possible to calculate the level of subsidy this concessional fare represents because of differences in operating costs of the various bus services and the diversity of fare structures involved.

WATER RESOURCES

Geraldton

537. Mr CARR, to the Minister for Water Resources:

- (1) What assurance can he give that action presently being taken at the Allanooka borefield will overcome problems experienced last summer concerning the quantity and quality of water available to Geraldton residents?
- (2) What projections have been made by his department as to how long the Allanooka borefield will be capable of meeting Geraldton's demand for water?
- (3) What allowance is made for possible new large scale industrial development in the above projections?
- (4) What advance planning has been given to bringing water from the Arrowsmith basin or other source to meet Geraldton's future water needs?

Mr MENSAROS replied:

- (1) The work currently being undertaken at Allanooka will ensure that, subject to no unforeseen contingencies, there will be no repetition of supply problems recently experienced.
- (2) The present Allanooka borefield and its extension in the Irwin View area will be capable of meeting expected water demand including any new projected industrial requirements for the foreseeable future.
- (3) As indicated in answer to part (2) the present source with extensions is expected to meet all known requirements. It is not possible, however, to provide for specific large scale industrial development until the order of requirements is known.
- (4) There has been no need nor reason to spend money on such planning so far. Sufficient water is available from extensions of the present Allanooka source for the foreseeable planning period.

REGIONAL ADMINISTRATION

Geraldton

538. Mr CARR, to the Honorary Minister Assisting the Minister for Regional Administration:

I refer him to his answer to question 701 of 1980 in which he advised that consideration was being given to changing the title of the Greenough regional administration office to either Geraldton regional administration office or Geraldton-Midwest regional administration office. Will he please advise the results of such consideration?

Mr LAURANCE replied:

This matter was deferred until the new regional administrator had sufficient time to make an assessment and is still under consideration.

COURTS

Legal Aid Commission Services

539. Mr CARR, to the Minister representing the Attorney General:

I refer the Attorney General to his answer to question 836 of 1980 in which he advised that the question of a duty counsel service in Geraldton was presently being investigated by the Legal Aid Commission. Will he please advise of any action arising from this investigation?

Mr O'CONNOR replied:

The matter has been discussed between the Director of Legal Aid and private practitioners in Geraldton. I am informed that members of the Northern Region Group Law Society intend to discuss the proposal and, following this, will notify the Legal Aid Commission of their attitude.

DECENTRALISATION

Government Purchases

540. Mr CARR, to the Treasurer:

- (1) I refer him to his answer to question 1968 of 1979 in which he advised that a proposal to decentralise the

Government's purchasing operations was being studied by Treasury and the Government Stores Department. Has the study been completed?

- (2) If "Yes", will he please table a copy of the report?
(3) What action has been implemented or is intended to be implemented arising from the study?

Sir CHARLES COURT replied:

- (1) to (3) The study on decentralised purchase operations was broadened to cover the total Government Stores procurement system. This has been completed, and proposals are to be submitted to Cabinet for consideration.

A decision on the release of the report will not be made until Cabinet has considered it and decided on the appropriate course of action.

EDUCATION

Geraldton Complex

541. Mr CARR, to the Minister for Education:

What stage has been reached with regard to proposals for a new Education Department office complex in Geraldton to house the regional superintendent, advisory teachers, and other departmental employees?

Mr GRAYDEN replied:

The Education Department has a lease obligation to the present buildings occupied by the regional superintendent and his staff. It is expected that buildings will be available after December 1981 so that the lease can be terminated and the Regional Educational Centre set up in its own premises.

SHOPPING CENTRE

Site: Geraldton

542. Mr CARR, to the Honorary Minister Assisting the Minister for Housing:

- (1) I refer him to the answer given by his predecessor to question 1251 of 1979 in which it was advised that the sale of the

shopping centre site in Lawley Street, Geraldton, by the commission, provided a condition of sale that the site be developed within 18 months of formal acceptance of tender. What was the date of formal acceptance of tender?

- (2) Who was the successful tenderer?
- (3) Is the commission aware of any reason why this site has not been developed?
- (4) What measures are available to see that the condition of sale is adhered to?

Mr LAURANCE replied:

- (1) No tenders were received.
- (2) to (4) Answered by (1).

GERALDTON CULTURAL TRUST

Former Maternity Hospital Building

543. Mr CARR, to the Premier:

Further to the answer given to question 113 of 1981 by the Minister for Community Welfare, advising that his department will relinquish the former Geraldton Maternity Hospital in about July this year, is he able to outline a tentative timetable for the building to be made available to the Geraldton Cultural Trust?

Sir CHARLES COURT replied:

At this stage a timetable for vacating the former Geraldton Maternity Hospital has not been determined as much depends on the completion of the Department for Community Welfare's new group home facility in Geraldton.

EDUCATION: PRIMARY SCHOOL

Beachlands

544. Mr CARR, to the Minister for Education:

- (1) Has an allocation been made or promised to the Beachlands Primary School for reticulation of the school oval?
- (2) If "Yes", will he please provide details including an indication of when the work is likely to be undertaken?

Mr GRAYDEN replied:

- (1) and (2) Tenders will close on Tuesday 14 April, for a new borewater supply system, including storage tanks and installation, at this school. Work should proceed soon after a tender price is accepted.

EDUCATION: PRIMARY SCHOOL

Karloo-Utukarra Area

545. Mr CARR, to the Minister for Education:

What is the Education Department's proposed timetable for the establishment of a new primary school in the Karloo-Utukarra area of Geraldton?

Mr GRAYDEN replied:

As school numbers at the Rangeway Primary School, which serves this area, are declining, provision of a school at Karloo-Utukarra is not under consideration.

EDUCATION

Students: Photographs

546. Mr CARR, to the Minister for Education:

- (1) I refer him to his letter to me of 29 April 1980 on the subject of photographs of school children in which he quoted the "Teachers Handbook and Administrative Instructions". Are these instructions still currently in force in the form quoted in his letter of 29 April 1980?
- (2) If not, what is the present position?
- (3) If "Yes" to (1)—
 - (a) what efforts are made to enforce the instructions;
 - (b) is consideration being given to changing these instructions;
 - (c) if "Yes" to (b), will he please provide details?

Mr GRAYDEN replied:

- (1) Yes.
- (2) Not applicable.
- (3) (a) The department acts on complaints which indicate that the instructions are not being adhered to.
- (b) Yes.

(c) The department is considering changing the instructions as a result of submissions from principals and parents—

- (i) to allow school premises to be used to take individual portraits of school children; and
- (ii) to allow principals and parents the right to choose the photographer engaged for such work.

EDUCATION: PRIMARY SCHOOL

Kalbarri

547. Mr CARR, to the Minister for Education:

What plans does the Education Department have for a new ablutions block for Kalbarri Primary School?

Mr GRAYDEN replied:

Kalbarri Primary School is listed for a building project to replace temporary classrooms and build new toilets. It is hoped that this work can be undertaken in the 1981-82 financial year.

EDUCATION: HIGH SCHOOLS

John Willcock and Geraldton

548. Mr CARR, to the Minister for Education:

- (1) With reference to the future status of John Willcock High School, has the Government's attitude changed since his answer to question 786 of 11 September 1980 in which he claimed that Geraldton Senior High School could accommodate all upper school students until 1986 at least, and that no change in the present secondary school pattern at Geraldton is required?
- (2) If a change has occurred, what is the Government's present intention?

Mr GRAYDEN replied:

- (1) and (2) During a recent visit to Geraldton I agreed to consider further claims that the John Willcock High School should proceed to senior high school status.

Investigations are being made into reasons enrolments at this school are declining and to suggest how school numbers can be arranged between the two Geraldton high schools. When this information is available I will make a decision on the future status of the John Willcock High School.

TRANSPORT: AIR

Intrastate: Commercial Routes

549. Mr GRILL, to the Minister for Transport:

- (1) What regular commercial air routes are operated in Western Australia other than by MMA and TAA?
- (2) Which companies operate the flights on these routes?
- (3) What is the present single one-way fare in respect of each route?

