

# Legislative Council

Thursday, 3 September 1992

**THE PRESIDENT** (Hon Clive Griffiths) took the Chair at 2.30 pm, and read prayers.

## STANDING COMMITTEE ON LEGISLATION

### *Criminal Law Amendment Bill (No 2) - Report Tabling*

On motion without notice by Hon Garry Kelly, resolved -

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

[See paper No 371.]

## SELECT COMMITTEE ON PROFESSIONAL AND OTHER OCCUPATIONAL LIABILITY

### *Second Interim Report Tabling*

**HON MAX EVANS** (North Metropolitan) [2.37 pm]: - by leave: I present the second interim report of the Select Committee on Professional and Other Occupational Liability, and move -

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

Question put and passed.

[See paper No 372.]

### *Final Report Tabling - Special Report for Extension of Time*

**HON MAX EVANS** (North Metropolitan) [2.38 pm] - by leave: I present a special report by the Select Committee requesting that the date fixed for the presentation of its final report be extended from 24 September to 22 October 1992.

Leave granted. [See paper No 373.]

## STATEMENT - BY HON MAX EVANS

### *Select Committee on Professional and Other Occupational Liability - Sydney Trip*

**HON MAX EVANS** (North Metropolitan) [2.39 pm] - by leave: I inform the House that the Select Committee on Professional and Other Occupational Liability will travel to Sydney next week to meet with the New South Wales Attorney General, staff of the Department of Premier and Cabinet and members of the Office of the Premier. The committee will also meet with Mr John Westlake, legal counsel of Ernst and Young and of the Institute of Chartered Accountants, and Mr Frank Earl, who represents the insurance industry, concerning the submission of the Institute of Chartered Accountants. The committee considers that the development of uniform legislation in this area is imperative to the resolution of problems currently being experienced. It trusts that its final recommendations and suggested legislation will form a benchmark for other Australian States and a source of reference for other countries seeking to address this problem.

## MOTION - STANDING ORDER No 357 AMENDMENT

### *Committee's Travel Itinerary, Projected Costs, Memorandum Detailing Purpose of Travel Disclosure*

**HON P.H. LOCKYER** (Mining and Pastoral) [2.42 pm]: I move -

That Standing Order No 357 be amended by adding the following paragraphs -

- (2) Where a committee intends to travel, whether within or outside Australia, and the aggregate costs associated with the travel exceed \$5 000, the committee in addition to securing any necessary authorizations or approvals for the expenditure of funds, shall -
  - (a) if the House is sitting, Table its itinerary, projected costs, and a memorandum setting out the purpose of the travel; or

- (b) if the House is not sitting, provide the information required by subparagraph (a) to the President who shall cause it to be circulated to all members.
- (3) In addition to the committees named in SO 338, paragraph (2) applies to any Select Committee having power to travel, the Standing Committee on Government Agencies and the Joint Standing Committee on Delegated Legislation.

I will briefly outline to members my reason for bringing this motion to the House. I believe an anomaly exists in our Standing Orders. This motion has been pre-empted by Hon Max Evans, who a moment ago told the House of the commitments of the Select Committee on Professional and Other Occupational Liability to go to the Eastern States.

Hon Tom Stephens: He does not want to be bushwacked.

Hon P.H. LOCKYER: I make it clear at the outset that I have no intention of dwelling on past matters. I am merely seeking to put in place an obligation which I believe Standing Committees and Select Committees should have to this House; that is, to inform it if they propose to expend public funds on travel. I also make it clear that I am not against committees' travelling, but I think they should have, at the very least, an obligation to inform this House of such travel. The figure involved should not be a trivial one, so my motion proposes the House be informed if the travel costs of a committee exceed \$5 000. The motion also proposes that if the House is sitting the chairman of a committee be obliged to table the committee's travel itinerary, its projected costs and a memorandum detailing the purpose of the travel. That is the least that could be expected, as I think any fair minded member of Parliament would agree.

Mr President, if the House is not sitting I believe it is then incumbent upon you, as the Presiding Officer, to require the information to be presented to you, and then to advise each member of the Legislative Council by letter.

I have not extended this obligation to Ministers because I believe, and I am assured by the Premier, that this requirement is already in place for Ministers. Neither have I questioned the imprest system, because I believe that also is in hand and it would be unfair to place a requirement on members of this House to fulfil obligations that are not required to be fulfilled by members in another place. I believe that currently the imprest system's requirements before members can travel privately are wide enough.

Hon Tom Stephens: Have you thought of apologising in the course of this debate to the people you slandered?

Hon P.H. LOCKYER: Unless I am encouraged to do so by people whose standing in this House is not of any great moment, such as Hon Tom Stephens, I have no intention of making any comment about anything that happened in the past.

Hon Tom Stephens: You are a hypocrite.

The PRESIDENT: Order!

Hon P.H. LOCKYER: I am not a hypocrite. If Hon Tom Stephens wants me to expand on it he should indicate that - and he of all people, whose dishonesty by itself is well known -

The PRESIDENT: Order!

*Withdrawal of Remark*

Hon TOM STEPHENS: I ask that the member withdraw that reflection on me.

The PRESIDENT: Order! Hon Tom Stephens does not have to do that; I will do so.

Hon P.H. LOCKYER: I withdraw, Mr President.

*Debate Resumed*

Hon Tom Stephens: Now start apologising.

The PRESIDENT: Order!

Hon P.H. LOCKYER: I have no intention of apologising to Hon Tom Stephens, and that is firmly in *Hansard*. I have no intention of apologising to him, in particular. Is that clear to the member? He should watch my lips. I will not apologise to him.

Hon Tom Stephens: What about your colleagues?

The PRESIDENT: Order!

Hon P.H. LOCKYER: How does the member know I have not already done so? He will get into trouble from his leader in a minute if he carries on like this. He is in enough trouble now - I have just read a letter from the *Exmouth Expression*. It is unfortunate that Hon Tom Stephens should carry on like an outraged school boy, but I have made it clear that I will not dwell on anything that happened in the past.

Hon Tom Stephens: Not even your lying?

The PRESIDENT: Order!

Hon P.H. LOCKYER: Mr President, I would have thought that that remark was unparliamentary.

*Withdrawal of Remark*

The PRESIDENT: Order! What is sauce for the goose is sauce for the gander in this place. I am a little deaf and this wig makes me even deafer, but if Hon Tom Stephens said what I thought he said - that is, he referred to Hon Philip Lockyer's telling lies - that is unparliamentary and should be withdrawn.

Hon Tom Stephens: I withdraw, Mr President.

*Debate Resumed*

Hon P.H. LOCKYER: Thank you Mr President. I accept the member's apology, too.

Hon Tom Stephens: I have not apologised.

