

Legislative Council

Thursday, 16 October 1986

THE PRESIDENT (Hon. Clive Griffiths) took the Chair at 11.00 a.m., and read prayers.

APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

Consideration of Tabled Paper

HON. D. K. DANS (South Metropolitan—Leader of the House) [11.05 a.m.]: I move, without notice—

That pursuant to Standing Order 152(c), the Council take note of tabled paper No. 414 (Estimates of Revenue and Expenditure and related papers), laid upon the Table of the House on 16 October 1986.

This motion is to enable the Legislative Council to examine and debate at length the Budget papers associated with the Appropriation Bills which are now before the Legislative Assembly.

In his Budget speech, which now forms part of the Budget papers, the Premier and Treasurer outlined the changed economic and financial environment in which this Budget is framed. He pointed to the sacrifices which must be made and the restraint that must be exercised if the Government is to achieve its goals of increased economic and employment growth, and increased protection for low income families and the needy. At the same time Western Australia, under this Government's administration, is more soundly placed than any other State to overcome the problems resulting from the marked deterioration in our terms of trade.

Since we took office, Western Australia has led the States in growth in employment and growth in investment in dwellings and other buildings. More recently we have recorded the lowest rate of inflation, the highest growth in retail sales, and the second highest growth in new private capital expenditure. This economic record has been matched by responsible financial management. Indeed, had it not been for our financial stewardship, we would now be grappling with a budgetary problem of far greater proportions.

The expenditure discipline that we exercised last financial year not only led to a small surplus, but enabled us to carry forward interest earnings of \$56.5 million. Those funds are available to supplement traditional revenue

sources now threatened by factors outside the State Government's control.

The 1986-87 Budget

The major thrust of this Budget and our capital works programme are—

- economic and employment growth;
- increased protection for low income families and the needy; and
- structural change in the public sector.

Within that framework, the highlights of the Budget are—

- an allocation of \$12.2 million to the employment strategy fund to provide career training and increase job opportunities, particularly for young people;

- a special \$2 million anti-poverty package to supplement the assistance that is already provided to the needy; the package has been targeted at the poorest families, particularly those families on fixed incomes with dependent children;

- a firm timetable for significant land tax reductions;

- renewed major commitments to agriculture, the development of the tourism industry, and regional development;

- continued funding priority to meet community needs for public housing and to maintain momentum in the labour-intensive housing industry;

- more support for the Police Department; provision has been made for a further 215 police officers and aides, and also additional administrative staff to help the department cope with increasing demands; and

- funding for the joint Commonwealth-State Aboriginal land and communities programme, which will provide basic infrastructure to Aboriginal communities throughout the State.

Most importantly the Budget is balanced and there are no new taxes or increased taxes. Indeed there are some tax reforms which I will now turn to in commenting on our projected revenue position.

Revenue

Revenue collections in total are expected to amount to \$3 278.8 million. This represents an increase of only 4.4 per cent when allowance is made for the changed payroll tax arrangements that I will shortly describe and after

discounting the \$92.6 million which has been taken into account from the short-term interest earnings at our disposal. By comparison, our revenues increased by a healthy nine per cent last financial year in the absence of any call on our short-term interest earnings.

Despite the adverse impact of a number of domestic and international influences on our revenues, we have decided to introduce the following measures to give impetus to Perth's development as a significant financial centre and to reduce administration costs associated with some State taxes—

Stamp duty is to be removed on insurance policies involving international trade at an estimated cost of \$500 000 in a full year. The exemption will cover insurance policies for internationally traded goods and commercial marine hulls engaged in this trade. The effect will be to improve the competitiveness of our domestic insurance industry and will attract back insurance business which now goes overseas, adding to the nation's current account deficit.

The maximum annual rental income at which taxpayers can opt to pay stamp duty on rental business annually rather than monthly, is to be lifted from \$5 000 to \$20 000. The move will lead to some deferral of revenue but there will be no revenue loss. However, it will result in a welcome reduction in administration costs both for businesses and the State Taxation Department.

The existing two-day stamp duty exemption period for stockbrokers acting on their own behalf is to be increased to 10 days to encourage financial activity in the Perth Stock Exchange. By encouraging increased general market turnover and improving international competitiveness, the impact of any revenue loss will be minimised.

In addition, we have decided that, as a general rule, State Government departments are to be exempted from payroll tax, thereby saving the taxpayer the cost of accounting arrangements needed merely to record transfer payments within the public sector. I stress that those departments or agencies which operate as business undertakings or compete with the private sector will remain liable. Organisations established under their own Statute, other than the Public Service Act, will also generally continue to pay the tax.

Apart from these measures, the Council would be aware that between 500 and 700 small businesses were freed from payroll tax as a result of the new payroll tax arrangements which came into effect from 1 August. Moreover, we have already announced the continuation of the 10 per cent land tax rebate in 1986-87 pending the outcome of a major review of land tax which was initiated because of our concern at the inequities and large increases that result from the current system. The cost of this continuation will be around \$6.5 million this financial year and, while budgetary circumstances preclude any further relief in 1986-87, we have decided that significant long-term concessions will be provided in 1987-88.

A restructured land tax scale is to be introduced to provide tax relief estimated at \$10.8 million next financial year and more in subsequent years. The essential features of the proposed new land tax scale are—

A simplified rate scale with fewer tiers and an expansion in the valuation ranges to which each tier applies; and

a reduction of more than 16 per cent in the maximum marginal tax rate, with the rate dropping from 2.4c in the dollar to 2c in the dollar; the new maximum rate will be equal to or below comparable rates current in other States.

For the average taxpayer, the effect will be to reduce land tax by more than 14 per cent in real terms.

The Government has also decided to minimise sudden large increases in land tax bills in the future by moving to a system of annual valuations. However, such a system will take time to implement because of administrative complexities, and the target date for introduction is 1990-91.

As part of this 1987-88 package we will also exempt taxpayers with land holdings valued at \$5 000 or less from land tax. The exemption level is more than three times the current level and is estimated to totally relieve a further 7 000 taxpayers from land tax liability.

Further details of the changes, and some accompanying rearrangement of the metropolitan region improvement tax—MRIT—will be provided when the enabling legislation is introduced.

I now turn to details of our expenditure initiatives and the measures needed to balance the Budget.