Mr RUSHTON replied:

- (1) The regular commercial air routes operated in Western Australia other than by MMA and TAA are as follows—
 - (a) Perth to Carnarvon, via Eneabba, Dongara, Geraldton, Mullewa, Kalbarri, Useless Loop, Denham.
 - (b) Perth to Kalbarri, via Southern Cross and Kalgoorlie.
 - (c) Norseman to Kalgoorlie via Kambalda.
 - (d) Perth to Rottnest.
 - (e) Perth to Esperance via Norseman.
 - (f) Perth to Yeelirrie via Mt. Magnet, Cue and Wiluna.
 - (g) Perth to Albany.
 - (h) Perth to Bunbury.
 - (i) Perth to Telfer via Meekatharra.
 - (j) East Kimberley station service.
 - (k) Carnarvon to Gascoyne Junction.
 - (l) Karratha-Onslow.
 - (m) Karratha-Tom Price-Paraburdoo.
 - (n) Perth-Leonora-Laverton.
 - (o) Kalgoorlie-Leonora-Laverton.
 - (p) Port Hedland-Karratha.
 - (q) Port Hedland-Marble Bar-Telfer-Nullagine-Newman.
 - (r) Wittenoom-Paraburdoo.

- (2) The companies operating the services on the routes listed, are as follows—

Routes (a) and (b)	Avior Pty. Ltd.
Route (c)	Western Airlines
Routes (d) to (i)	Skywest Airlines
inclusive	Pty. Ltd.

Route (j)	Ord Air Charter Pty. Ltd.
Route (k)	Tropic Air Services Pty. Ltd.
Routes (l) to (q) inclusive	Trans West Airlines Pty. Ltd.
Route (r)	Fortescue Air Charter

- (3) This question would require a complex presentation of figures, particularly those relating to inter-port fares; however, the information is readily available from the airline companies concerned.

FUEL AND ENERGY: ELECTRICITY

Power Stations: Cost per Kilowatt Hour

550. Mr T. H. JONES, to the Minister for Fuel and Energy:

- (1) What is the present cost per kilowatt hour for power produced at the following power stations using coal as a fuel—
 (a) East Perth;
 (b) South Fremantle;
 (c) Kwinana;
 (d) Bunbury; and
 (e) Muja?

- (2) What is the present cost per kilowatt hour for power produced at Kwinana power station using oil as a fuel?

Mr P. V. JONES replied:

- (1) I am advised that the cost of electricity produced from coal in the commission power stations currently lies within the range of 1.6-5.8 cents kWh, including fuel, maintenance, operating, fixed and overhead costs.
- (2) Electricity produced from oil at Kwinana currently costs approximately 7.5c kWh.

MINING

Coal: Collie

551. Mr T. H. JONES, to the Minister for Mines:

What are the current estimates of extractable coal on the Collie coalfields—

- (a) deep-mine coal;
 (b) open-cut coal?

Mr P. V. JONES replied:

(a) Deep-mine coal—119 million tonnes

(b) Open-cut coal—286 million tonnes

These are the total of "measured, indicated and inferred" reserves (i.e., all known reserves).

MINING

Coal: Esperance

552. Mr T. H. JONES, to the Minister for Mines:

What are—

- (a) the reserves of coal located at Esperance;
 (b) the calorific value of the coal;
 (c) the thickness of the seams;
 (d) the depth of the seams?

Mr P. V. JONES replied:

I am advised the data requested is confidential to the companies undertaking the current exploration.

FUEL AND ENERGY: ELECTRICITY

Power Stations: Coal Consumption

553. Mr T. H. JONES, to the Minister for Fuel and Energy:

When the extensions to the Muja power house are completed, the Kwinana conversions completed, and the new Bunbury power house constructed, what will be the State Energy Commission annual coal consumption?

Mr P. V. JONES replied:

By 1985 it is expected the commission's coal consumption would be approximately 4-4½ million tonnes.

POLICE

Collie

554. Mr T. H. JONES, to the Minister for Police and Traffic:

As a result of the recent investigation into the Police Force strength at Collie, will he advise if additional police are to be engaged at Collie?

Mr HASSELL replied:

When all data is finally received to complete the survey, it will be collated to reassess the adequacy of staffing levels.

Results will not be known for some six to eight weeks.

HOSPITAL

Collie District

555. Mr T. H. JONES, to the Minister for Health:

When is it intended to build a new maternity ward at the Collie District Hospital?

Mr YOUNG replied:

Alternative maternity accommodation, if justified, will be included in future development. It is still only in the conceptual stage.

EDUCATION: TECHNICAL

College: Collie

556. Mr T. H. JONES, to the Minister for Education:

When will a new technical school be constructed at Collie?

Mr GRAYDEN replied:

Consideration is being given to the construction of a small facility for technical education at Collie with preference being given to the high school site for its location. This will allow use to be made of existing facilities and links established with the proposed School of Mines centre.

ROAD

Mitchell Freeway

557. Mr CRANE, to the Minister for Transport:

- (1) How far are the present extensions of the Mitchell Freeway north to proceed?
- (2) When will they be completed and ready for use?
- (3) What plans are made for further extension?

- (4) (a) Is a railway reserve included in these extensions, or is it proposed the railway reserve will be on another alignment; and
(b) if so, where is this proposed?

Mr RUSHTON replied:

- (1) Just north of Karrinyup Road to a point opposite Delawney Street, Balcatta.
- (2) It is hoped to complete the extension by mid-1984 subject to the availability of funds.
- (3) Planning provision has been made for a northward extension to Yanchep.
- (4) (a) No, but provision has been made in the central median for a public transport facility should it be required.
(b) Answered by (a).

MINING

Coal: Reserves

558. Mr PARKER, to the Minister for Fuel and Energy:

- (1) What are the—

- (a) known;
- (b) estimated;

reserves of coal in Western Australia?

- (2) On current projections for usage of coal for electricity what is the estimated life of Western Australia's coal resources?

Mr P. V. JONES replied:

- (1) The official figure for coal reserves in Western Australia stands at 405 million tonnes, judged to be economically extractable using current methods. Total inferred coal reserves could be as high as 2 000 million tonnes.
- (2) The current consumption of coal for electricity purposes is approximately 3 million tonnes per annum, increasing to approximately 4-4½ million tonnes per annum by the mid-1980s. The estimated life of coal reserves will depend critically on the results of current exploration efforts, but the above figures should provide the honourable member with the information which he is seeking.

EDUCATION

School Buses: Subsidies

559. Mr COWAN, to the Minister for Education:

(1) What moneys are made available through the office of the Regional Director of Education for bus travel subsidies for—

- (a) all schools in the Yilgarn region;
- (b) those schools that were until recently classified as disadvantaged?

(2) How many schools in the Yilgarn region fall into category (b) above?

Mr GRAYDEN replied:

(1) (a) \$9 300 from Consolidated Revenue Fund in 1980-81.

(b) Areas and not individual schools are classed as disadvantaged under the Schools Commission's priority country schools programme. There are two areas classed as disadvantaged in the Yilgarn Region; namely, Southern Cross area (12 schools) and Mt. Marshall area (12 schools).

The allocations from Schools Commission funds for 1981 to the Education Excursion Funds of these areas are \$6 000 and \$7 000 respectively. These funds are not solely for bus travel subsidies but cover other areas such as camp fees and costs.

(2) See (1)(b).

URANIUM

Enrichment

560. Mr E. T. EVANS, to the Minister for Mines:

(1) Do employees of Western Mining Corporation at the uranium pilot plant at Kalgoorlie undergo the same annual chest X-ray that all other employees in the mining industry undergo?

(2) If "No", why?

(3) What other medical examination do they undergo?

Mr P. V. JONES replied:

(1) and (2) I am advised that employees of Western Mining Corporation at the uranium pilot plant at Kalgoorlie are required to possess mine workers health certificates, and undergo chest X-ray examinations every two years, in accordance with the Mines Regulation Act and the requirement as a Class "A" mine.

(3) Western Mining advised it has its own additional medical arrangement in that an employee is examined and chest X-rayed at commencement of employment. Twelve months later, and at 12-monthly intervals, the examination is repeated. If and when employment is terminated, another medical examination and chest X-ray is made, if more than six months has elapsed since previous examination.

EDUCATION

Confederation of Colleges: Kalgoorlie

561. Mr E. T. EVANS, to the Minister for Education:

Can he give an assurance that all students studying for a diploma at either the Kalgoorlie School of Mines or the Eastern Goldfields Technical School will be able to complete these diplomas at the new confederation of colleges when it comes into effect in 1982?

Mr GRAYDEN replied:

Yes.

CONSERVATION AND THE ENVIRONMENT

Waterways Commission

562. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

Would the Minister please list all reports put out by the Waterways Commission and each of its associated management authorities since 1977?

Mr O'CONNOR replied:

Leschenault Inlet Management Authority fact finding study;

Peel Inlet Management Authority fact finding study;

Peel Inlet management programme;

Leschenault Inlet management programme;

Swan River Estuary development, management and preservation;

Waterways Commission Annual reports—1977-78, 1978-79, 1979-80;

Waterways Commission report on the disposal of deep sewerage on the River Thames and the Norfolk Broads.