The PRESIDENT: Order! Let us get on with the motion.

Hon P.H. LOCKYER: Regardless of Hon Tom Stephens, who is now taking his cricket bat and going home -

The PRESIDENT: Order!

Hon P.H. LOCKYER: - I will not be deviated from an obligation which I believe this House should have; that is, that Standing Committees and Select Committees at the very least should inform this House if they are to travel. They are not obliged to do so at present. I have very carefully studied Standing Orders and have sought assistance from counsel to do so, and I believe the best way to achieve my intention is to add that obligation to Standing Order No 357, which we hear mentioned when a member in this place moves to establish a Select Committee. That Standing Order reads -

357. In addition to any power conferred by law or order, a committee has power to:

- (a) send for persons, papers, and records;
- (b) adjourn its proceedings;
- (c) commission reports;
- (d) sit during an adjournment of the House; and
- (e) travel to gather evidence.

We should add after that the contents of my motion, which sets out a committee's obligation to inform the House. That is a simple enough proposition and should be accepted as such. No good will come of delving into the past; it is better to look into the future. I am happy to do that. The quicker it is dealt with, the better, and I urge members to support the motion.

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [2.48 pm]: The Government has no objection to this motion, although I must say it appears to be wholly a matter of form rather than offering any substantial benefit, either to the affairs of the House or to the public. It will be noted that the report providing detail of projected costs, purposes of travel and so on is required only after the necessary authorisations and approvals have been obtained. I would have thought that any committee able to make its way through that authorisation and approval process would certainly have no difficulty in simply tabling the same sort of detail that it would have prepared in the course of suggesting that its travel be conducted.

I will go further than that: Any committee which could not justify its travel, given the broad scope of the duties we impose on committees, would not really be trying.

In other words, if this is a measure simply to provide information in the way other information is brought to attention, nothing can be said against it. On the other hand, if it is thought that this might curtail committee travel in some way, it will certainly not achieve that, nor do I suggest that that is desirable. We have never had anything to indicate that travel undertaken by committees of this House was less than fully justified. Accordingly, the benefits to be derived from this motion are limited at best. Nonetheless, if benefits exist at all, no reason exists to put barriers in the way of this motion. The Government will support it.

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

### **ABORIGINAL LEGAL SERVICE WRIT OF SUMMONS**

#### *Documents to be Tabled to Ascertain Need for Inquiry - Alteration to Motion*

**HON E.J. CHARLTON** (Agricultural) [2.52 pm]: Before moving this motion I seek leave to alter it as it appears on the Notice Paper, firstly by deleting all the words appearing in the first paragraph and substituting the following paragraph -

- (1) That for the purpose of ascertaining whether grounds exist to proceed to an inquiry relating to the funding of programs and support services for Aboriginal persons in the State,

Arthur Davies (President)

Septu Francis Brahim (Secretary)

Catherine Patricia Crawford (Principal Legal Officer)

Robert Samuel Riley (Executive Officer)

Mark Lyon Johnston (Office Accountant/Manager; Finance Officer)

all care of "Piccadilly Suites", Nash Street, Perth are hereby ordered to attend before the Legislative Council of the Parliament of Western Australia and to produce any paper, book, record, or other documents in (their) possession or power in respect of the Aboriginal Legal Service of Western Australia (Inc) relating to -

and then at the end of what would become subparagraph (u) to add a further paragraph as follows -

- (2) That this order to attend and produce documents be notified to each person required to attend and produce documents by a summons under the hand of the President stating that they are to attend and to produce the documents referred to in paragraph (1) on the 18th day of September at 10.00 am at the office of the Clerk of the Legislative Council, Parliament House.

Leave granted.

### **MOTION - ABORIGINAL LEGAL SERVICE WRIT OF SUMMONS**

#### *Documents to be Tabled to Ascertain Need for Inquiry*

**HON E.J. CHARLTON** (Agricultural) [2.54 pm]: I move -

- (1) That for the purpose of ascertaining whether grounds exist to proceed to an inquiry relating to the funding of programs and support services for Aboriginal persons in the State,

Arthur Davies (President)

Septu Francis Brahim (Secretary)

Catherine Patricia Crawford (Principal Legal Officer)

Robert Samuel Riley (Executive Officer)

Mark Lyon Johnston (Office Accountant/Manager; Finance Officer)

all care of "Piccadilly Suites", Nash Street, Perth are hereby ordered to attend before the Legislative Council of the Parliament of Western Australia and to produce any paper, book, record, or other documents in (their) possession or power in respect of the Aboriginal Legal Service of Western Australia (Inc) relating to -

- (a) Copy of Executive Committee Meeting Minutes for the years 1990, 1991 and 1992.
  - (b) Financial statements including annual reports for 1990, 1991 and 1992.
  - (c) Funding to the Aboriginal Legal Service in 1990, 1991 and 1992 including specific grants for specific purposes.
  - (d) Copy of Executive Officer's contract of employment and any other associated details.
  - (e) Details of terms of office and election procedures for Executive Committee.
  - (f) The criteria for selecting staff including field officers, procedures for employment and appointment, staff qualifications, experience and previous employment history, staff responsibilities.
  - (g) Salaries of all Executive Committee, management and staff for 1990, 1991 and 1992. These salaries to specify each particular staff and management position including any funding allocated by the Aboriginal Legal Service to any person for any other purpose and specific details of senior executive and any associated costs.
  - (h) All travel costs and expenses by Executive Committee staff and including details of senior executive and any associated costs for 1990, 1991 and 1992.
  - (i) All Executive Committee and AGM meeting venues and costs incurred.
  - (j) All Executive Committee and AGM meeting dates and method of determining meeting places. Procedures for determining those attending those meetings including costs or assistance to attend.
  - (k) The number of Aboriginals represented by the Aboriginal Legal Service in 1990, 1991 and 1992.
  - (l) Administration instructions or guidelines used in determining where the Aboriginal Legal Service may provide legal representation.
  - (m) Details of complaints received for non-attendance of Aboriginal Legal Service field officers in court, prisons and detention centres.
  - (n) Details of written complaints of Aboriginal Legal Service operations and staff performance including complaints to the Equal Opportunity Commission.
  - (o) Funding allocations by Aboriginal Legal Service for private legal representation including briefing budget.
  - (p) Cost of operating Aboriginal Legal Service offices in country areas of Western Australia.
  - (q) Names of Aboriginal Legal Service lawyers and their current salaries.
  - (r) Financial receipts received by each of these lawyers for service to non-Aboriginals.
  - (s) Where persons are represented by Aboriginal Legal Service lawyers, the number who are represented by Aboriginal Legal Service lawyers, field officers or others for the years 1990, 1991 and 1992.
  - (t) Copy of the Constitution.
  - (u) The cost of the "Gallant Report" and the "Curtin University Study Report".
- (2) That this order to attend and produce documents be notified to each person required to attend and produce documents by a summons under the hand of the President stating that they are to attend and to produce the documents

referred to in paragraph (1) on the 18th day of September 1992 at 10.00 am at the office of the Clerk of the Legislative Council, Parliament House.