Expenditure

When the Government commenced the framing of its expenditure strategies, we had before us departmental requests for existing activities alone which exceeded our initial revenue estimates by \$306 million. Since then, the Commonwealth Budget has been introduced, incorporating an upward revision to our general recurrent grant. The Commonwealth's announcement concerning the timing and discounting of the next national wage decision has also meant a downward adjustment in our earlier estimate for award increases. Notwithstanding these favourable budgetary developments and the prudent husbanding of our resources in 1985-86, unprecedented expenditure restraint was clearly needed to meet our goal of a balanced Budget. It is pleasing to be able to say that our rigorous approach to this task has held estimated expenditure to the necessary target of \$3 278.8 million.

At the same time we have given the highest priority to programmes which will stimulate employment and growth in the private sector and help the most disadvantaged in the community. Features of our expenditure programme include the following.

Employment and Training

In partnership with the private sector, this Government has broken new ground in increasing job opportunities for our young people. We have accelerated the absorption of school leavers into employment, further education, and training, and it is particularly encouraging that, in June 1986, the number of teenagers looking for their first job was down 42 per cent on a year earlier. Nevertheless, the level of unemployment remains unacceptably high and we remain firmly committed to our policy of stimulating growth in the private sector as the most effective way of addressing the problem.

To complement this policy, \$12.2 million is to be spent from the State Employment Strategies Fund in 1986-87, including nearly \$3 million for the youth traineeship scheme, \$1.6 million for the Joblink programme, \$550 000 for the highly successful youth employment scheme, and \$1 million for the new enterprise scheme. In addition, \$2.5 million is to be provided for apprenticeship initiatives and \$560 000 for a plastics skills centre.

Assistance for Low-income Families

To supplement existing financial aid programmes, the Government will introduce a

new \$2 million anti-poverty package aimed at offsetting the daily costs which must be met by low-income families and selectively expanding services to provide support to needy families. Elements of the anti-poverty package are an upgrading of the high school clothing allowance, an extension of the education book allowance, an increase in funding for non-Government welfare agencies, a lift in emergency financial assistance, an expansion of financial counselling-consumer credit services, and the introduction of a loan scheme to enable families on fixed low incomes to purchase certain basic household goods without having to resort to loans at excessive rates of interest.

Housing

One of this Government's first undertakings was to increase the emphasis given to the housing industry, the generator of a significant proportion of economic activity and jobs in Western Australia.

Again this year we will direct the State Government's entire Loan Council borrowing allocation into housing, enabling Homeswest to undertake a capital works programme of \$204.9 million, an increase of \$17.7 million on the amount spent in 1985-86.

Our efforts will allow a roll-over construction programme of more than 1 000 units of public housing on top of the 1 000 homes which are currently at varying stages of completion and which will be added to the rental stock in 1986-87.

In addition, more than 2 000 housing loans will be made to persons on low incomes and a Government guaranteed low start home loans scheme assisting 1 000 families will be extended to June 1987. The rental support and bond assistance schemes will also continue to provide help to more than 16 000 families renting in the private market. Through the mix of construction and loans that I have described, significant inroads will be made into our undertaking to provide at least 6 000 homes for low and moderate income families during our second term of office.

Capital Works

The Government intends to mount a capital works programme of \$1 260.5 million but with reduced emphasis on borrowings so as to contain the impact of debt servicing costs on our Budget and to lessen the adverse effect of public sector borrowings on interest rates and Australia's current account deficit. Important

components of the capital works programme are—

Capital expenditure of \$311.8 million by the State Energy Commission;

expenditure of \$19.4 million on the construction of small boat harbours; for the provision of fishing, recreational boating and port facilities; and for improvements to rivers, foreshores, and estuaries;

capital outlays by the Health Department amounting to \$103.6 million including \$31.4 million for continued work on Royal Perth Hospital's north block development, \$9.3 million for Princess Margaret Hospital stage II, and \$9 million for nurse education facilities on the WAIT and Churchlands campuses;

planned expenditure of \$46.2 million on primary and secondary education facilities; and

the completion of 10 child care centres and the commencement of another six.

Other Activities

There are many other expenditure items of note in the proposed departmental allocations and I have time today to only briefly cover the following which are of particular interest. Ministers will be providing further information on these and other expenditure areas when the appropriations are being dealt with in Committee.

The proposed allocation for health is \$726.2 million, an increase of \$91.2 million or 14.4 per cent. This high apparent increase occurs at a time when the department is faced with substantial flow-on costs from previous years. The allocation will, in fact, impose tight expenditure discipline on the department and necessitate a full review of current services so that appropriate cost-reduction strategies can be adopted without causing dislocation of essential patient services.

The Government has also decided that public hospital fees will be charged to armed services personnel and those persons whose medical and hospitalisation care is the responsibility of the Department of Veterans' Affairs. It is estimated that this measure will raise \$1 million during 1986-87.

The proposed allocation for the Education Department is \$782.3 million. Although provision has been made for 168 additional staff, the proposed allocation represents a modest increase by the standards of recent years. The Minister will shortly be providing further de-

tails of the measures necessary to contain expenditure to this allocation. The aim has been to minimise the adverse effects felt directly in the classroom.

We have decided to increase the allocation for the Western Australian Tourism Commission by \$1.8 million or 13.2 per cent to \$15.8 million. The allocation has regard for the employment opportunities being generated by tourism, the State's fastest growing major industry.

To maintain the Government's support to our vital but hard-pressed agricultural industries, an allocation of \$64.2 million has been made to the Department of Agriculture. An additional \$1.1 million allocated for the administration of the Rural Adjustment and Finance Corporation will enable the corporation to undertake more effectively the administration of the rural adjustment scheme and the interest rate relief scheme. In particular, provision has been made for computing systems to assist in the processing of applications from farmers.

This Government remains firmly committed to regional development and in 1986-87 a major study of the Geraldton-mid-west region will result in a development strategy for the region. In addition, \$349 000 has been allocated to the Great Southern Development Authority with particular emphasis on "Albany Tomorrow". An increase of 16.7 per cent or \$223 000 in the allocation to the South West Development Authority will enable the commencement of stage 2 of the highly successful "Bunbury 2000" development strategy.

Allocations totalling \$10 million are provided as the State's contribution towards the implementation of the previously announced five-year Commonwealth-State assistance package for Aborigines. This will provide housing, water, power, and social services to raise the health and living standards of Aborigines. Commonwealth funding is to be used largely for capital expenditure and State expenditure will be largely on services. A joint task force has been appointed to secure the support and involvement of Aborigines in determining priorities.

In accordance with our election undertaking, a 50 per cent rebate on motor vehicle licences is to be provided to aged pensioners who hold the pensioner health benefit card. The concession will commence from 1 January 1987.