EDUCATION

Country High School Hostel

563. Mr BRYCE, to the Minister for Education:

- (1) Further to his answers to questions 100 and 242 respectively of 1981, concerning the Narrogin High School hostel, what was the total estimated amount of money misappropriated?
- (2) Had the administrator concerned been given special authority as a field officer or suchlike by the Country High Schools Hostel Authority?
- (3) If so—
 - (a) when was he appointed to such a position;
 - (b) what was the scope and nature of the responsibility exercised by the administrator?

Mr GRAYDEN replied:

- (1) \$46 417
- (2) Yes.
- (3) (a) Appointed November 1979 and commenced in this role at the start of the 1980 school year.
- (b) He was seconded on a part-time basis to assist committees and wardens where requested and to work on special projects as required by the authority; for example, preparation of an administrative manual for committees and preparation of a new award for hostel supervisory staff.

EDUCATION

Country High School Hostels

564. Mr BRYCE, to the Minister for Education:

- (1) What are the names and locations of all hostels which are administered under the auspices of the Country High Schools Hostel Authority?

- (2) During the period 1975-80 which hostels have encountered problems similar to Narrogin hostel involving financial mismanagement or misappropriation?

Mr GRAYDEN replied:

- (1) Amity House—Thomas Street, Albany.
 Priory Hostel—Burt Street, Albany.
 Esperance Senior High School Hostel—Pink Lake Road, Esperance.
 Geraldton Senior High School Boys' Hostel, Shenton Street, Geraldton.
 Geraldton Senior High School Girls' Hostel, Shenton Street, Geraldton.
 Katanning Senior High School Hostel—Round Drive, Katanning.
 Merredin Senior High School Hostel—Caw Street, Merredin.
 Moora Senior High School Hostel—Edgar Lewis Place, Moora.
 Narrogin Senior High School Hostel—Grey Street, Narrogin.
 Northam Senior High School Boys' Hostel—Inkpen Street, Northam.
 Northam Senior High School Girls' Hostel—Inkpen Street, Northam.
 Port Hedland Senior High School Hostel—Roberts Street, South Hedland.
- (2) During the period 1975-80 no other instances have occurred with the exception of a minor situation where approximately \$1 000 was misappropriated at Amity House, Albany early in 1980. The situation was investigated by the CIB.

CRIME

Statistics Bureau

565. Mr BRYCE, to the Minister for Police and Traffic:

- (1) Is it the Government's intention to establish a bureau of crime statistics?
- (2) If "Yes", will he indicate the proposed structure and role of such a bureau?

Mr HASSELL replied:

- (1) No. Crime statistics are compiled by the police in accordance with the formula issued by the Australian Bureau of Statistics to provide a national standard framework for classifying offences for statistical purposes.
- (2) Answered by (1).

POLICE

Firearms

566. Mr BRYCE, to the Minister for Police and Traffic:

How many new firearms of all descriptions were registered in Western Australia in 1979 and 1980?

Mr HASSELL replied:

The Police Department does not maintain statistics in a form to provide the figures requested.

However, new licences issued for the years ended 30 June 1979 and 30 June 1980 were—

1979—7 109 new licences,

1980—5 752 new licences.

These figures do not indicate the number of individual firearms as many licences are issued for two or more firearms, and would include firearms already licensed and being also licensed by another.

In the same two year period, there was a total increase of firearms on individual licences amounting to 19 725.

EDUCATION DEPARTMENT

Arbor Day Policy

567. Mr BRYCE, to the Minister for Education:

Will he provide details of the Education Department's attitude/policy in respect of the observation of Arbor Day in primary and secondary schools throughout the State?

Mr GRAYDEN replied:

Item 13.06 in the departmental administrative instructions states: "Teachers should use Arbor Day to emphasise to children the aesthetic, physical and economic value of trees. The conservation and wide use of forests is a matter of great national importance in Australia. Arbor Day should be observed on the first Wednesday in July, unless circumstances make it advisable to hold it on another day."

This instruction is in operation although there has been some discussion about the

possibility of combining Arbor Day with the "Day of Trees" in the celebrations to mark Western Australia Week.

This combination has some merit as it could well make both days more meaningful for students and enhance both ceremonial occasions.

PUBLIC SERVANTS

Motor Vehicles

568. Mr BRYCE, to the Premier:

(1) Is it a fact that—

- (a) the assistant under secretary of the Premier's Department;
- (b) the chief administration officer of the Premier's Department;
- (c) the director of public relations of the Premier's Department;
- (d) the Premier's Press secretary;
- (e) the executive officer of the Rural and Allied Industries Conference;

have been allocated Government vehicles?

(2) If so—

- (a) when was the decision made in respect of each officer;
- (b) are the officers entitled to use the vehicles for private purposes;
- (c) was the cost of using taxis as a more economic alternative considered in each case;
- (d) to what extent during the past year have the abovementioned officers been called on to work weekends and public holidays;
- (e) what is the estimated cost of providing the above officers with a vehicle at Government expense?

Sir CHARLES COURT replied:

- (1) (a) to (c) Government Garage pool vehicles are available for use by the officers referred to in the question. However, the officers concerned do not have sole control of the vehicles which are used generally within the Premier's Department by other staff for official purposes.
- (2) (a) to (e) The decision to provide vehicles was made, in each case, on the appointment of the officer concerned.

These vehicles are intended to be used for Government purposes and are made available because of the nature of the duties of the officers.

The use of taxis was considered and they are used on some occasions to transport staff required urgently, but are not considered to be appropriate on a regular basis.

No records are maintained of the considerable additional hours worked both during the week, weekends and public holidays of the senior officers concerned, nor of their portion of the running costs of the pool vehicles used by them.

MINISTERS OF THE CROWN

Motor Vehicles

569. Mr BRYCE, to the Premier:

What is the estimated annual cost of providing and running a vehicle from the pool of cars supplied to Ministers of the Crown?

Sir CHARLES COURT replied:

The estimated annual cost of providing and running a ministerial vehicle, allowing for replacement, maintenance, fuel etc. is \$3 350 or \$64.42 per week.

W. W. MITCHELL

Premier's Speech

570. Mr BRYCE, to the Premier:

- (1) Is it a fact that the speech which he delivered to a private meeting of Western Australian industry chiefs in Bunbury last month was written by W. W. Mitchell?
- (2) Is he aware that the substance of his speech was described in *The West Australian* on 25 March as being not very practical or useful?
- (3) Was W. W. Mitchell acting as paid consultant to him when he wrote to the editor of *The West Australian* on 30 March defending the speech he had written for the Premier?

Sir CHARLES COURT replied:

- (1) In preparing my presentation to 22 March 1981 opening session of the Bunbury Industrial Seminar organised by the Confederation of Western Australian Industry and the Australian Institute of Management, I followed a regular practice of consultation with relevant Ministers and used a range of resources available to the Government including the services of W. W. Mitchell. The speech was my responsibility and what I planned to present in an effort to try to achieve a better climate of industrial relations in Australia.
- (2) A report in *The West Australian* on 25 March claimed that Dr N. Dufty had said that there was little to criticise in my speech—but, in contradiction of that, the same paragraph claimed Dr Dufty said it was not very practical or useful.

If the honourable member is understandably confused by that newspaper report, I draw his attention to a very clearly expressed editorial in *The West Australian* on 24 March which said, inter alia—

Sir Charles Court's far-reaching suggestions for improving Australia's industrial relations are a welcome contribution to what ought to be a searching national debate... They should be fully evaluated at the national level—in necessary through an independent inquiry as the Premier suggests.

- (3) The answer to the first half of this question is "No"; the answer to the second half of the question is contained in (1).

RIVER

Swan

571. Mr BRYCE, to the Minister representing the Minister for Conservation and the Environment:

Does the Swan River Management Authority have any immediate plans to prevent further erosion of the river banks in the areas of Belmont, Bassendean, and Bayswater?

Mr O'CONNOR replied:

Yes. Reconstruction of river banks by replanting of rushes and trees along the foreshores, the repair of timber walling and the dredging of river sand to re-stabilise the river beaches.

BOATS

Rivers: Infringements

572. Mr BRYCE, to the Minister for Transport:

- (1) How many Harbour and Light Department boats were employed to police speed limits on the Swan River during the "Wine Festival" weekend of 4 and 5 April?
- (2) How many boatowners received infringement notices on the Swan River north of the Causeway during that weekend?
- (3) With reference to the infringement notices referred to in (2) above, what were the broad categories of offences committed?
- (4) Were any infringement notices issued to boatowners who were found to be in charge of a boat whilst under the influence of liquor?