I amended my motion as a number of things have happened since the original motion was passed by the House in June of this year. Firstly, as all members will be aware, a Privilege Committee has been established to deal with the fact that the Aboriginal Legal Service has taken legal action to ascertain whether it is required to comply with a motion of this Parliament. This week the Privilege Committee reported that it had considered that Mr Laurie Marquet, the Clerk of the Legislative Council, should take certain action to defend the matter on behalf of this Chamber. Secondly, a report presented by Hon Garry Kelly indicated that some questions could be raised on the order because the original motion did not specify individuals and that therefore this could present a reason not to comply with that motion. This motion is almost identical to that passed in June, but it was thought that the ALS has used, or could have used, the excuse that the first motion was directed at no-one in particular at the ALS.

It is unnecessary for me to develop the argument any further because the original motion was agreed to. However, I will bring members up to date regarding activities which have taken place since the motion was passed. Certain Aboriginal people asked me questions because they have not been receiving answers from the ALS. As a consequence of that, and for other reasons, I pursued the matter. Since June, those same people have reinforced that position. A number of people have been dismissed from the ALS and others have resigned and they have been asked not to make statements about their contracts and terms of employment at the ALS. Therefore, it is important that I draw this matter to the attention of members of this House to assist them when they assess their position on this motion. I stand by everything I have said before on this matter. I have been given further information by Aboriginal people across this State; that is, people from the north, east, south and metropolitan areas of this State.

A key component of the motion is the request for documentation of the ALS staffing contracts and arrangements. The executive of the ALS has given neither a clear indication of its constitution nor what it expects in the way the ALS operation is carried out. Also, that service is not being performed in the way that many members of the Aboriginal community believe it should be. I am also told that legal officers - also referred to in the motion - known as court officers, are given authority to act on behalf of Aboriginal people. However, I am told that the capacity of these officers to perform the job is very questionable. A continuing example is that of officers' making a plea of not guilty on behalf of Aboriginal people in court.

Also, on a number of occasions its legal officers simply have not turned up. Consequently the Aboriginal people who were before the court expecting representation by the Aboriginal Legal Service, were instead represented by court officers. If the defendants pleaded not guilty they were remanded and, at a subsequent time, entered a plea of guilty. That situation simply increases the pressure on the court system, costs the State a great deal of money and, at the end of the day, denies the defendant proper representation. It has been brought to my notice that on other occasions visits to the East Perth lockup by officers of the ALS on weekends - a provision under the ALS charter - to represent Aboriginal people who may be in custody -

Hon Fred McKenzie: You always give generalities, but never specifics.

Hon E.J. CHARLTON: Hon Fred McKenzie should be the last one to interject. He defended a range of points concerning Mr Terry Malone from Geraldton. I brought that matter to this House because successive Federal Ministers had refused to answer questions from people who were inquiring about the Aboriginal Legal Service. Hon Fred McKenzie defended Terry Malone and accused people -

Hon Fred McKenzie: That was on the basis of what he had written to me, because you did likewise.

Hon E.J. CHARLTON: Hang on a moment.

The PRESIDENT: Order! When I call order it means that everybody should keep quiet and the person addressing the Chair should sit down. There is no necessity for these out-of-order interjections in the first place. More particularly, when they do take place it is wrong for the

member addressing the Chair to enter into a private argument. We are all participating in this debate. I am not sure whether many people in this Chamber are the remotest bit interested in the differences of opinion that the two members have. I suggest Hon Eric Charlton ignore the interjections and direct his comments to me; he will not hear any interjections from me.

Hon E.J. CHARLTON: Thank you, Mr President. I am sorry I continued to comment; I thought you were calling order and that I would be able to continue. The details concerning the matter on which I was commenting at that time should probably be canvassed. It is an important component of the original documentation and written information which was provided to me.

Mr Malone has now resigned from the Aboriginal Legal Service. He has also withdrawn the comments he made in writing to Hon Fred McKenzie who related them to members of this House. I have already made that known to the Legislative Council. Comments about Mr Malone have no relevance now because he is working as a private solicitor in Geraldton. Judging by the comments he made to a person last week, although he may not be very impressed with me, he certainly is not impressed with the recent activities of the ALS in relation to him. Members who want to know any more about the matter would be well advised to contact Mr Malone. In addition to his leaving the ALS office, it has been indicated to other people at the Geraldton office and other offices throughout the State that it would be in their best interests not to remain with the ALS. Employees in the Perth ALS office have substantiated the complaints about the operation of the ALS.

In essence, the taxpayers of Australia, through the Federal Government and the Department of Aboriginal Affairs, provide funds to the ALS to primarily represent Aboriginal people. However, it seems that the ALS has involved itself in a range of other activities not directly related to that representation. Consequently, the ALS has indicated that it is taking legal action in order not to comply with the previous motion I moved in this House and it will no doubt do the same with this motion. Members will recall that it was announced, I think, by the Attorney General that the ALS did not have the time, the money, or the resources to provide to the Clerk the details requested. However, the Aboriginal Legal Service is taking action with the Supreme Court, initially, and, I am advised, could go to the High Court of Australia. That is inconsistent with the fact that it did not have the time, the money, or the resources to comply with an order of this Parliament.

Hon Tom Helm interjected.

Hon E.J. CHARLTON: There was never any indication. It is quite appropriate that Hon Tom Helm should ask that question because I am also advised that the ALS has requested a \$25 000 grant to assist in its legal activity. It would certainly not have needed that sum of money in order to make available to the House its documents.

Hon Tom Helm: How do you know that?

Hon J.M. Berinson: Are you suggesting that the ALS has applied for an additional Federal grant?

Hon E.J. CHARLTON: Yes; that is what I was told by a person within the ALS, although it has not been verified.

Hon Tom Helm: Like everything else you say, it does not need verifying; it just needs to be said.

Hon E.J. CHARLTON: Hon Tom Helm is a prime example of the typical do-gooders who run around the countryside.

Hon Tom Helm: I do not say things under privilege.

Hon E.J. CHARLTON: Hon Tom Helm does all the time.

The PRESIDENT: Order!

Hon E.J. CHARLTON: Those comments are typical; he does not hold back, but goes full steam ahead on issues concerning CRA Exploration Pty Ltd, Hamersley Iron Pty Ltd and Robe River Iron Associates, with no logic, commonsense or relevance to the economic wellbeing of the nation.