Public Sector Restraint and Structural Change

This Budget builds upon this Government's already impressive record in identifying functions that can be abandoned, scaled down, streamlined, or reorganised so that they can be performed more cheaply and efficiently. The work of the Functional Review Committee is now well known, and it is a logical consequence of the stringent budgetary circumstances that difficult decisions must be made to achieve economies and to ensure that functions are still relevant to the community's changing demands. Accordingly, and in addition to the measures that will be introduced in the areas of health and education, we have decided to—

- abolish the Legislative Review and Advisory Committee, the Legal Aid Consultative Committee, and the Rural Youth Movement Council;

- subsume the Office of Economic Development within the Department of Resources Development;

- amalgamate the Solar Energy Research Institute with the Western Australian Mining and Petroleum Institute;

- abolish the Industrial and Commercial Employees' Housing Authority with the emphasis of its residual functions changing from providing homes at a loss to the taxpayer to one of facilitating the construction of dwellings by the private sector;

- cease additional funding to the Department for Sport and Recreation for equipment hire pending a re-evaluation of the need for Government to participate in this field;

- transfer the Rural and Allied Industries Council from the Department of the Premier and Cabinet to the Department of Agriculture; and

- close Noalimba from the end of April 1987.

Our systematic ongoing review of public sector functions is complemented by the measures we have adopted to improve the management of Government assets and the introduction of the Financial Administration and Audit Act to increase the accountability of those responsible for the spending of taxpayers' funds. Both these major policy initiatives are fully covered in the Budget speech, and I do not have sufficient time to cover them again now.

An important related goal of this Government is the targeted three per cent reduction in total State Government employment which

was announced in the Premier's June economic statement. In order to achieve that goal, departments and authorities are to be assigned end-of-year staffing targets following an assessment of existing and projected vacancies and functional priorities. The Government is confident that our objective can be met without retrenchments. Natural attrition and voluntary redundancy arrangements should enable substantial progress to be made towards our target, although redeployment of existing staff will probably be necessary in some areas.

Pending the determination of staffing levels, the present freeze is to continue on the filling of vacant positions and the appointment of temporary relief. The Government believes that the freeze has led to significant savings and has imposed a useful discipline on our public sector managers to be more innovative in meeting work loads and responsibilities. As is the case now, exceptions will be granted in special cases, but on the basis of clearly demonstrated need and with specific Government approval.

Budget Overview and Summary

This Budget is the first in our second term of office and is the fourth in succession which aims for either a balanced result or a small surplus. As I mentioned earlier, revenue collections this year are expected to amount to \$3 278.8 million. On the expenditure side, outlays have been held to the same amount, \$3 278.8 million. That represents an increase of only 5.8 per cent; but, as in other years, it is difficult to arrive at increases on a strictly comparable basis because of special factors such as changed accounting and funding arrangements. For example, adjusting outlays last year to reflect the new payroll tax initiatives results in an increase of 7.5 per cent. Should that calculation be further adjusted to take into account the full netting effect of contributions from the transport trust fund, the increase is again higher but still short of the combined effect of inflation and population growth.

The Government believes this Budget demonstrates commendable public sector restraint but acknowledges that it is unlikely to be greeted with acclaim. There will be those in the community upset at the expenditure discipline imposed in areas considered to be worthy of special attention. They will say that the brunt of the Government's austerity is being unfairly shared. Some will be disappointed that the Government has found it necessary to temporarily defer policies and commitments which they strongly believe should have been

introduced as a matter of urgency; and there will be others complaining that we have not cut deeply enough into Government spending, ignoring the important economic and social role played by the public sector and the need for gradual reductions in Government functions to avoid the unproductive dislocation of services.

I believe that our record speaks for itself. We have vigorously pursued the policies on which we were elected to office without losing sight of the need for financial responsibility.

The four Budgets this Government has introduced have held recurrent expenditure to an average annual increase of about 9 per cent; the average growth for the nine years of the Court and O'Connor Governments was almost twice that, 17 per cent.

This Budget does not shirk the difficult issues that must be faced. It is decisive, responsible, and balanced. In the face of reduced resources, it gives priority to job security, job creation and the needy.

Debate adjourned, on motion by Hon. G. E. Masters (Leader of the Opposition).

LEGAL AID COMMISSION AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon. D. K. Dans (Leader of the House), and read a first time.

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE REPEAL BILL

Second Reading

Debate resumed from 15 October.

HON. N. F. MOORE (Lower North) [11.34 a.m.]: I make some comments on the Legislative Review and Advisory Committee Repeal Bill which is No. 1 on the Notice Paper. I mention the fact that it is No. 1 on today's Notice Paper because the Government is completely ignoring the request made by Hon. Vic Ferry in his speech on the subject last night. In that speech he requested that this legislation be deferred until such time as a decision was made with respect to the report of the Select Committee into a committee system in the Legislative Council.

The Bill seeks to abolish the Legislative Review and Advisory Committee with the intention down the track of instituting a joint House committee to look at the question of delegated legislation. The Government has things around

the wrong way in its intentions in respect of this matter. The logical procedure would have been first to consider the recommendations of the Legislative Council Select Committee, a committee which consisted of members from both sides of the house and which had joint chairmen, one from each side of the House. That Select Committee made recommendations, one of which was to form a Standing Committee of this House to be called the Delegated Legislation and Finance Committee. That recommendation has not been considered by this House even though the committee reported quite a long time ago—I think it was this time last year. The report has sat around for 12 months. That recommendation should have been considered because it was a worthwhile initiative and something which this House could have involved itself in. It could have been a very important part of the work of the Legislative Council.

Regrettably, the Government has decided to go down the path that it has and to abolish the existing Legislative Review and Advisory Committee. One can only assume that the reason for doing this is that in 1985-86 the committee cost \$46 000, and we have just heard in the speech made by the Leader of the House that this is one of the Budget initiatives of the Government to save money. That is a red herring with respect to this matter, unless the Government proposes that its joint House committee to replace the Legislative Review and Advisory Committee will be treated in the same way as the existing Standing Committee on Government Agencies, which is treated in a way that would indicate a lack of enthusiasm by the Treasurer for its activities.