Mr RUSHTON replied:

- (1) Three.
- (2) Nil. Infringement regulations have not yet been promulgated. However summonses are to be issued against 21 offenders. In addition 58 cautions were recorded for exceeding speed limit.
- (3) Exceeding speed limit 15.
 Unregistered vessel 2
 No identification plate 2
 No fire extinguisher 2.
- (4) No.

EDUCATION

School Book Assistance Scheme

573. Mr BRYCE, to the Minister for Education:

- (1) When was the school book assistance scheme introduced in Western Australia?
- (2) What was the budgetary allocation for this scheme in 1978, 1979 and 1980?

Mr GRAYDEN replied:

- (1) In the years prior to 1967 the Education Department acted as an agent for the Lotteries Commission which provided all the necessary funds to administer the scheme. Since 1967 the Education Department has included the funding requirements in its annual budget.

\$

(2) 1977-78	101 000
1978-79	101 000
1979-80	130 900
1980-81	202 000

GAMBLING

Poker Machines

574. Mr BRYCE, to the Premier:

- (1) Further to his answer to my question 231 of 1 April concerning poker machines in Western Australia, are poker machines allowed to be brought into Western Australia by private individuals?
- (2) If so, under what circumstances?

Sir CHARLES COURT replied:

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

HOUSING

Belmont: Resumptions

575. Mr BRYCE, to the Honorary Minister Assisting the Minister for Housing:

Adverting to his answer to question 96 of 1981 relevant to resumption of uses in Belmont, how many applications were received by the State Housing Commission requesting accommodation in Belmont?

Mr LAURANCE replied:

The commission has received approaches from two tenants asking to be transferred from a possible area of alignment, to alternative accommodation within the Belmont district.

They have been advised that when the area is finally identified and the requirement for relocation becomes necessary, the commission will endeavour to transfer those tenants affected to an area of their choice.

HOUSING

Belmont: Resumptions

576. Mr BRYCE, to the Honorary Minister Assisting the Minister for Housing:

- (1) Further to my question 96 of 1981 relevant to the resumption of houses in Belmont, when the exact alignment of the Beechboro-Gosnells Highway is known and thus the precise number of houses needing to be resumed by the Main Roads Department is also known, does the State Housing Commission plan to compensate for the loss of these homes and increase its building programme in Belmont?
- (2) How many vacant building blocks does the commission own in Belmont?

Mr LAURANCE replied:

- (1) Should any resumptions be necessary the commission will confer with individual tenants at the appropriate time.
- (2) The commission owns three vacant blocks in the City of Belmont which are immediately available for building.

WATER RESOURCES

Underground: Water Table

577. Mr BRYCE, to the Minister for Water Resources:

- (1) Is there any evidence of a drop in the water table in the metropolitan area—
 - (a) generally;
 - (b) in respect of specific regions?

(2) If so, will he provide details?

Mr MENSAROS replied:

- (1) Throughout the Metropolitan Region, groundwater levels have generally been lowered as a result of the five year record drought up to 1979, but recovered slightly during 1980.

They are, however, affected by a combination of several factors and follow a complex movement pattern both upwards and downwards within each year and between years.

- (2) Information from nine representative sites selected from the comprehensive network regularly monitored by the Water Board has been made available publicly at approximate six monthly intervals since 1977. The latest copy of this long term data in graphical form is tabled herewith.

The paper was tabled (see paper No. 146).

HOUSING

Building Programme

578. Mr BRYCE, to the Honorary Minister Assisting the Minister for Housing:

Further to his answer to my question 99 of 1981 relevant to State Housing Commission funding, when does he expect to learn details of the precise funding arrangements which will determine the State Housing Commission's building programme for 1981-82?

Mr LAURANCE replied:

When the State Budget is brought down.

PRISONS

Prisoners: Reformatory Class

579. Mr JAMIESON, to the Chief Secretary:

- (1) Is the Department of Corrections fulfilling its responsibilities in relation to reformatory class prisoners?
- (2) (a) Which prisons are currently gazetted as reformatory prisons;
- (b) which of these prisons are being used solely for reformatory purposes;
- (c) are all or any of these reformatory prisons suitable for the objects of such detention in reformatory prisons?
- (3) Is the indeterminate sentence, subject to the Governor's pleasure, for treatment, and not as punishment?
- (4) What treatment and training programmes are currently utilised for reformatory class detainees?
- (5) (a) Is he aware whether such reformatory class detention orders apply under other States' prison systems; and
- (b) if so, what is the relevance of such detention orders in the Western Australian prison system?

- (6) Should not the relevant prisons be closed or systems changed, if they are at present non-effective in reformatory efforts?

Mr HASSELL replied:

- (1) The responsibilities of the Department of Corrections in relation to reformatory class prisoners are to—

- (a) detain them in reformatory prisons, and
- (b) employ such prisoners at some trade, vocation, or labour.

The department does not and cannot necessarily detain reformatory class prisoners in reformatory prisons.

The trade, vocation and employment opportunities available to prisoners are available to all prisoners regardless of their class but subject to their security rating.

- (2) (a) Parts of Fremantle Prison—No. 4 Division and B Landing, New Wing.
All of the Pardelup Penal Outstation.
All of the Prison at Barton's Mill.
- (b) None.
- (c) Subject to considerations of security there is no distinction made between the detention and treatment of any class of prisoners.
- (3) This question should be referred to the Attorney General.
- (4) Treatment and training programmes provided at various prisons are available to all prisoners subject to their security rating.
- (5) (a) Not aware.
(b) Not applicable.
- (6) It is proposed to amend the Prisons Act to remove any doubts which may exist, and to provide that a prisoner ordered to be detained in a reformatory prison may be detained in any prison.

ANIMALS

Breeding Institute: Katanning

580. Mr H. D. EVANS, to the Minister for Agriculture:

- (1) Has any company pegged the property of the animal breeding institute at Katanning for a mineral tenement of any sort?
- (2) If so, would he give details?

Mr OLD replied:

- (1) and (2) A company has made applications for mineral claims covering the property. Aerial magnetic surveys have revealed areas of mineralisation of interest to the company. The company is discussing a draft agreement on compensation with the department prior to undertaking further investigations.

FISHERIES

Tuna: Glut

581. Mr H. D. EVANS, to the Minister representing the Minister for Fisheries and Wildlife:

- (1) (a) Are Western Australian tuna fishermen having problems in selling their catches; and
(b) if so, what is the reason for this?
- (2) Have tuna fishermen been placed on a quota basis by processors?
- (3) What was the price paid by fish processors for tuna to Western Australian fishermen over each of the past five years?

Mr O'CONNOR replied:

- (1) (a) Yes.
(b) Good catches of tuna have resulted in the WA canneries receiving an over-supply of tuna required to supply their market. Good catches have also been taken in other tuna fisheries which have made it difficult for the WA canneries to find new markets.
- (2) One cannery is taking tuna from a number of fishermen on a quota basis. The other cannery is unable to accept tuna at the present time.
- (3) In general terms the prices paid to tuna fishermen have been—

		\$
August 1977	6 kg fish and greater	475 per tonne
	3 kg to 6 kg	425 per tonne
October 1977	6 kg and greater	510 per tonne
	3 kg to 6 kg	475 per tonne
November 1978	6 kg and greater	500 per tonne
	3 kg to 6 kg	475 per tonne
September 1979	6 kg and greater	555 per tonne
	3 kg to 6 kg	520 per tonne
December 1979	all sizes	650 per tonne
February 1980	all sizes	750 per tonne
October 1980	all sizes	800 per tonne
February 1981	all sizes	800 per tonne

RAILWAYS

Kalgoorlie-Kwinana

582. Mr McIVER, to the Minister for Transport:

- (1) With reference to the Government's announcement that the electrification of the Kwinana-Kalgoorlie line will not be proceeded with, was a study undertaken of cost and other factors re electrification of the line?
- (2) If "Yes", who undertook the study and what was the result?
- (3) Will he table the report if available?
- (4) If not, why not?

Mr RUSHTON replied:

- (1) and (2) No announcement that electrification of the Kwinana to Kalgoorlie line will not proceed has been made by the Government.

However, the intention that this work should precede electrification of the Kwinana to Bunbury line has been reversed as a result of a preliminary study which was carried out by Westrail to justify a detailed economic and engineering study being made of these projects.

Whereas it was originally suggested that the Kwinana to Kalgoorlie line might be the first section to be electrified, the preliminary study indicated that the Kwinana to Bunbury line should receive first priority.