When it comes to something like this Hon Tom Helm is one of those people who tries to impress on the public and the nation that the Labor Government is about caring, understanding, assisting and warm feelings. We never hear about him doing anything in his electorate that will benefit Aboriginal people.

Several members interjected.

Hon E.J. CHARLTON: The interjections demonstrate my point. I will not waste the time of the House by going off on that tangent because when it comes to members opposite commonsense does not prevail. Not one of them has come into this House and questioned the expenditure of \$1.3 billion, the results of the programs which have been set up and the progress of the 78 Aboriginal associations which have been established.

My motion differs from the original motion I moved in June by specifying the names of the people who have the authority to make the documentation available. I reiterate that since moving the original motion a number of Aboriginal people throughout this State - I am happy to give the names of these people to the House - have encouraged me and have enthusiastically requested that I pursue this matter vigorously. They believe that unless something is done we will continue to hear reference to the black mafia and to entrepreneurs of this State who have control of the funds allocated by the Commonwealth Government and who will take no action to ensure this funding is allocated in a meaningful way for the benefit of Aboriginal people in this State.

I commend the motion to the House.

HON J.M. BERINSON (North Metropolitan - Attorney General) [3.17 pm]: This motion has previously been moved in virtually identical terms. The only substantive difference, as Hon Eric Charlton pointed out, relates to the provision which directs the order to named persons rather than the Aboriginal Legal Service as such.

The Government has previously expressed its unequivocal opposition to this motion. It has described it as unnecessary, intrusive and oppressive, and nothing has happened to change that view. Accordingly, the Government will again oppose this motion and I urge members on the other side of the House to go a bit beyond producing a carbon copy of their previous view and think about the implications of the move again.

That was all I originally intended to say and I was intending to limit myself and to ask colleagues on this side of the House to also limit their comments on the understanding that Hon Eric Charlton would similarly limit his. Although Hon Eric Charlton indicated at an early point in his comments that he would rely on his original statement to the House, he then went on to expand on his earlier comments significantly and, in a number of instances, made quite specific new allegations. These require some consideration and response, if only in fairness to the persons who have been named today either specifically or, much more broadly, by way of implication. The implications were quite direct and I can only say that it is unfortunate, having started on the basis that this was merely a rerun for technical reasons, that Hon Eric Charlton decided to get involved in wider fields.

The need for the further sort of consideration and response to which I have referred means that this matter obviously cannot be dealt with adequately by the 3.30 pm deadline which the normal application of Standing Orders provides. I do not want to delay the resolution of this motion unnecessarily. For that reason I do not move the adjournment. By maintaining the motion in its present place it will retain its priority as the first item of discussion when the House next meets. Because of the coming recess, that will be Tuesday week. I have been anxious to ensure, especially given our past unanticipated difficulties with respect to the legal issues involved, that that sort of timetable would not create further difficulties. Having consulted with the Clerk, it appears that that will not create a problem, although I would certainly be anxious to ensure that we do not take the debate beyond the first day of our next sitting week. It is important to determine this matter one way or the other. I naturally hope that it will be determined in the negative.

With that brief indication, I repeat the Government's unequivocal opposition to this motion. If I have not gone into detail, and if I have not got fired up on this matter, that is not to indicate any lessening at all of the view expressed on an earlier occasion that this is the wrong way to go, that it is unnecessary, and that it is intruding into areas which, whether within our formal authority to act or not, should not be intruded upon in this way. The sort



of justification for the motion we have heard today was, as Hon Fred McKenzie pointed out by way of interjection, largely generalised. I add that, to the extent those remarks were not generalised, they unfortunately have put some sort of spotlight on various individuals as well. That is equally, in my view, unfortunate and undesirable.

The Government urges the House to again think about this issue and consider whether the game in this case is really worth the candle and whether the pursuit of the Aboriginal Legal Service in this totally unrestrained and oppressive way is something that can genuinely be justified on its merits. It was not justified last time the subject was raised and is not justified now. We should not do what the motion requests. With those few comments, and indicating that I hope before the end of this debate to ensure an adequate response to some of the new and specific matters Mr Charlton has raised, I oppose the motion.

**HON GEORGE CASH** (North Metropolitan - Leader of the Opposition) [3.24 pm]: This motion is almost the same as the one carried by this House some weeks ago. As Hon Eric Charlton explained to the House, a need arose to include the names of certain individuals associated with the Aboriginal Legal Service to ensure that the serving of this order of the House on those persons complied with the law. Hon Eric Charlton did no more than insert those names and require those persons to furnish the documentation required under order to the Clerk of the House at Parliament House, Perth.

No need arises for me to outline the arguments why the Aboriginal Legal Service should be required to produce this documentation. However, Mr Berinson has now expanded the argument. He said, first, that the Government remained opposed to the resolution, as it indicated some weeks ago when this matter was first discussed. I am not asking the Government to necessarily change its mind; if it wishes to oppose the motion it can do so and will have an opportunity to vote against it when the matter is put to the vote. However, for Mr Berinson to say today that because Mr Charlton has introduced new or additional material into the debate that requires him to hold the matter over for some 10 days defies logic as Mr Berinson has already said that the Government intends to vote against the motion.

Hon J.M. Berinson: Do you think such allegations should go unresponded to?

Hon GEORGE CASH: Mr Berinson said that he is opposed to the motion.

Hon J.M. Berinson: Of course I am opposed to it; and you are in favour of it.

Hon GEORGE CASH: That is right.

Hon J.M. Berinson: Mr Charlton spoke for 20 minutes on the motion with 15 minutes of new material of which we had no prior notice.

Hon GEORGE CASH: What Mr Berinson is not telling the House by way of interjection is about arrangements made with Mr Charlton and me in respect of the carriage of this motion today.

Hon J.M. Berinson: That is not right.

The PRESIDENT: Order!

Hon J.M. Berinson: And Mr Charlton will not say it is right.

The PRESIDENT: Order! I do not want members to embark on arguments across the Chamber. The House is not interested in such arguments. It is interested in hearing members' views why this motion should or should not be carried. I ask Hon George Cash to give us some idea of that.

Hon GEORGE CASH: As part of the argument why the motion should be carried today I advise the House that Mr Berinson made certain agreements with Mr Charlton and me.

Hon J.M. Berinson: That it would be dealt with today.

Hon GEORGE CASH: That it would be taken to the vote today. Mr Charlton will either confirm or deny that. He nods his affirmation of what I have just said. I do not mind Mr Berinson breaking agreements, but he should be honest enough to say he is doing so, if that is what he wishes to do. He should not come into this place and say things that are not fact when he knows that that arrangement was made. The fact that Mr Charlton has introduced new material is no reason for Mr Berinson to back off from his earlier agreements.