It is quite absurd that an existing Standing Committee is hidebound when it comes to spending any money and finds it difficult to raise the funds to have its reports published. The Government now puts forward the argument that it should get rid of the Legislative Review and Advisory Committee, which cost \$46 000 last year, and replace it with a joint House committee which presumably will cost less than that amount. It will cost less if that joint House committee is treated in the same way as the Standing Committee on Government Agencies. But that would be a silly way of going about a very important function of the House. As Hon. Vic Ferry pointed out so clearly last night, if we are to have a joint House committee to look at delegated legislation, it must have the resources to do the job properly. It would need at least the resources of

the existing Legislative Review and Advisory Committee. It would cost at least \$46 000 a year if that committee were to do the job in the way it should.

There is a temptation for members of Parliament and people in the community to ignore the consequences of delegated legislation. We all know that a lot of what happens to us in the field of law-making comes about through regulation and is never debated in the public forum of the Parliament.

It is absolutely vital that proper consideration be given to the consequences of legislation by regulation. There has been a temptation in recent years—I do not confine this to the current Government—for Governments to bring in legislation which has attached to it provision for certain changes to be made by regulation without having to go before the Parliament. While that makes the work of the Parliament less arduous, it means that legislation can sneak through and not be considered in the way it should be. It is therefore very important that a high-powered, active, properly financed parliamentary committee be given the role of considering delegated legislation. Until such time as the Parliament makes a decision on that—and it is not simply because of the Government's proposal contained in the Minister's second reading speech that there be a joint House committee—we should not get rid of the existing committee.

If I could come back to my point that things are being progressed in an illogical way, I would like to suggest that what the Attorney General should have done was to bring forward legislation, or change the Standing Orders of both Houses, in order to set up the proposed joint House committee, and once that had been set up, he would then get rid of the Legislative Review and Advisory Committee. In this legislation we are being asked to accept that a committee of both Houses will be set up in the future. We are being asked to abolish the existing watchdog without any legislation being before us, or without any concrete proposals for the alternative.

I am not opposed to the abolition of the Legislative Review and Advisory Committee; it has always been my view that it is a responsibility of the Parliament to look at all forms of legislation, including delegated legislation. That responsibility should never have been given to anybody else.

That is not to say that a committee of the House should not avail itself of the expertise of the sort of people who are on the current Legislative Review and Advisory Committee when it deliberates on these matters. So I am prepared to accept that we can do without the existing Legislative Review and Advisory Committee, but I am not prepared to accept that we should get rid of it until such time as we have decided on the alternative.

As I said earlier, there are two alternatives. One is that provided for by the Attorney General, which is simply a one-liner in his second reading speech which gives no details of the assistance to be provided by way of finance and staff. There is no indication of what he has in mind with respect to this joint House committee. We have the other alternative already researched, already the subject of a very in-depth report by a Select Committee of this House. This committee recommended that there be a Standing Committee of this House—not the Parliament but this House—to look at the question of delegated legislation.

The Select Committee did look at the matter of joint committees. In fact it investigated the possibility of having a joint committee by virtue of the fact that this existed in other States. Reference is made on page 20 of the report to the Victorian situation, yet the committee of this House, which was a joint Liberal and Labor committee—there may have been National Party representation as well—came to the conclusion that a committee of this House would be preferable to a committee of both Houses to look at this subject. They raised the matter of the Victorian parliamentary situation where the lower House has more members on the joint committees than does the upper House.

That, of course, could easily be argued as being right and proper because there are more members in the lower House than in the upper House. One could argue there should be the same ratio of members on these committees as there are in each House. What that means in political reality, however, is that because the Government has the numbers in the lower House, inevitably the Government will finish up with the numbers on the committee which is to be set up to look at delegated legislation. These sorts of committees invariably become simply extensions of the Executive's will.

The arguments put forward by the committee of this House, which argues strongly that the Legislative Council ought to be the place from which the committee should look at

delegated legislation, is the most sensible, if we are to have a committee to view delegated legislation which is not simply a reflection of the view of the Government.

Hon. Tom Stephens: That is while we are in Government.

Hon. N. F. MOORE: That is not necessarily fair, because I am a member of a Standing Committee of this House, and have been since its inauguration. To the best of my knowledge, on only one occasion has there been any disagreement between members of the committee on the basis of a political difference. That committee, in my view, has been a most successful one. In fact it has filled me with much more enthusiasm than I originally had on the whole question of the committee system in this House.

I think members opposite would agree that the Standing Committee on Government Agencies has been able to look at matters of considerable importance, many of which have political overtones, and arrive at decisions which could be considered to be bipartisan decisions. I do not think any of the member's colleagues disagree with that. On the one occasion when there was a disagreement, it was on the basis of hard and fast political ideology where it could only be expected that members of different political persuasions should take a different point of view.

We have argued about that already. But that is politics, and that is what will happen. If we have a committee dominated by Legislative Assembly members on the Government side, then the inevitable conclusion we are forced to arrive at is that these sorts of joint committees will become simply extensions of the will of the Government of the day.

I am not suggesting that that is what would happen only when there is a Labor Government. The same thing would apply if a Liberal Government were in power. That, to me, is contrary to the purpose of a Parliament; certainly contrary to the purpose of a Legislative Council or House of Review, whose job it is, in my view, to take a more detached and objective view of the sort of activities of Government, the activities of the Executive, and provide a watchdog role, reviewing those activities in a more considered sense without the real problems and demands of members of the Government being paramount.

I think the Government should defer consideration of this legislation until such time as its alternative, or the alternative to the Legislat-

ive Review and Advisory Committee, has been determined.

That is why I am disappointed to find that following Hon. Vic Ferry's comments last night, this legislation is No. 1 on the Notice Paper. Surely, the Minister setting the Notice Paper is, in a sense, being provocative when the Opposition put forward a logical argument for the deferral of this legislation. We then find it is first on the Notice Paper and is to be debated immediately the following day, after the initial response from the Opposition.

Hon. Fred McKenzie: Only because I told him you had other speakers to come.

Hon. N. F. MOORE: I appreciate the fact that the Government may well adjourn it now, but the point of the matter is that the lead speaker for the Opposition, Hon. Vic Ferry, made a very strong point last night that this is a "cart before the horse" piece of legislation. We need to decide on something else before we decide on this Bill. Obviously, the Government has not accepted that argument and has decided we will proceed with this even though it will be adjourned. We could have adjourned it as easily as the Government, and we could keep adjourning it until such time as we run out of members to move the adjournment.

I would like the Government to consider the proposition put forward by Hon. Vic Ferry, other members on this side, and me, that we consider the report of the Select Committee into a committee system first. In the event that we do not accept that, we should look at the proposal for a joint House committee on delegated legislation, decide on that, and then decide on this legislation.

Hon. Tom Stephens: I think you will find our side will be very interested in considering that report after we have considered the reform of this Chamber.