- (3) and (4) The study referred to was an internal preliminary feasibility examination, which was undertaken to determine whether a more detailed investigation of the proposals should be made. It is not appropriate for it to be tabled as it includes confidential commercial forecasts of transport requirements of Westrail's clients and internal costing information.

RAILWAYS

Bunbury-Kwinana

583. Mr McIVER, to the Minister for Transport:

- (1) Re the electrification of the Kwinana to Bunbury line—
 - (a) what is the proposed cost;
 - (b) when will work commence;

- (c) will it depend on Federal finance;
- (d) will Midland Workshops be utilised in providing material such as staunchings, etc.?

- (2) If "Yes" to (d) would he detail in what form the Midland Workshops will be utilised?

Mr RUSHTON replied:

- (1) and (2) Only a preliminary feasibility examination has been made of the proposal to electrify the Kwinana to Bunbury line and this indicated that a detailed economic and engineering study should be undertaken.

The Federal Government was asked to provide financial assistance for this comprehensive examination of the proposal but has informed the Western Australian Government that it will not make finance available for electrification studies.

In view of this decision, the matter of financing the study and how and when the work will proceed has yet to be determined.

EDUCATION

Adult-on-the-job English Classes

584. Mr T. J. BURKE, to the Minister for Education:

- (1) With reference to adult-on-the-job English classes, how many, and which firms have made use of the Commonwealth-State "on-the-job" English classes in—
 - (a) 1975;
 - (b) 1976;
 - (c) 1977;
 - (d) 1978;
 - (e) 1979;
 - (f) 1980; and
 - (g) up to April 1981?
- (2) How many staff involved?
- (3) How much publicity is the State Government giving to inform employers that the scheme exists?

Mr GRAYDEN replied:

- (1) (a) 1975—1 class, Cockburn Cement.
- (b) 1976—1 class, W.A. Meat.

- (c) 1977—1 class, Poon Brothers.
 - (d) 1978—Nil.
 - (e) 1979—1 class, Peters Group.
—1 class, Poon Brothers.
 - (f) 1980—4 classes, Telecom Australia, 4 courses.
—3 classes, Peters Group—3 courses.
 - (g) Up to April 1981—1 class, Transfield.
- (2) 8 part-time teachers, 10% of a full-time Education Officer's time.
- (3) (a) Most metropolitan industries of a large and medium size have been personally visited by the officer-in-charge of external classes. Many small business concerns have also been visited.
- (b) Letters have been sent to likely participants and to country-based industries.
- (c) Localised publicity initiated by part-time teachers.

EDUCATION

Multicultural Grants

585. Mr T. J. BURKE, to the Minister for Education:

Would he please provide a list of multicultural education grants for 1980 and 1981, detailing the—

- (a) name and purpose of each project;
- (b) amount for each project;
- (c) institution or individual receiving the grant?

Mr GRAYDEN replied:

- (a) to (c) The work involved in compiling lists is extensive. In due course the information will be included in annual reports and I will ensure that the honourable member will receive copies.

EDUCATION

Multicultural Staff

586. Mr T. J. BURKE, to the Minister for Education:

(1) Would he detail—

- (a) the names and qualifications, both practical and academic, as well as

specialised qualifications of multicultural education advisory staff;

(b) specific tasks of each one?

(2) Are there any plans to appoint further staff?

(3) If "Yes" to (2), what is the purpose of the appointment?

Mr GRAYDEN replied:

(1) Multicultural Education Advisory Committee (Joint)

(a) O. L. Paccagnella, Bachelor of Arts, DipEd., fourteen years teaching, including eight years as a senior master.

(b) To service the joint committee and its programmes, including assisting schools on request.

(a) R. Kakulas, Dip. Teach., Grad.Dip. Intercultural Studies, four years teaching including three as a multicultural education teacher.

(b) To assist in servicing the joint committee's programmes and to act as Ethnic Schools Liaison Officer.

Multicultural Education Committee (Education Department)

(a) G. M. Hubble, Dip. Teach., part-B.Ed., nine years teaching in a variety of schools.

(b) To service the Education Department's Multicultural Education Committee and its programmes, including assistance to Government Schools.

(2) Not at present.

(3) Not applicable.

EDUCATION

Multicultural Advisory Committee

587. Mr T. J. BURKE, to the Minister for Education:

(1) What is—

- (a) the composition of the multicultural education advisory committee—Education Department's internal education committee—and

(b) the criteria for membership?

(2) When was it formed?

(3) How many times has it met since it was formed?

Mr GRAYDEN replied:

- (1) (a) C. Bant, Supt of Primary Education.
C. Briggaglio, Language Advisory Teacher.
W. J. Darcey, Secondary Principal.
L. J. Fox, Supt of Languages.
G. M. Hubble, Multicultural Education Advisory Teacher (Executive Officer).
V. Johnson, Child Migrant Education teacher.
J. L. Martin, Primary Principal.
O. L. Paccagnella, Multicultural Education Advisory Committee's Executive Officer.
H. A. Pearson, Assistant Director of Schools (Chairman).
R. P. Raynor, Secondary Principal.
J. Skivinis (on L.S.L. and replaced by B. J. Wells, Supt of Social Studies).
W. J. Vivian, Primary Principal and Union representative.
- (b) By invitation from those in primary and secondary education (including the Teachers' Union) considered able to make significant contributions.
- (2) First meeting 30 May 1979.
- (3) Fifteen.

TOTALISATOR AGENCY BOARD

Lucky Numbers

588. Mr T. J. BURKE, to the Chief Secretary:

- (1) With reference to TAB lucky numbers, what were the winning numbers in each consecutive draw?
- (2) How many investors were successful in each draw?
- (3) What was the dividend each time?
- (4) How many successful dividends have yet to be collected in each draw?
- (5) (a) What is the total amount invested to date; and
(b) the total amount of purse money collected?

Mr HASSELL replied:

It is assumed that the member is referring to the operation of favourite numbers conducted by the T.A.B.

- (1) As per tabled schedule.
- (2) As per tabled schedule.
- (3) As per tabled schedule.
- (4) As per tabled schedule.
- (5) (a) \$12 320 381.
(b) Not understood.

The schedule was tabled (see paper No. 147).

COMMUNITY WELFARE

Women's Refuges

589. Mr HODGE, to the Minister for Community Welfare:

- (1) Is it a fact that he is insisting on a legal contract being entered into before he agrees to pass on to women's refuges the funds allocated for this purpose from the Federal Office of Child Care?
- (2) Does he intend to direct a refuge committee on how to spend the money, down to the finest detail?
- (3) Is it a fact he may terminate all funds to a refuge on thirty days' notice?
- (4) Is he aware that he is the only Community Welfare Minister in Australia who has insisted on this type of legal contract?

Mr HASSELL replied:

- (1) Yes. All such programmes in Western Australia, not just the child care grants to women's refuges, are subject to a formal agreement. The real issue to be considered is the proper administration of grants of money derived from the taxpayer to private groups. The purpose of having contracts is to ensure that funds are used for the purpose for which they are granted. I am at a loss to understand objections to this, and those I have received emanate from extremist feminists. The system will not change.
- (2) No. The contract seeks only to implement guidelines of the grant as determined by the Commonwealth.
- (3) Yes.
- (4) Other States have varying types of agreements.

EDUCATION: HIGH SCHOOL

Mirraboopa

590. Mr WILSON, to the Minister for Education:

- (1) What will be the new boundaries for the Mirraboopa Senior High School as a result of the Government's decision to convert the Tuart Hill Senior High School into a technical college in 1982?

- (2) Will students in the affected area have any choice about which alternative school they will attend as a result of the change?
- (3) Will music and dance enrichment courses currently operating at Tuart Hill Senior High School be transferred to the Mirrabooka Senior High School as a result of the change?
- (4) If "No" to (3), what alternative enrichment courses in music and dance will be provided for students from Balga, Nollamara, and neighbouring areas currently attending these courses at Tuart Hill Senior High School?

Mr GRAYDEN replied:

- (1) The new boundaries of Mirrabooka Senior High School will be determined after detailed discussion with the schools concerned.
- (2) It is anticipated that the existing rules for zoning will apply, that is, boundaries will be generally enforced with the opportunity for exceptions and exemptions for individuals.
- (3) and (4) The enrichment courses in music and dance which are currently provided through Tuart Hill Senior High School will be retained within a school in the general locality. Their precise location will be determined after further consideration of the facilities available in neighbouring high schools.

LAND

Tax

591. Mr WILSON, to the Premier:

- (1) Why were State land tax notices due for payment in March 1980 and April 1979 deemed to be due for payment early in January this year?
- (2) Were further notices issued threatening a 10 per cent penalty or legal action if payment was not made by the end of January?
- (3) Why was no explanation given to those affected for the earlier issue of these notices this year prior to the expiry of the 12-months period?