Hon J.M. Berinson: I am not backing off. I will correct you after you have finished. You are misrepresenting me.

The PRESIDENT: Order!

Hon GEORGE CASH: I am not misrepresenting the Attorney General

The PRESIDENT: Order! As honourable members know, I was called from the Chamber to attend to some business. I take it that while I was away the motion before the House did not alter and is still the same one I was dealing with when I left the Chamber. If the motion has not been altered, I cannot understand why members are talking about whether somebody reached an agreement. We are talking about whether the contents of this motion justify support. We are debating the content of the motion and not what somebody said they may or may not do. I raise this point because I thought somebody may have moved a subsequent motion to adjourn the debate while I was absent and that members were arguing about not adjourning. That is obviously not the case. The Leader of the Opposition.

Hon GEORGE CASH: I can assure you, Mr President, that the motion has not been changed. Any agreement struck between Mr Berinson, Mr Charlton and me has not been changed, unless Mr Berinson is going back on his word. Mr Charlton, if he is given the opportunity today, will confirm that there was an agreement between the Government, the Opposition and the National Party to see that a vote was taken on this motion today.

Hon Garry Kelly interjected.

Hon GEORGE CASH: Yes; Mr Berinson made it clear in earlier discussions with Mr Charlton and me that the Government would vote against the motion. That has not changed.

Hon J.M. Berinson: You are misrepresenting me again.

Hon GEORGE CASH: All this motion does is require documents to be tabled to ascertain whether grounds exist to proceed with an inquiry.

[Debate adjourned, pursuant to Standing Order No 195.]

## PERSONAL EXPLANATION - BY HON J.M. BERINSON

### *Misrepresentation - Aboriginal Legal Service Writ of Summons Motion*

HON J.M. BERINSON (North Metropolitan - Leader of the House) [3.34 pm]: Mr President, I claim to have been misrepresented and I request an opportunity to put the record straight. Hon George Cash insisted on saying, and then repeating, that I had agreed in one form or another to some unlimited capacity to deal with this motion to the point of carrying it, irrespective of what that might require.

Hon P.G. Pandal: By voting on it.

Hon J.M. BERINSON: I will remind Hon George Cash of what actually was the nature of the discussion to which he referred. It was a discussion in which I certainly anticipated that the House would go to a vote, because I anticipated that the debate would comfortably be finished by 3.30 pm today. I did not expect that my comments would take more than two or three minutes; I expected Mr Charlton to speak for four or five minutes. I saw no reason at all for anyone else to enter into the debate at all, given that the substantive part of the motion was identical to the previous one. In short, there was no reason this House could not have gone to a vote by 3.30 pm.

### *Point of Order*

Hon GEORGE CASH: I understood the Leader of the House had sought leave to make a statement claiming he had been misrepresented. He is now canvassing the earlier debate far wider than just whether he has been misrepresented. I ask that he be called to order on that matter.

The PRESIDENT: Firstly, he did not seek leave to make a statement. Under Standing Order No 87 he is entitled to do that. Hon George Cash is quite right; the provision of Standing Order No 87 provides an opportunity for a member to explain a misunderstanding or misquoting of a comment that has been made. The Standing Order is very specific in stating that no debatable matter should be brought into a personal explanation. I remind the Leader of the House of that.

*Debate Resumed*

Hon J.M. BERINSON: I will limit my further comments strictly to that matter. I repeat, firstly, that I expected this motion to go to a vote within the available time.

Hon George Cash: You said it would go to a vote.

Hon J.M. BERINSON: Secondly, from my recollection I was not asked whether - nor did I give any undertaking - the Government would extend the time as far as necessary to ensure that such a vote would be taken irrespective of the circumstances that arose in the course of debate.

Hon George Cash: You said that you would ensure that it went to a vote.

Hon E.J. Charlton: We also agreed that we would start it at 2.30 pm.

Hon J.M. BERINSON: But that was out of my control.

The PRESIDENT: Order! One of the things we are not going to do is change the rules.

Hon R.G. Pike interjected.

The PRESIDENT: Order! I cannot believe what I am hearing. The Leader of the House has an opportunity in a very restricted way to explain how he has been misquoted or misunderstood. Standing Order No 87 does not provide for other people to interject and put forward arguments about those areas of misquoting about which the honourable member is speaking. At the same time, the House needs to be told only once about the matters which have been misquoted, not 15 times.

Hon J.M. BERINSON: Again, Mr President, I accept that. However, there has been a further interjection that I want to acknowledge as being correct. Mr Charlton has said that I agreed to his motion being taken first; that is right, but I forgot about it. However, it made no difference because, as he may recall, only 10 minutes was involved in Mr Lockyer's motion and that would have made no difference to the course of events today, knowing as I do that members on my side of the House are stimulated by Mr Charlton's unanticipated elaboration on this motion and his wish to speak again. I acknowledge that the comment made by Mr Charlton is right. However, the comment made by Mr Cash is wrong, and very typically wrong.

Hon George Cash: The problem is that you keep conveniently forgetting things. You are not someone who can be trusted.

The PRESIDENT: Order! The one thing I am not forgetting is that I am running this House at the moment. While I am doing so we will stick to the rules.

**PORT KENNEDY DEVELOPMENT AGREEMENT BILL***Second Reading*

Debate resumed from 2 September.

HON REG DAVIES (North Metropolitan) [3.37 pm]: Port Kennedy is not situated in my electorate; however, I have taken an interest in it and have familiarised myself with the site because it has become a very controversial issue. I do not know how many other members have taken the time to visit Port Kennedy and familiarise themselves with the piece of land which the Government is giving away. Previously, I have had little experience in understanding the significance of land forms, plants, water holes and habitats in determining what sort of climatic changes can be predicted. However, I had the pleasure of meeting with Dr Vic Semeniuk at Port Kennedy. Dr Semeniuk is a scientist with a Queen's Post-Doctoral Fellowship in coastal science. He is currently the president of the Royal Society in Western Australia, the premier society of scientists in this State. He has 50 publications to his name, 30 of which have been published internationally. Although, unlike Hon Mark Nevill, he is not qualified as a mining geologist, he is a geomorphologist, and is highly recognised within his field.

He provided me with a fairly detailed briefing of the significance of Port Kennedy. As a result of that briefing it was not hard for me to conclude that Port Kennedy is an important scientific area. Comments were made last night that one could say the same thing about most of Western Australia's coastline. Dr Semeniuk, a man with eminent credentials,

assured me that was not the case. He said that the Whitford Nodes area was a significant area. However, it has now been developed and we have lost it.

Hon Mark Nevill: Didn't we save some of that?