Hon. N. F. MOORE: Hon. Tom Stephens introduces, regrettably, another argument. That argument—which has been used by other members on his side—completely ignores the significant contribution and the significant success of an existing Standing Committee which has been able to work regardless of the so-called malapportionment of seats in this House. I do not think any of the members on the Government side who have been on that committee would disagree with that statement. It is my view that committees of this House can work if goodwill prevails.

The Government is to bring forward legislation into this House very soon I understand presumably to do something about how people are elected to this place. It is interesting that it is bringing forward legislation which bears no relationship to the position the Government took on how this House ought to have been constituted in the past, and that was proportional representation across the State. We are not getting that.

The DEPUTY PRESIDENT (Hon. D. J. Wordsworth): Order! You cannot speak on a future Bill like that. I think you should get back to the point.

Hon. N. F. MOORE: Thank you, Sir. I was taking advantage of your goodwill and I apologise. I will not argue any longer; but when the time comes I might remind Hon. Tom Stephens of what he said today when we discuss that future legislation which I am not allowed to talk about now.

Hon. Tom Stephens: Former Select Committees of this House have done so much disservice to this House that the programme advocated by that report is likely to be put off.

Hon. N. F. MOORE: I think the member clearly misunderstands the difference between a Standing Committee of this House and a Select Committee. Select Committees are set up to investigate a particular issue. In most cases it is an important political issue, but not always. It can only be expected, on important political issues, that there will be differences of opinion based on political views.

What I am arguing is that a Standing Committee looking at delegated legislation would operate in a similar way to the Standing Committee on Government Agencies which has, in my experience, operated on a non-partisan approach to what is considered by members on both sides of the House to be important matters.

I hope that the Government will accede to the request of Hon. Vic Ferry and me and ignore the suggestion of Hon. Tom Stephens. I do not mind if we wait until after we have dealt with the electoral matters anyway, but we should not allow the outcome of that legislation to blur our view about this legislation. I ask the Government to consider, firstly, the report of the Select Committee and, secondly, as a result of the consideration of that and in the event it is rejected, look at the Attorney General's proposition for a joint House committee. Once we have resolved that matter, we could then

come back to the legislation we are now discussing and resolve it.

With those comments, I indicate I am prepared to support the abolition of the Legislative Review and Advisory Committee only on the basis that the alternative has been decided beforehand. In that sense, I would have to oppose the legislation and hope it can be deferred until such time as we have resolved the matters we have discussed today.

HON. MARK NEVILL (South-East) [11.56 a.m.]: I support the Bill before the House. The work of this committee is the work of members work of this committee is work members of Parliament should do and should be brought within the Parliament. It should not be a committee outside the Parliament.

I have often wondered why such a committee was ever set up outside Parliament. The Bill went through in 1976, and I think the committee was established in 1978. It was probably set up initially to take some of the pressure off reform of this House in the mid-1970's when there were moves from certain members of this House to establish a committee system in the Legislative Council. I presume it was a move by the Government of the day to take off the heat and pressure that was coming from its own members and members of the Opposition. It is a strange creature.

In 1983 I asked a series of questions about the Legislative Review and Advisory Committee. In reply I was informed that the members were originally appointed in September 1977. The committee comprises three members and has submitted a number of reports since 1977. In 1978 it tabled seven reports, in 1979 three reports, in 1980 one report, in 1981 six reports, in 1982 two reports, and in 1983, when this question was asked, it tabled three reports. My final question then was "Which of those reports have been acted upon?" The answer was that none of the reports resulted in a disallowance of the regulations. If I were a member of that particular committee, I would have found it very frustrating to have done that sort of work without having any impact on the regulations that flow through this Parliament. I do not think it would have been a very satisfying position to be on that committee and not see one's work implemented. If the work is not being implemented, I cannot see any point in having a committee.

I strongly support the Select Committee report on establishing a committee system in the upper House. I was one of the members on that committee and certainly nothing has happened

since we tabled that report to change my view. I think we should abolish this committee. I hope the subordinate legislation committee is not a joint committee of both Houses. I would hope it becomes a committee of this House, and I certainly will be working towards that end within my party.

The best thing we can do is abolish this committee and hope we do get a committee—even if it is a joint committee—which would be far better than none at all. I would prefer it to be a Legislative Council committee.

Hon. Tom Stephens' comments about electoral reform were reasonable. One of the biggest problems we have in establishing a committee system in the upper House is that there is a lot of hostility towards this House within our party. I suspect that was the position with the Opposition when it was in Government when it came to the idea of giving the Council too much rein in this area of establishing committees to scrutinise government and legislation.

Hon. Tom Stephens: I would have thought they loved the place.

Hon. MARK NEVILL: I am talking about changing the place, not the numbers.

I think we should get rid of this committee now. Pressure will certainly be placed on the Government to introduce a delegated legislation committee, whether that be a joint House committee or a committee of the Legislative Council.

Debate adjourned, on motion by Hon. P. G. Pendal.

CRIMINAL LAW AMENDMENT BILL

Second Reading

Debate resumed from 7 October.

HON. JOHN WILLIAMS (Metropolitan) [12.01 p.m.]: The House would remember that this Bill is a result of the efforts of Hon. Ian Medcalf's seeking some time ago, in his position then as Attorney General, a complete review of the Criminal Code. That review was carried out by Mr Michael Murray, QC, who did a splendid job. I do not know how many more bits and pieces there are to come from that review, but I would expect another 20 or 30 because these days our Criminal Code is not a satisfactory document for legal practitioners and for us in defence of the public. This Bill goes a long way to rectifying that problem, and it has my full support although I have one or two points to raise, but I will come to them in a moment.

The first mooted change is to allow partners in crime to withdraw from further criminal enterprises which their associates are going to commit. I applaud that. I might add jokingly that perhaps in future we will see advertisements in *The West Australian* to the effect that a certain partnership has dissolved as of midnight last night and therefore the person involved has no partner for a safebreaking exercise scheduled for the next Friday! One wonders how the partnerships will be dissolved but, nevertheless, the Bill gives a defence to those people who complain in court that they were not associated with their known partners at the time of a particular offence being committed.

The second part lifts a wife's exemption from being an accessory to a crime. In other words, the process where a husband is able to claim that his wife is not an accessory to a crime is to be swept away. This provision also has had its anomalies in the courts and has given plenty of heartburn in its day.

I intend to speak on two main parts of the Bill a little longer, parts over which some doubts have been expressed by some of my colleagues. The doubts arise from the introduction for the first time in this State of the classification of a crime of infanticide.