Sir CHARLES COURT replied:

- (1) Although legislation provides for an assessment to be issued at any time after 30 June each year, attempts are made to issue assessments at approximately the same time each year. The billing cycle commenced later than usual this financial year due to amendments to the legislation and the main bulk of assessments was late going out.

However, as nearly 70 000 assessments are involved it is possible for the date of issue for individual assessments to vary from year to year.

Without knowing the assessments concerned it is difficult to be precise as to the reasons for the apparent irregular receipt of notices.

Land tax assessments are due for payment within 30 days of the issue of the assessment.

- (2) It is normal practice for a reminder notice to be issued advising that a 10 per cent penalty may be levied where an assessment has not been paid by the due date for payment.

Where a taxpayer receives an assessment earlier than in the previous year and financial difficulty is caused by this, an approach may be made to the State Taxation Department for an extension of time in which to pay.

- (3) It would be both impractical and costly to check every assessment merely to advise a taxpayer of any variation from the issue date in the previous year.

INSURANCE

SGIO

592. Mr WILSON, to the Minister for Labour and Industry:

- (1) Is it fact that while the State Government Insurance Office may give a quote for insuring the contents of a home, it may not provide cover for contents if the house is being purchased through the State Housing Commission?
- (2) If "Yes", what is the reason for this prohibition?

- (3) Why should these home purchasers be subject to this restriction, particularly when in most cases general cover for their homes is arranged through the SGIO and the need to make separate arrangements for contents with other companies possibly constitutes a major inconvenience?

Mr O'CONNOR replied:

- (1) If a house is being purchased from, and is under mortgage to, the State Housing Commission, the State Government Insurance Office may insure the house but not the contents.
- (2) The State Government Insurance Office can only insure houses in which the Government of Western Australia has a financial interest. If the financial interest does not extend to the contents, the SGIO cannot insure these.
- (3) The State Government Insurance Office is restricted by its Act and is only allowed to insure this type of property when the State Government has a financial interest.

CONSUMER AFFAIRS

Hycraft Angelique Carpet

593. Mr WILSON, to the Minister for Consumer Affairs:

- (1) Has the bureau received complaints about discoloration and water marking of Hycraft Angelique carpet?
- (2) Is he aware of information contained in a "carpet technical information letter" issued by the International Wool Secretariat entitled "Shading" on this characteristic affecting velour carpet which states that this characteristic is "largely unexplained" and is a "controversial subject"?
- (3) Is his department concerned that it appears that full information about this characteristic of the carpet is not being made available to purchasers prior to purchase?
- (4) Has the bureau considered the need for action to warn potential purchasers of this material in clear terms such as those set out in the Wool Secretariat's information letter of this apparent deficiency?

Mr O'CONNOR replied:

- (1) Yes, one complaint has been received.
- (2) to (4) The particular complaint referred to is pending before the Small Claims Tribunal. I therefore do not consider it proper for me to further discuss the various matters raised in these questions.

NOISE

Morley Bus Depot

594. Mr WILSON, to the Minister for Health:

- (1) Adverting to his answer to question 488 of 1981 relevant to the Morley bus depot and noise levels affecting residents, what advice has been given regarding options available and from whom are decisions awaited?
- (2) What further discussions are envisaged and who will be participating in these discussions?

Mr YOUNG replied:

- (1) The Metropolitan Transport Trust is considering advice from my department related to the characteristics needed for successful erection of a barrier wall on the depot boundary. The public address system and air compressor have been modified to reduce noise.
- (2) Further meetings are to be held between representatives of the Metropolitan Transport Trust and the Department of Health and Medical Services.

EDUCATION: HIGH SCHOOL

Tuart Hill

595. Mr BERTRAM, to the Minister for Education:

- (1) Is it fact that the Parents and Citizens' association of Tuart Hill Senior High School have contributed equipment and facilities for that school, the estimated value of which exceeds \$100 000?
- (2) Why has he apparently not answered all of the questions contained in my question without notice to him of 8 April 1981 touching on Tuart Hill Senior High School?
- (3) What is the ideal school population for each of the senior high schools in the metropolitan area?

- (4) Will he list all of the senior high schools in the metropolitan area stating in each case school populations for each of the last five years and the anticipated population for the next five years?
- (5) Noting that he says that he has written to every parent concerning the closure of Tuart Hill Senior High School, on what date or dates does he say that every parent received his letter?
- (6) Having said that the closure of Tuart Hill Senior High School will produce tremendous educational advantages for all concerned, will he state each of those advantages so far as the present students of Tuart Hill Senior High School are concerned?

Mr GRAYDEN replied:

- (1) The Parents and Citizens' Association of the Tuart Hill Senior High School has been active in supporting the school. Figures relating to the value of equipment and facilities provided are not maintained in the Education Department.

A significant part of the equipment, which is not consumable and has not worn out, is at present in the school. It is anticipated that much of this will transfer with the students to their neighbouring schools.

- (2) Detailed responses were made to the twelve questions provided. If the member would like to specify the questions he considers "apparently not answered" I will be pleased to furnish further information.
- (3) There is no "ideal size" for a high school. The general consensus is that schools need to be large enough to maintain a full range of subject choice for students. Most metropolitan senior high schools have been built to accommodate between 1 000 and 1 200 students.
- (4) This information is being compiled and a copy will be forwarded to the member when available.
- (5) Letters to parents were delivered to the school on Wednesday, 8 April, and distributed to students to take home that afternoon.

- (6) The populations of Tuart Hill High School and Mirrabooka Senior High School are projected to fall below 600 students each. Both schools will experience severe limitations in the range of subject choice in upper school and of options in lower school unless a move is made to rationalise the situation. In the future some of the students who are at present attending Tuart Hill Senior High School will have the opportunity to attend the new senior college. This additional educational facility will be of great benefit to all students in the locality. It would not have been available to them if the school were not to be redeveloped.

EDUCATION: HIGH SCHOOL

Tuart Hill

596. Mr BERTRAM, to the Minister for Education:

- (1) Did the careful analysis of the pattern of contributory schools carried out by the Education Department reveal that the Tuart Hill Senior High School could be phased out as a regular secondary school with the least dislocation to the students' education?
- (2) If "Yes", when was the recommendation made and what was the recommendation?
- (3) (a) What other senior high schools did the Education Department examine with a view to determining which one should be phased out and will he table the comparable details relevant to each of those schools;
(b) if not, why?
- (4) Is he confident that the parents of Tuart Hill Senior High School will recognise the importance of what he says is the importance of making more effective use of the expensive facilities at that school?
- (5) If "Yes", why, and why did he apparently conceal this move from the parents, the member for Mount Hawthorn and the citizens of the relevant area?

Mr GRAYDEN replied:

- (1) Of the schools in the group under consideration because of their declining students numbers, Tuart Hill Senior High School could be phased out with the least dislocation to the students' education.
- (2) The recommendation was made in a minute to Cabinet dated 1 April which recommended that Cabinet endorse the proposal that Tuart Hill Senior High School be redeveloped as a senior college.
- (3) (a) Mirrabooka Senior High School and Perth Modern School were also considered. The details of student numbers in those schools are contained in my answer to question 486 of Wednesday, 8 April.
- (b) Perth Modern School was not recommended because students living to the west and east of the school could not be accommodated in Hollywood and Mt. Lawley Senior High Schools respectively.

Mirrabooka Senior High School was not recommended because the population of Balga Senior High School to the north has not yet begun its projected sharp decline and because space must be reserved in Morley Senior High School to the east to provide for projected housing developments in the Noranda area.

- (4) I recognise that Tuart Hill Senior High School has made an excellent contribution to its community over the years and is regarded with pride and affection by many parents and students associated with it. Of course these people will feel a sense of personal loss and parents of children presently enrolled in the school will have some concern about the education of their children. No one would expect it to be otherwise. That is why I moved to send a personal letter to all parents the day after the decision was made.

This in no way alters the fact that the decision was necessary and desirable because of the declining numbers in schools in the region. The decision will result in significantly enhanced educational opportunity for all students in the region. Every effort will be made to make parents aware of the advantage both in the short term and the long term.

- (5) No effort was made to conceal the move. The decision as to which school should be redeveloped was made on the recommendation of the Education Department and was based only upon a detailed analysis of the population predictions of all schools in the location. As soon as the decision was reached it was made public. The question of which school should be closed is not one that could or should be opened to public debate.