Hon REG DAVIES: We saved a little part of it, thanks to the current member representing the area. She did a lot of work towards the recognition of the area's significance, but the major areas along the coast have been developed. This part of the coastline is uniquely Australian. One could say that it is a national treasure as it hosts thousands of threatened species, both flora and fauna. Such is the importance of the site that in February this year the Australian Heritage Commission interim-listed the area on the National Heritage Register. Subsequently, the Minister for State Development took offence. He was not impressed at all. In the Press, he attacked the credentials of the members of the Australian Heritage Council.

The PRESIDENT: Order! Apart from the member on his feet, the 15 or 16 other members talking should cease doing so.

Hon REG DAVIES: Mr Taylor was offended that the area would be interim-listed, so he attacked the credibility of the members of the Australian Heritage Commission. It is amazing that one day the Government grasps statements made by the members of the commission but the next day, when it does not agree with certain statements, sweeps those statements under the mat. The Government is not very consistent.

Hon Mark Nevill interjected.

Hon REG DAVIES: I am talking about the Port Kennedy development. I was very impressed by Dr Semeniuk. He convinced me that the area is of worldwide significance. I went to the area with an open mind. I spent three quarters of a day there looking around. I even looked at some of the squatters' shacks and was rather intrigued when told the names of some of the squatters who inhabit those shacks.

Hon Derrick Tomlinson: Will you share those names with us?

Hon REG DAVIES: No, because I do not want to embarrass people in high positions in our community.

Hon Phil Pandal told us last night that in 1989 the Environmental Protection Authority commissioned a study of the Crown land at Port Kennedy through a highly reputable geomorphologist, Dr Ian Eliot, a senior lecturer in geography at the University of Western Australia. His report substantiated the natural and scientific significance of the area. In 1990, he restated his position in relation to the listing of Port Kennedy by saying -

Port Kennedy is an area of outstanding scientific importance for the study of coastal processors and coastal geomorphology. The sedimentary record of the area has yielded globally significant models for sea level change and shoreline response over the past several thousand years. The site should be preserved as a living laboratory for scientific studies of coastal processes.

Hon Mark Nevill: That is all along the coast.

Hon REG DAVIES: I am only a layman in this area.

Hon Mark Nevill: I have not been to the area; therefore I do not know.

Hon REG DAVIES: I know as much about it as I do about drilling for oil in the Kimberley. I do not have the wonderful background that the member has in these areas but I am sure that Dr Eliot is worth quoting when he talks about having the area listed. Soon after his second series of comments he was promoted to a senior position in the Department of Planning and Urban Development. He was then unable to make any further comments. This would have suited the Government very well because he was effectively silenced.

Hon P.G. Pandal: He might be the sort of person who would be good for the committee.

Hon REG DAVIES: Yes; members will be aware that I intend to move that the Bill be sent to the Legislation Committee for further scrutiny and report.

Hon John Halden: Do you mean that you will do that after the Bill has been read a second time?

Hon REG DAVIES: Yes.

*Sitting suspended from 3.45 to 4.00 pm*

**[Questions without notice taken.]**

Hon REG DAVIES: It would appear that the Government does not give the Port Kennedy land any particular value whatsoever, because it is giving this priceless asset over to two little known businessmen with \$2 companies. In fact, they are so small in the development business that they have no track record at all. Some 25 hectares of land is being given away freehold, and the remainder on a 75 year lease at a peppercorn rental. Just as an aside, this site at Port Kennedy was also the site that, not long ago, was considered as an ideal location for a casino.

I am certainly convinced of the conservation and environmental side of the argument, but what concerns me is the validity of the deal. For example, my information is that the two directors of Fleuris Pty Ltd do not have the capacity in their own right to raise anything like the \$150 million which we understand to be the cost of the project. I do not want to use the privileges of this House to attack individuals or to bring to account the financial status of individuals, but as members of this place we must ensure that the Government is above criticism in its financial dealings, in view of the Government's appalling track record. It is up to us to keep that tight rein on the Government and question it repeatedly; I believe that is one of the most vital roles of members of this House. We must ask whether it is safe to allow a piece of highly desirable Crown land to fall into the hands of people who, prior to this project, have had very little financial equity, and who have never demonstrated any expertise in the field of major development. In fact, I would suggest that they have never been responsible for the construction of even a corner delicatessen, let alone a five star hotel, two golf courses, a major shopping complex, a marina and 950 car parking bays. What I have described there is a typical Gold Coast-type complex.

We are talking about giving a major development to a 100 per cent Australian owned \$2 company - or are we? Mr Lukin has no property registered in his name and Mr Sheehan's house is currently under Homeswest mortgage. This Government, which is ever conscious of where the State's precious assets are going, knows that these two gentlemen collectively have no equity or expertise. We must ask to whom this property really is going - not now, but in the long term. It appears to me to be no different, on face value, from the disastrous Petrochemical Industries Co Ltd deal. Just a cursory glance at company extracts from the Australian Securities Commission shows that all these \$2 companies - that is, the company with which the Government is dealing - in fact overlap and are interwoven, and all own shares in each other.

Hon John Halden: That would not be unusual, though.

Hon REG DAVIES: They are all beneficial shares, the directors being Sheehan and Lukin. The definition of a beneficial shareholder, according to the Australian Securities Commission, is a person who holds an equitable interest in property or shares although the legal title is held by another person. Therefore, what is created here could be described as nothing more than a corporate veil. Who are the people behind these beneficial shares? If we are to give consent to this Bill, which is what we are being asked to do, we have a right to know who are the owners. For all I know, it could well be the Government's mates. At the end of this deal could be the Government's old friends, once again, raising their heads. This definitely points to another WA Inc deal. In 1985 Fleuris Pty Ltd was given a large sum of money to work with the now defunct Western Australian Development Corporation to develop a plan, although other major developers said it could not work. I do not know whether it is common knowledge that the financial incentive was given to these people in 1985. We were told that 16 proposals were submitted from other developers. Is this like the old Swan Brewery project where the Government already had mates in mind and it did not matter how many proposals were submitted?

The member for Rockingham releases a publication which he calls *The Rockingham Report*, and last week's edition said that the Fleuris proposal would be a definite improvement for Port Kennedy. But it will be an improvement in whose terms? The people of Western Australia enjoy strolling along the beach, trekking through the sand dunes, sitting on the beach, fishing and, in a nice secluded spot, enjoying the native flora and fauna on the water and land. Let us consider the difference between this proposal and Rottnest Island. Rottnest is designed to cater for the needs of Western Australians; it runs at a profit. Observation

City, erected by a fallen Western Australian entrepreneur and a former friend of the Government, runs at a loss. The hotel is currently on offer to a Japanese company for \$73 million. From what I have heard in commercial real estate circles, they cannot give the hotel away because it is not commercially viable. However, the Government wants us to believe that it wants another five star hotel, with all the trappings and tourist facilities, in the outer reaches of suburbia. Is that what is proposed for Port Kennedy?