Hon. P. G. Pendal: We have not expressed them yet.

Hon. JOHN WILLIAMS: We have expressed them privately.

From my researches into infanticide I can indicate that I welcome the addition of this classification into the Criminal Code. Why it ever escaped from the code previously I will never know, because the revulsion against the crime of killing a child under 12 months where the mother is charged and convicted of murder swept through the whole of the United Kingdom in 1922. Reform is a very slow process.

The post-natal state of mind of mothers is something which we males cannot know about. Not only does it have a naturally physically debilitating effect but also it can, through body chemistry, have a grave mental effect on the mother.

I read of a case some time ago where a mother was charged with infanticide. She had four children under the age of five, including a newborn infant. She had been unable to stop the baby from crying and could not cope mentally after being physically run down over the last few years. She had no intention of killing the child; she did not know what she was doing, but she placed a pillow over its face to stop its

crying. Naturally the child suffocated and its mother was charged with infanticide.

This situation is covered very well by this Bill introduced by the Attorney General. However, if we look at the British Infanticide Act of 1938, sections (1) and (2), we find it explains perfectly properly what a charge of infanticide entails—

- (1) Where a woman by any wilful act or omission causes the death of her child being a child under the age of twelve months, but at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child or by reason of the effect of lactation consequent upon the birth of the child, then, notwithstanding that the circumstances were such that but for this Act the offence would have amounted to murder, she shall be guilty of felony, to wit of infanticide and may for such offence be dealt with and punished as if she had been guilty of the offence of manslaughter of the child.
- (2) Where upon the trial of a woman for the murder of her child, being a child under the age of twelve months, the jury are of opinion that she by any wilful act or omission caused its death, but that at the time of the act or omission the balance of her mind was disturbed by reason of her not having fully recovered from the effect of giving birth to the child or by reason of the effect of lactation consequent upon the birth of the child, then the jury may, notwithstanding that the circumstances were such that but for the provisions of this Act they might have returned a verdict of murder, return in lieu thereof a verdict of infanticide.

This is covered in the Bill by the tables in clause 10.

It needs to be made clear to everyone that in the initial stage of investigations into the death of a child, the authorities may prefer to charge the mother with murder. However, if circumstances are such that it is apparent that she comes within this 12-month's period, the charge could well be changed to one of infanticide.

A lot of people seem to think that the crime of infanticide will cover the killing of a child whose parents might think is not quite up to

standard. In other words, where there are obvious grave physical and mental defects, some people fear a child may be killed by its mother and the charge will only be infanticide. The answer to that is that the authorities would charge the person with wilful murder and then, during the case before the court, it would be for the jury to decide in their wisdom and on the directions from the judge whether they should return a verdict of not guilty of wilful murder but guilty of infanticide.

Protection for anyone committing an unlawful act is included in the Bill. I applaud the fact that a charge of infanticide will be introduced. The tremendous strain that women go through in society today should be recognised. Other laws should also be adjusted accordingly. It is a shame that, although this charge has been on the Statute books of the United Kingdom and other European countries since 1938—certainly since before the second World War—it was not until a review of the Criminal Code that it was decided to introduce this charge here.

The fourth part of the Bill deals with the protection of victims from blackmail. It is self-explanatory. It is a step forward in so far as it will be within the jurisdiction and purview of the court to determine the circumstances surrounding a case and to decide what information should be divulged to the Press. It will allow for the publication of all of the proceedings, except by order of the court. I think I am correct in saying that.

The last provision will save a tremendous amount of time for the courts. It will also solve a lot of problems involved in the rehabilitation of prisoners. I give the House the hypothetical example of a defendant being brought before the Supreme Court for the felony of safe breaking and being found guilty and sentenced. There has been no mechanism, until now, for other offences which that man may have committed—they may be less serious offences such as car stealing or breaking into a shop—to be wiped off his slate. This provision allows that to happen. By agreement between the prosecutor and the defendant, all other crimes that he has committed and not necessarily been charged with are taken into consideration by the court at the time of sentencing, and the slate is then wiped clean. That will prevent that person being arrested and charged with those offences again upon his discharge from prison or prevent his being charged with them while in prison. The present provision is a drain on the legal and administrative resources of this State

and is time wasting for the courts. Most importantly, though, the defendant is able to return to society with a clean slate; and I applaud that.

As I said earlier, the Opposition supports the Bill. People have expressed one or two doubts about parts of the Bill to me. I hope I have laid those doubts to rest.

HON. P. G. PENDAL (South Central Metropolitan) [12.16 p.m.]: Unlike Hon. John Williams, I do not have any enthusiasm for that part of this Bill which intends to create the offence of infanticide within the Criminal Code of Western Australia. Members will recall that, when the Attorney General made his introductory comments which are recorded at page 2704 of *Hansard*, he said that he would welcome the views of members on the appropriateness of the provisions. Undoubtedly, he offered that invitation which is present to members on any Bill anyway, knowing, as I am sure he does know, the sensitivity of that area that he seeks to introduce into the Criminal Code.

I am not sure that it is a step in the right direction to introduce a special provision of infanticide. There is the old saying, "A rose by any other name. . ." Similar arguments to those which I put forward about 18 months ago, when the Attorney General introduced amendments to the Criminal Code or the Police Act, are involved here. At that time the offence of rape was removed from the Statute book and the offence of sexual assault was included. On that occasion I objected and I remain steadfast in that objection. The word "rape" clearly indicates violence and invasion of privacy and is therefore well understood by the community. I contended at the time that we merely played with words by downgrading it to an offence of sexual assault. At that time, I maintained the argument—I certainly have on a number of occasions since—that sexual assault in the minds of some people could mean a person touching another or it could mean a person raping another. I know they are extreme ends of the argument. I think that step was a retrograde one because people no longer have a clear understanding of what is meant by the words "sexual assault".

Similar comments could be made about the introduction of the offence of infanticide. I am in two minds about it. However, I find it difficult to support it for fear of the consequences in the years ahead. One could ask—I do not know the answer—whether we have a special criminal offence of fratricide or, if someone

killed his brother, whether he would be charged with murder or wilful murder. One could mount the same sorts of arguments that to kill one's brother might be the result of a peculiarly difficult family dispute and therefore we ought to have a special offence not called murder or wilful murder in much the same way as the Attorney General and those who advise him suggest that we should give the option to the authorities to charge someone with infanticide instead of wilful murder.