EDUCATION: HIGH SCHOOL

Tuart Hill

597. Mr BERTRAM, to the Premier:

- (1) Is the report appearing on page 4 of *The West Australian* of 7 April 1981 touching on the closure of Tuart Hill Senior High School and its replacement with a senior college, an accurate report?
- (2) If "No", will he detail each of the inaccuracies?
- (3) If "No" to (2), why?

Sir CHARLES COURT replied:

- (1) to (3) In response to the member's question, I seek leave to table the text of my press release concerning the establishment of a senior college at Tuart Hill Senior High School. The honourable member will note that the report is accurate, but the heading is not correct because the Tuart Hill Senior High School and Bentley Senior High School are not "going technical" but are being redeveloped as senior colleges to provide adults and young people above the normal school leaving age the opportunity to return to full-time or part-time studies.

The Press release was tabled (see paper No. 148).

QUESTIONS WITHOUT NOTICE
CONSUMER AFFAIRS

Prices: North of State

138. Mr DAVIES, to the Minister for Consumer Affairs:

What has been the extent of the monitoring by officers of the Consumer Affairs Bureau of prices in the Pilbara and the north of the State since the last election?

Mr O'CONNOR replied:

On 6 April I requested further investigations to be made by the department. The matter was investigated and it was found the variation in costs between the Pilbara and the metropolitan area was 13.2 per cent, which the department claimed could be justified by freight charges and the additional wages and rents in the north. The information I received from the department indicated that since 1974, when the variation was 20 per cent, a substantial reduction had occurred, and the figure is now 13.2 per cent. I have some details in respect of the figures, which I request permission to table.

The paper was tabled (see paper No. 149).

TRANSPORT: AIR

TAA: National Country Party Policy

139. Mr BRYCE, to the Minister for Agriculture:

I address my question to the Minister as leader of the Country Party. I draw his attention to Press coverage given to statements by the Federal Leader of the Country Party (Mr Anthony) in respect of his attitude to the sale of TAA. I refer to newspapers such *The Australian Financial Review*, *The Australian*, *The West Australian*, and a number of others wherein Mr Anthony has said that if the sale went ahead the realities of commercial competition would make it inevitable that the more costly and less profitable routes now operated by TAA would be dropped and this would mean great hardship for many Australians living outside Australian cities. Does the Western Australian

Country Party support the view of its Federal counterpart?

Mr OLD replied:

I am touched by the concern of the member for Ascot in respect of our Federal policy which actually has nothing to do with me. I decline to make any statement at all on Federal policy. Our attitude to the airline situation is well known and we will continue to pursue a better deal for Western Australia. I suggest that if the member is really keen to get an answer to the question, he should have one of his many Federal colleagues ask it in the Federal House.

Mr Davies: We know what the Feds think.

"THE EXTERMINATOR" FILM

Ban or Restriction

140. Mr BLAICKIE, to the Chief Secretary:

- (1) Is the film "The Exterminator" under consideration for possible ban or restriction in this State?
- (2) What is the position in other States?
- (3) Why is there concern about this film?

Mr HASSELL replied:

- (1) The film "The Exterminator" is under consideration for restriction or ban in Western Australia. The situation arises because the Commonwealth Censorship Board, composed of four people, unanimously held it should not be shown in this State. The decision was appealed to the Film Board of Review which, by a majority, allowed the film.
- (2) The film has been banned in South Australia already by the Attorney General of that State. I understand it is under consideration in Queensland and Victoria, and I understand also it is to be permitted to be shown in New South Wales.

- (3) I viewed the film last Friday morning. I must say this sort of matter causes me great difficulty because of my real concern not to rush into banning things; and I have not yet reached a conclusion about it. I sought the assistance of members of the advisory committee on publications in a purely informal manner, because they have no statutory role in this matter. They attended the viewing and tendered certain advice to me. No matter what my decision, I do not intend to release the advice of members of the committee because they responded to a request from me and it would be unfair to do so.

The reason for the concern about the film relates to the level of violence depicted graphically in it. This includes—

The slow motion cutting of a person's throat.

The decapitation of a person, which was shown in full detail.

Garotting.

The hefty beating of a person plus a extra close-up shot of a grappling hook being ripped along a man's back.

The off-screen implied killing of a dog with an electric knife.

The implied feeding of a man into a giant mincing machine; he was lowered into it and one does not actually see the details, but it was clear enough.

The implied burning of the breasts of a prostitute with a soldering iron.

References to male perverts being provided with young boys, and a scene of a naked young man bound and gagged on a bed. That was in a brothel situation.

A vicious attack on an old lady by three youths.

A bloody shoot-out.

Mr Davies: Why do you hesitate? There is not the slightest doubt about it.

Mr HASSELL: The film must be considered in its context. I am doing that, and I will reach a conclusion as soon as I can.

MINISTER OF THE CROWN

Premier: Retirement

141. Mr B. T. BURKE, to the Premier:

- (1) Is it true the Deputy Premier will accompany the Premier to the Premier's Conference in June?
- (2) Is this an indication that the Premier may be considering stepping down?

Mr Davies: He is getting old, and he wants some help.

Sir CHARLES COURT replied:

- (1) and (2) Again I say the member for Balcatta must be having a bad session, because that is another "replay". It started in Canberra some days ago. I want to say that it is not unusual for the Premier to take a Minister or Ministers to the Premiers' Conference. When the member for Mt. Marshall was the Deputy Premier I took him to Premiers' Conferences. The Leader of the National Country Party has been with me, so has Sir Desmond O'Neil when he was Deputy Premier. The Hon. Ian Medcalf has been with me, as have a number of other Ministers when special matters were to be discussed.

It so happens that at the 4 May meeting of the Premiers' Conference and Loan Council some matters will be discussed which may require the attendance of one or two Ministers with me. On 18 and 19 June it is possible that not only will the Deputy Premier attend—because industrial matters will be discussed—but also the Attorney General. I want to let the member know there is nothing extraordinary about that.

Whether the Deputy Premier attends on 4 May or 18 and 19 June will be dependent entirely upon the agenda. I can only repeat what I have previously said about the retirement rumours that are going about: I have not had time to think about it.

EDUCATION: HIGH SCHOOLS

Bentley and Tuart Hill

142. Mr PEARCE, to the Minister for Education:

Is it a fact that the closure of the Bentley Senior High School and the

Tuart Hill Senior High School as senior high schools and their conversion to so-called senior colleges is in part due to the possible availability of additional Federal funds connected with the proposal that the dole be withdrawn from 16 and 17-year-old youngsters and that they be kept at schools or institutions of the senior college type?

Mr GRAYDEN replied:

The two colleges in question are being converted primarily because we are anxious to take TAE students out of technical schools and thus provide places for students who wish to take vocational courses. The two colleges will be used for adults and TAE students and for school-to-work transition programmes. In addition we expect they will take another group made up of children who have actually left school and who for the most part have low Achievement Certificate results. The Commonwealth is anxious that these children be taken back into the school environment.

We are anxious to avoid having those children in our high schools because we think they would be a disruptive element inasmuch as they would not be subject to discipline to the same extent as the other children because they have lived in an adult environment. The new colleges will have an adult ethos, and those children will be one of the four groups in them.

PORT

Fremantle

143. Mr PARKER, to the Minister for Transport:

I refer to the question without notice I asked on Wednesday of last week. Is he now in a position to answer that question?

Mr RUSHTON replied:

The question asked by the member was as follows—

- (1) Has the Minister—or the Fremantle Port Authority—decided to lease numbers 4 and 5 berths to a private consortium, or is the matter under consideration?

- (2) Of whom does the consortium consist?
- (3) What will be the effect on—
 - (a) the operations of the port including its profitability;
 - (b) employment of Fremantle Port Authority or other employees;
 - (c) equipment owned by the Fremantle Port Authority?
- (4) Who will pay for the \$4 million or \$5 million upgrading of the berths just completed?
- (5) What is the reason for any decision?
- (6) Will the Minister make a statement to the House on this matter under the Standing Orders newly created for this purpose?

My answer is as follows—

- (1) and (2) A proposal has been put to the Government by a group of companies which, if it can be brought to finality, will result in an increase in the amount of trade passing through the Port of Fremantle. Discussions between the Government and all the interests are taking place, but it would not be appropriate at this stage in the discussions to identify the companies concerned.
The proposal would not result in leasing berths 4 and 5.
- (3) All the effects cannot yet be determined though discussions are proceeding on the basis that additional trade and revenue will accrue to the Port of Fremantle.
- (4) The Fremantle Port Authority has been upgrading berths 4 and 5 for some time as part of an on-going port development programme. The work is funded by toll charges such as wharfage, tonnage dues, etc., levied against all ships using the berths.
- (5) and (6) No decision has been reached. Any decision will be on whether the proposal is beneficial to Western Australia. If a decision about the proposal is made, I will certainly inform the House.