Even Mr Hendy Cowan in the other place acknowledges that this is only a concept plan. Has any other member seen any definite plans regarding this site?

Hon John Halden: I have seen some plans.

Hon REG DAVIES: Concept plans, which are subject to change at any whim.

Hon John Halden: That is what concept plans are.

Hon REG DAVIES: Mr Cowan believes that the concept plan is inappropriate and not economically viable. The member for Applecross said that people who make decisions for the Government are neither street smart nor commercially smart. He said that a 12 year old child could drive a truck through the flaws in this agreement, and Mr Cowan said that Governments generally were not adept at picking winners. Many questions remain to be answered on this deal. Last night Hon Phil Pental in his marathon speech raised many questions.

This Bill should go to the Standing Committee on Legislation for intense scrutiny, particularly regarding the financial structure of the \$2 companies. We must discover the people behind these companies before we give approval. I am afraid that I am confident of neither the success of this deal, nor the maintenance of the environment. This Bill does not have my support, and following the second reading I will move that it be referred to the Legislation Committee for further scrutiny.

**HON JOHN HALDEN** (South Metropolitan - Parliamentary Secretary) [4.45 pm]: I shall clarify some of the issues raised by members. Undoubtedly, as Hon Reg Davies said, the speech by Hon Phil Pental was a marathon effort. It was in effect a marathon of political bastardry - one could describe it no other way.

This project has had the greatest amount of assessment the Environmental Protection Authority can give. It underwent a full environmental review and management plan, and the Conservation Council and Dr Vic Semeniuk had ample opportunity to appeal to the Minister. The EPA conducted a public inquiry, and this was the first and only time such a stringent inquiry has taken place. I am glad that Hon Phillip Pental has entered the Chamber. The deal had to comply with 21 conditions, and the developer made some 23 commitments. These conditions cover all the concerns expressed by the Opposition, and principally by Hon Phil Pental, and I now seek leave to table the document containing the 21 conditions and 23 commitments.

[See paper No 374.]

Hon JOHN HALDEN: Members will note that the proponent must comply with the conditions under the agreement stipulated in clause 26 of the Bill. Hon Phil Pental is suggesting that the Environmental Protection Act is inadequate and should be strengthened. I trust that the Liberal Party made a submission along those lines to the review committee of the EPA - I bet it did not.

Hon P.G. Pental: We have already made our position clear on what should happen at the EPA.

Hon JOHN HALDEN: Subject to the conditions the plan proceeded in 1990, only two years ago, and as the Government is sensitive to environmental concerns 95 hectares of A class reserve of the most sensitive area has been set aside. Hon Phil Pental says, "Don't muck it up", but it would not be possible to muck it up any more than it is at present. The area contains 80 to 90 ramshackle squatters' shacks, which are unhygienic with no sewerage, clean water, health provisions, or fire services.

Hon D.J. Wordsworth: You had eight years to fix it up.

Hon JOHN HALDEN: Indeed; we are doing that. I suggest that the member go back to sleep. He will be far better off and will not be offended by what I have to say.

Regarding the marina, conditions 3 and 5 to 11 of the EPA approval are relevant. A 12 month study will be conducted into the impact of the marina on the fisheries resources, and it is stipulated in condition 3 that the developer must monitor the coastal process. If the member had read the conditions which are binding on the proponents, which will constitute an Act of Parliament, he would not have commented as he did in the most mischievous way possible.

Hon P.G. Pandal: Who wrote this crud for you?

Hon JOHN HALDEN: The same person who wrote the crud the member read out last night! I can assure the member I would never go to the lengths he went to, the snivelling fool!

The DEPUTY PRESIDENT: Order!

Hon JOHN HALDEN: If he wants to sling it around, I will sling it back.

The DEPUTY PRESIDENT: Order! I suggest that the interjections cease. Fewer interjections will be forthcoming if the Parliamentary Secretary addresses his remarks to the Chair.

Hon JOHN HALDEN: I am happy to address my comments to you, Mr Deputy President, as you will have the ability to understand them.

If the member had read the terms and conditions of the commitments that had been made in the EPA report, he would not have commented as he did. Conditions 12 and 13 apply to the golf course, as do clauses 4 and 5(c) and (d) of the agreement. The golf course will be monitored as carefully as the marina. Geomorphologically, the site -

Hon P.G. Pandal: If you want a project, there won't be a marina. You had better start getting a few of those things in your head.

The DEPUTY PRESIDENT: Order!

Hon JOHN HALDEN: The stage 1 area will become an A class reserve and the foreshore and beach front area will come under the control of the City of Rockingham. The stage 2 area plus the A class reserve connecting the Larkhill estate and Rockingham Lake estate will enable an examination and testing of specific work to be carried out. Nothing will impede this testing as it must be done under the EPA conditions.

Hon Phillip Pandal raised the issue of feral animals. They can be controlled on an A class reserve, and it would be possible, albeit futile, to have a rabbit/rat/cat/dog/goat/camel proof fence because feral fences do not keep out feral animals. The only place I could suggest a feral fence would be useful is around the Liberal Party meeting room when Hon Phil Pandal is within.

Hon Derrick Tomlinson: Why did they erect one around Shark Bay?

Hon P.G. Pandal: Dr John Morton would know more about the subject than anyone in Australia. Don't make a complete fool of yourself.

The DEPUTY PRESIDENT: Order!

Hon JOHN HALDEN: Once the Bill is gazetted the proponents will have a licence to enter the area to be developed. It would then be their responsibility, under the Soil and Land Conservation Act, should the area deteriorate. The balance of the land and the reserves will go to the City of Rockingham and the Department of Conservation and Land Management; therefore, there is no place for the land conservation district council to continue to operate in the developing area - and no need. Hon Phillip Pandal raised the involvement of Mr Anderton in the community and with the LCDC. Mr Anderton's contribution to the community is that he happens to be the owner of one of the shacks on the area in question.

Hon Reg Davies: Can you tell us the names of the other owners?

Hon JOHN HALDEN: No, I cannot; I am not that petty, but I am sure that Hon Phillip Pandal can tell us. Mr Anderton is also a lessee of many of the shacks on that land. The issue of impartiality and of unbiased contribution cannot usefully be made.

Hon P.G. Pandal: Since you have singled out Mr Anderton, a private citizen, for mention, would you care to mention the names of any senior Government officials?

Hon JOHN HALDEN: No; Hon Phil Pandal can. I challenge him.

Hon P.G. Pental: You have named one.