I also ask for clarification with respect to my understanding that not everyone who kills her child will be charged with infanticide. It may be that the person is charged with wilful murder and that the jury has the option of bringing in a lesser verdict of guilty of infanticide. The Attorney General touched on that in his second reading speech, but it is still not clear to me. I think that is what he meant when he said—

It is proposed that an offence of infanticide be created in Western Australia, and that this be an alternative conviction open upon a charge of wilful murder, murder, or manslaughter.

However, that does not make it clear in my mind.

Hon. J. M. Berinson: What is the area of doubt?

Hon. P. G. PENDAL: The area of doubt is whether it is intended that in all cases of a parent taking the life of a child under the age of 12 months, the charge laid will be that of infanticide as distinct from that of wilful murder which might be laid at the moment.

Hon. J. M. Berinson: The answer is "No."

Hon. P. G. PENDAL: As I understand it, the Attorney General wants maladies such as post-natal depression and other emotional disturbances which were suggested in the second reading speech to be taken into account in cases of infanticide by a parent. I have no objection to a person's emotional state when killing their child being taken into account when the sentence is considered. I can understand that and I suspect that that was part of what the Attorney General invited us to do when he said—

I would welcome the views of honourable members as to the appropriateness of these provisions.

I have no difficulty with that. Anyone who is charged with a capital crime and appears before a court and is found guilty should be able to convince a judge that a lesser or even a minor penalty in some cases should be applied

because of certain peculiar circumstances, such as post-natal depression and those other emotional disturbances referred to in the Bill. I have no difficulty whatsoever with that. Anyone who tried to be hard and fast in that respect would be a harsh person.

It is very arbitrary to make the offence of infanticide apply to the killing of a child under the age of 12 months. Why not a period of 18 months or nine months? I make no apology for the fact that it concerns me that, at the other end of the scale, other members of Parliament and I are being lobbied on the question of euthanasia. The question of abortion is a separate but related matter within this argument. I urge people at least to be very careful about the price we put on human life. I can show some consistency in this respect because I was one of those who crossed the floor to vote for the abolition of capital punishment in this State.

It is potentially very dangerous for us to create that new provision of infanticide. Notwithstanding the very good comments made by Hon. John Williams and the Attorney General, I still cannot understand why a person should not be charged with the murder of a baby simply because it is within a 12-month period of its birth. In the court process itself, the severity of the crime can by all means be broken down in consideration of the sentence to be imposed. That happens every day of the week in the courts of this State and those around Australia. I am not sure whether I would vote against the Bill because I find it difficult to comprehend the Attorney's intention at the end of the day. The Attorney invited members to make comments in this regard, and I have done no more than that.

It irritates me enormously, as I said at the beginning of my remarks, to see us playing with the language in the way that we have done and continue to do. I mentioned the business about "rape" no longer being a crime; it is now termed "sexual assault". I noticed in this morning's paper that a chaplain at WAIT played with the language to an absurd degree. He was reported as saying something to this effect: "Well, you know, we chaplains won't call God, 'God', any more; we will call him 'you'." One wonders about the capacity of someone who uses such a ridiculous argument to hold down a responsible position in a tertiary institute of this State.

Only a couple of weeks ago, an episode of the "Yes, Prime Minister" series dealt with the Anglican Church. In that episode the question about what God has to do with religion arose. I

know that seems to be a fairly tenuous link with what I am speaking of, but I am pointing out that people outside the Parliament—in that case a chaplain at WAIT—and people inside the Parliament are tampering with the language to the point that words are losing their precise meanings. I am sure that the Attorney General will be the first to remind us that the law is good law only if ordinary people and citizens are clear about its meaning. Most people have no difficulty in comprehending the meaning of the words "robbery" and "physical assault". I regret to say that people are unlikely to grasp immediately the import of the word "infanticide". I certainly do not grasp it on the basis of a reading of the second reading speech.

HON. E. J. CHARLTON (Central) [12.29 p.m.]: I too have some difficulty in coming to terms with what is being suggested in the Bill. Obviously, the circumstances of a woman who takes the life of a child while in a depressed condition should be taken into account. That point has been explained by the previous speaker. I have difficulty in coming to terms with what is being proposed because two important aspects of human life are being demoted. I refer to people taking responsibility for their actions and to the importance put on human life. Those two aspects seem to have lost some priority in the comments made by the Attorney General in the second reading speech.

We have many examples throughout society showing individuals have rights. They come in all forms of legislation. New standards are accepted or proposed by the community as a whole, yet here it is suggested that if the life of a child under 12 months is taken away, the person who takes that life away may be suffering from some depression, so that crime is looked at in a different way from what exists at the moment. For that reason I have a great deal of concern about the new terminology.

The Attorney General explained his difficulty with sentencing in infanticide cases. As Hon. Phil Pendal said, what is wrong with the existing law when a jury—society in other words—looks at the situation and makes a judgment? We have the example of the Chamberlain case, which we should not go into in great detail, but which indicates what can happen in such circumstances. There is ample opportunity for a case to be totally dismissed because of circumstances. It should be possible for that to be brought out in a court of law.

There are times when court proceedings go wrong. I am not referring to the Chamberlain case because I do not know. Where the human element is involved, mistakes will occur; but to put legislation into place which will automatically provide for a different set of circumstances is not a principle I agree with.

Regarding the rights of a child, I support the Government in those changes. A child is born into this world, but that child had nothing to do with it. We have responsibility to see that we do not give the impression to society that until the child reaches 12 months of age it is not as important as one a little older. For these reasons we are going down the road of reducing the standard of our responsibility to society. We have seen what can happen to a child in Victoria. The Minister said this Government had no intention of taking the same action. However, if these sorts of things happen, everyone has a right to do something against somebody else without being responsible to society's expectations. I hope the point of view I am expressing is one that society will impress on people fairly strongly. An individual born into this world has the right to be protected by the law from all sorts of reactions.

We all know people are subject to pressures. We have to get to the basic cause of these problems and try to do something for society to give people a desire and a responsibility; we must protect and uphold the values which should be placed upon society.

Nothing is as important to human nature as life itself. We see that in the last days of an individual's life, whether through sickness, torment, or torture. Nothing is more sacred than life itself. We should remember that when talking about changes to something as valuable as life. I am not opposed to change if it can be demonstrated that that change will uplift and help society, but in this case I do not think it does.