NOISE ABATEMENT ACT

Amendment

144. Mr HODGE, to the Minister for Health:

- (1) Is he aware that a Government member, the member for East Melville, recently printed and circulated in parts of the City of Melville a pamphlet claiming that during 1980 the Government passed legislation which amended the Noise Abatement Act?
- (2) Can he confirm that the Noise Abatement Act was not amended in 1980 or any other year since it was introduced?

Mr YOUNG replied:

- (1) and (2) No, I was not aware of the matter raised by the member for Melville. I ask him to put the question on notice.

Mr Pearce: You must know if the Government has amended an Act under your jurisdiction.

The SPEAKER: Order!

EDUCATION: HIGH SCHOOLS

Enrolments

145. Mr WILSON, to the Minister for Education:

- (1) Will he name the 14 senior high schools with seriously depleted student numbers and the seven other schools which are considerably below capacity in the metropolitan area referred to in his statement reported in *The West Australian* on 13 April 1981?
- (2) What are the current enrolments for each of these schools as against their enrolment capacities by departmental standards?

Mr GRAYDEN replied:

- (1) The Press report of 13 April refers to mapped information showing 14 senior high schools severely under-utilised by 1987 and eight senior high schools under-utilised by 1987. Copies of these maps are tabled.

- (2) Information concerning the 20 schools and their enrolments in 1981 and predicted numbers for 1987 is contained in the attached information. School capacity is based on average sized class groups fully utilising all school accommodation.

I ask leave of the House to table the papers I have mentioned.

The papers were tabled (see paper No. 150).

ABATTOIR

Midland Junction

146. Mr H. D. EVANS, to the Minister for Agriculture:

- (1) Has any decision been taken with regard to the future of Midland Junction Abattoir and, if so, what precisely is the Government's intention in this matter?
- (2) What is the estimated cost of maintaining Midland abattoir on a maintenance basis in the 1980-81 financial year?
- (3) From what source will this cost be met?
- (4) Will the WA Meat Commission be required to meet any part of the cost of Midland abattoir and, if so, will he give details?
- (5) (a) What equipment would have to be restored to Midland abattoir to make it fully operational; and
(b) how long would it take to make Midland abattoir fully operational?

Mr OLD replied:

- (1) A committee has been appointed to inquire into alternative uses for the Midland abattoir and surrounding land. It is expected that this committee's final report will be available by 30 June, and the Government will consider the committee's recommendations at that time.
- (2) This information is not available. The cost in 1979-80 was \$1.8 million.
- (3) and (4) This cost will be met from any surpluses realised from operations at the Robb Jetty Abattoir and Midland saleyards, and from Government funding.
- (5) (a) The following items of equipment would have to be returned to Midland abattoir from Robb Jetty Abattoir—

Viscera tables
Portable amenities buildings
Brisket snips
Cookers and associated by-products equipment
Centrifuges
Refrigeration units
Other minor items.

These items were transferred to Robb Jetty to facilitate the operation of the second shift during the lamb season.

- (b) Approximately three months if sufficient staff were available.

CONSUMER AFFAIRS

Prices: North of State

147. Mr CARR, to the Minister for Consumer Affairs:

My question arises from his answer to an earlier question by the Leader of the Opposition on the matter of prices in the north. I preface my question by referring to the tabled paper which shows, firstly, that the figures the Minister quoted were compiled by the Bureau of Statistics three years ago; there are available two sets of figures compiled more recently than the ones quoted. Secondly, if those figures are of any use they do not show a 19 per cent variation as between Port Hedland and Perth, but a 14 per cent variation.

An attachment to the tabled paper relates to a survey carried out by the Bureau of Consumer Affairs and shows a comparison between one supermarket in Perth and one supermarket in South Hedland and carries the notation "14 April 1981 a.m." In other words, the survey was carried out this morning by telephone, presumably in response to the Leader of the Opposition's query over the weekend.

My question without notice is as follows—

- (1) Why is it that his department has done absolutely nothing to monitor prices in towns throughout the north-west prior to its exercise this morning?
- (2) Will he now undertake to have price surveys carried out by his department in towns throughout the north-west of the State?

- (1) and (2) What the honourable member says is not true: two documents were tabled. If he obtains the other document he will see the information I gave was correct.

Mr Carr: The two documents are attached.

Mr O'CONNOR: There is another one.

Mr Davies: Attachment "A" relates to the price survey. There are only two documents.

Mr O'CONNOR: There is another document. In addition, the survey delivered to me today was as a result of a request I made to the Bureau of Consumer Affairs on 6 April, not as a result of action taken over the weekend by the Leader of the Opposition.

Mr Davies: The attachment is dated 14 April, a.m.

Mr O'CONNOR: I wrote to the bureau on 6 April, and this survey was in response to my request.

Mr Davies: The survey was carried out on the telephone this morning.

Mr O'CONNOR: I do not know how the bureau carried out the survey.

Mr Davies: It certainly did not send a man to South Hedland.

Mr O'CONNOR: The survey conducted by the bureau compared prices at the Coles Carawarra Shopping Centre in Perth and the Coles shopping centre in South Hedland, and was undertaken as a result of a letter I wrote to the bureau on 6 April following a request by the member for Pilbara. I would be most happy to provide the Leader of the Opposition and the member for Geraldton with a copy of that letter.

Mr Carr: The survey refers only to South Hedland. What about the other towns throughout the north-west?

Mr O'CONNOR: At one stage, the union and the company had WAIT and the University of Western Australia extract some figures—

Mr Davies: What has the Government done?

Mr O'CONNOR: If the Leader of the Opposition will be quiet for a moment, I will tell him. The university or WAIT prepared a report comparing the cost of living in the Pilbara with that obtaining in the metropolitan area which indicated

that, overall, the cost of living was less in the Pilbara.

The Leader of the Opposition probably knew that last year, and the year before that, a number of actions were taken by the bureau to ascertain the variations in the cost of living between towns in the north of the State and in the metropolitan area; I understand a number of these surveys were presented to the House. I am prepared to bring them all forward and present them to the House for the information of members.

Mr Davies: But what has the Government done? It has done nothing.

PORT

Fremantle

148. Mr PARKER, to the Minister for Transport:

I refer to the Minister's answer to my earlier question. I ask—

- (1) Could he advise me of the timetable for the negotiations, and when it is expected they will be brought to finality?
- (2) What is the proposal in respect of berths 4 and 5?

Mr RUSHTON replied:

- (1) I am unable to give the member for Fremantle a schedule of time because it is not a fixed schedule, but is subject to negotiation.
- (2) As is normal, the actual berths and the wharf will remain under the control of the Fremantle Port Authority. The area the subject of the leasing arrangement is the back-up area for the servicing of containers and the like.

SITTINGS OF THE HOUSE

Easter Eve

149. Mr DAVIES, to the Premier:

Are there any contemplated changes in the sitting times of Parliament on Thursday, Easter Eve?

Sir CHARLES COURT replied:

I understand that my colleague, the Deputy Premier, has checked to ascertain whether any changes would be unmanageable so far as *Hansard* and the dining facilities are concerned. As a result of the advice he has received, changes can be made without causing any great dislocation. It is now proposed, by mutual agreement, to meet at 10.00 a.m. this Thursday and to sit through until 1.30 p.m., at which time the day's sitting will conclude—assuming, of course, everything runs according to the predetermined timetable.

Mr Davies: As long as you behave yourself, it will.

Sir CHARLES COURT: This matter will be worked out between the Deputy Premier and a nominee of the Leader of the Opposition. That is the plan at the moment.

MINING ACT 1978

Proclamation

150. Mr H. D. EVANS, to the Minister for Mines:

Is the Minister now in a position to indicate when the new Mining Act will be proclaimed, following today's fairly important meetings?

Mr P. V. JONES replied:

No, because I have said in answer to two questions asked regarding this matter that it is now related to the passage of the amendment to the 1904 Mining Act and the finalisation of the regulations, which are now being considered.

ELECTORAL

Districts: Redistribution

151. Mr PEARCE to the Chief Secretary:

When might we expect an announcement as to whether the Government intends to call for a redistribution before the 1983 election?

Mr HASSELL replied:

This matter was raised last year by the Opposition, at which time the Premier, on behalf of the Government, undertook that we would review the situation. When the review is completed, the Government will decide what action, if any, should be taken. However, I remind the member for Gosnells there is no statutory requirement for a redistribution at this stage.