HON. J. M. BERINSON (North Central Metropolitan—Attorney General) [12.35 p.m.]: I appreciate the comments of all three speakers in this debate, even though in some important respects they have said quite different things. I can also appreciate Mr Pental's description of himself as having been in two minds on the desirability of introducing a new offence of infanticide. I know how he feels because I was in at least two minds myself. In fact, as my second reading speech will indicate, when I came to the question of establishing a penalty for this new proposed offence I was in no less than four

minds and came down eventually with what I frankly concede was a compromise view.

On balance, however, I am satisfied that we are going down the right route in following the pattern of this Bill. With due respect to Mr Pental's reservations, I believe that his fears are not supported by experience elsewhere. Mr Williams gave us a reminder of how helpful that experience is. It extends in the case of the United Kingdom for something like 50 years. Some legislation has been in place in other States in recent years. The benefit of what is cumulatively a substantial body of experience does not lend weight to the fears which have been expressed.

Secondly, where the facts contemplated by this provision are present, it is excessive to put a defendant through the trauma—not only the trauma but also the risks—of a charge of wilful murder or murder.

Mr Pental has said that he would not mind if the facts of the proposed infanticide charge were accepted as mitigating circumstances on the question of penalty where a murder or wilful murder charge was substantiated. The problem is that the charge of murder and wilful murder carry mandatory life sentences. In those circumstances mitigating arguments have no ground on which to apply. I suppose it can be said that there is still a margin for a mitigating argument because in the case of wilful murder there is still a discretion in the judge as to whether life imprisonment or strict security life imprisonment should be imposed.

On the main question, however, there is no discretion so questions of mitigation do not arise. I do not believe that anyone will take from this Bill any suggestion that there is reduced respect for life in this proposal.

Hon. P. G. Pental and Hon. E. J. Charlton both properly expressed their concern that respect for human life should be fully maintained. Again, they have my full agreement on that, but that is not really the question at point. What we have to deal with is not so much the result of the offence we are looking at but the very special circumstances affecting the offender at the time. It is not in any way weakening the view of the importance of human life to say that in such special circumstances special provisions relating to the nature of the charge and penalty should be specified.

I am sure that members in the House will have no doubt about the views of the previous Attorney General, Hon. I. G. Medcalf, on the question of respect for life. He would share the

views that Hon. P. G. Pandal and Hon. E. J. Charlton have expressed and which I have supported. I do not think any of us would doubt that.

Members might recall, on the other hand, that Hon. I. G. Medcalf on more than one occasion not only expressed a generalised support for the view that a specific offence of infanticide should be provided, but also raised the question as to whether a conviction on such a charge should lead to any penalty at all. He did not, as I recall, ever reach the stage of suggesting there should be no penalty; but I can certainly recall his raising the question as to whether that possibility should not carefully be considered. I have got to say I did consider it carefully.

Hon. P. G. Pandal: I have no difficulty with that; Hon. E. J. Charlton mentioned the very same thing himself.

Hon. J. M. BERINSON: In response to that comment, it is very difficult to accept possibility of no penalty in the absence of a specific offence. Where there has been a finding of murder or wilful murder it is inherently inconsistent with the notion of this offence. To that extent I believe Hon. John Williams was quite right in drawing the distinctions which apply in this case. Accepting that this is a judgment on balance I suggest that a move to the specific offence of infanticide in accordance with the practice which we are able to observe elsewhere, is the right way to go.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [12.45 p.m.]: I move—

That the House do now adjourn.

Sittings of the House

HON. TOM McNEIL (Upper West) [12.46 p.m.]: Far be it for me to suggest that we should be taking the running of the business of the House away from the Government but I must protest in the strongest possible way that we are now about to adjourn.

I, like everyone else, do not mind getting home, but I would have thought some consideration should be given to Opposition members if it has not already been given to the Government members. Last week we came in here from our country areas and we were in this

House one hour and 42 minutes. On Tuesday this week we worked for four hours and 54 minutes, Wednesday two hours and three minutes, and today we are expected to sit here, having missed our planes back to our electorates, and having been here for just two hours this morning. I am angry and I would assume everyone on this side of the House, including the staff, feels the same.

If we are to justify our existence by coming in here on a set number of days then so be it, but to suggest we have come in here for two weeks to do 10 hours' work is beyond the height of credibility.

A Government member interjected.

Hon. TOM McNEIL: We have passed three Bills in that time. All I am suggesting is that if we have not got Bills to pass, let us wait in our electorates until there is something to justify bringing us down here. I offer, on behalf of the National Party, the strongest possible protest.

"Western Australian Year Book, 1986"

HON. V. J. FERRY (South-West) [12.48 p.m.]: I take this opportunity to bring forward a matter which I believe needs to be straightened out.

I refer to a question in this Parliament of which I gave notice on 7 October 1986, and the answer was given on 14 October 1986—question 418. In my question I asked the Leader of the House representing the Premier the following—

(1) Will he please ascertain from the Australian Bureau of Statistics whether the *Western Australian Year Book* for 1986 will be published?

The answer given was—

(1) The Australian Bureau of Statistics has advised that the 1986 *Western Australian Year Book* is expected to be available in six to eight weeks.

My further question was—

(2) If the book is not being published—

(a) what is the reason for this; and

(b) will the year book be published in future years?

The answer given was—

Not applicable.

I then asked—

(3) In the event of the WA year book not being published by the ABS, and in view of the value of the information it provides to students and the general public, will the

State Government consider undertaking publishing a similar book?

The answer given was—

Not applicable.

I have an official document from the Australian Bureau of Statistics, Canberra, catalogue No. 1109.0, "List of Publications to be Released by the Canberra and State Offices of the ABS during 1987". It says: "Year Book Australia, soft cover, New South Wales Year Book, soft cover, Year Book Australia, hard cover, New South Wales Year Book, hard cover, Victorian Year Book, Queensland Year Book, Western Australian Year Book, South Australian Year Book, Tasmanian Year Book"; and it states on the official listing, "Please note that no Year Books will be released during 1987" yet the answer I have received was "Not applicable."

The Government has bungled this reply to me. It is misleading to the Parliament. I would hope it was not intentional. Quite obviously, the Australian Bureau of Statistics, is not going to publish a year book in the future, certainly during 1987. In the event of the ABS not publishing it, I would request the State Government to seriously consider carrying on this valuable source of information to students throughout the State. I understand that librarians throughout Australia are protesting very strongly to the Australian Bureau of Statistics and urging it to continue publishing these year books. The answers that have been given to my questions were very suspect. I would say they were misleading. I request the Government to reconsider the matter and advise this House of the correct situation.

Question put and passed.

House adjourned at 12.50 p.m.