The DEPUTY PRESIDENT: Order! We will have no challenges or interjections. Hon John Halden should direct his comments to the Chair.

Hon JOHN HALDEN: Mr Deputy President, members opposite should read the agreement, which is written so that the proponents cannot develop the cream of the site and make a killing. The cost of roads, sewers, water, power and headworks charges alone would prohibit such a killing. If that did happen or even if the proponents went broke, the State would have the benefit of such services at no cost. No leases will be granted until the whole development is completed. The 75 year lease is in exchange for the worth of this development, which is estimated currently to be in excess of \$200 million. The first 25 years of the lease will be based on a peppercorn rental, the next 25 years will see all additional development charged at a commercial rental, and for the remaining 25 years the whole site will be charged at a commercial rental.

I have a series of photographs for the edification of members that, unfortunately, cannot be incorporated into *Hansard*. Hon Phillip Pental has talked about this pristine area, but he should look at these photographs which evidence the degradation and the soil erosion caused by four wheel drive vehicles.

Hon P.G. Pental: I did not use that word at all. You are misreporting me.

Hon JOHN HALDEN: Hon Phillip Pental might not like the facts, but he will have to listen to them. Members should look at the damage caused by squatters' rubbish and bushfires started by people in the area.

Hon P.G. Pental: Tell us who the squatters are?

Hon JOHN HALDEN: I do not know, fool!

The DEPUTY PRESIDENT: Order!

Hon P.G. Pental: You knew Mr Anderton was one.

The DEPUTY PRESIDENT: Order! I ask Hon Phil Pental to cease interjecting and the Parliamentary Secretary to direct his comments through the Chair.

Hon JOHN HALDEN: Members should look at the number of car bodies that pollute the area of the coastal zone, at the volume of building materials that have been dumped and the degradation of the site caused by the squatters' shacks.

Hon Tom Stephens: Wasn't it a bombing site?

Hon JOHN HALDEN: A portion of the site was a target range at one stage.

Hon W.N. Stretch: Have you been down and seen it after the clean up?

Hon Tom Stephens: This project will be an improvement on a bombing range.

Hon JOHN HALDEN: One would presume that would be so in certain circumstances. That area should be a pristine area, but as a result of the encroachment into the area by squatters it has not been maintained in that condition.

Hon Derrick Tomlinson: Are you denigrating the work of the LCDC?

Hon JOHN HALDEN: I am saying that by the look of these photographs it should be doing a bit more work. I will not deviate from my course because of interjections, as the Deputy President so wisely advised. Members should look at the speech made by Hon Phillip Pental in the House last night. He has made speeches along similar lines during debates on the Hillarys Marina, Hepburn Heights and a range of other matters.

Hon P.G. Pental: All of which the Government wanted to sell.

Hon JOHN HALDEN: All of which were about not having jobs in this community. As Hon Phillip Pental will tell members at every opportunity, this State has 10 per cent-plus unemployment.

Hon P.G. Pental: Whose fault is that?

Hon Tom Stephens: Yours by the sound of things.

Hon JOHN HALDEN: This project will provide an opportunity to create initially in the



construction phase both directly and indirectly between 800 and 1 000 jobs. What does Hon Phillip Pandal do? He filibusters and comes up with furbies like why we must investigate feral fences that will not work.

Hon Reg Davies: You are a feral member.

Hon JOHN HALDEN: There is no doubt that Hon Phillip Pandal is.

Hon Derrick Tomlinson: How many jobs will be created by proper conservation management? The Parliamentary Secretary should look at some of the international data on that.

The DEPUTY PRESIDENT: Order! I suggest that Hon Derrick Tomlinson make his own speech during the Committee stage.

Hon JOHN HALDEN: I will try to adhere to the Deputy President's ruling. This issue is not about conservation or development. It is about an election that is to happen in February; about a snivelling member who does not want people to have employment; about trying to put the worst angle on anything to do with job creation in this State. If members read Mr Pandal's speech they would discover that he does not have one inch of ground to stand on. As he smiles at this moment he knows I have got him. He is wrong and he has been caught out.

Hon P.G. Pandal: I was just feeling sorry for Mr Berinson, over whose head you are shouting and who has to listen to that drivel.

Hon JOHN HALDEN: I will quote from a speech that was made - I cannot resist this opportunity - on 12 May 1992.

Hon P.G. Pandal: Whose speech?

Hon JOHN HALDEN: I will get to that in a moment.

Hon P.G. Pandal: If it is mine, it will be well worth listening to.

Hon JOHN HALDEN: I think the member might remember 12 May as it was the day he moved from the frontbench to the backbench.

Hon P.G. Pandal: I remember it well.

Hon Derrick Tomlinson: It took a long time coming.

Hon Bob Thomas: It was 9.35 pm, to be exact.

Hon JOHN HALDEN: On that day Richard Court, the newly appointed Leader of the Opposition in this State, assured the public that a Government he leads will be about action, not just talk. He stated that a Government must govern and in the process make the difficult decisions. He said that his Government will not be distracted by the multiplicity of often incomprehensible single interest lobby groups; that it will govern to lead Australia out of recession.

Hon P.G. Pandal: Hear, hear!

Hon JOHN HALDEN: What did we hear last night from Hon Phillip Pandal? He said that we should get back into the Depression, that we should ensure the Government cannot give people jobs, that private enterprise cannot get up off its knees and do the job that it undertakes to do better than anybody else. The Opposition wanted to make sure that private enterprise could not act in a way that was appropriate.

Hon Max Evans: What about Westralia Square?

Hon Tom Stephens: You are always talking about development.

The DEPUTY PRESIDENT: Order! I suggest that the Parliamentary Secretary would bring his speech to a quicker conclusion if interjections ceased.

Hon JOHN HALDEN: The newly appointed Leader of the Opposition said that the Liberal Party will not be a party that blows in the wind on key policy issues and that it will have the political will to attract new economic activity.

What do the directors of Fleuris Pty Ltd think of that comment? I will tell members what they think about the Liberal Party and the soon to be member for South Perth - or so he hopes. Mr Court also said that he will remove the obstacles that are stopping new investment

flowing in this State. What does Hon Phillip Pental do? He creates another obstacle, not in the bureaucracy but in this House, by referring this Bill, which has been 10 years in the pipeline in terms of environmental and financial considerations. No project in this State has had a more thorough consultation process than this one, both at the economic and the environmental level. Of course, Hon Phillip Pental decided he wanted to make a few cheap political points, and that will cost jobs for the people in this State - 1 000 jobs.

Hon P.G. Pental: That has gone up by 200 since last night.

Hon JOHN HALDEN: I said "800 to 1 000". Perhaps Hon Phillip Pental would like to explain to those 800 to 1 000 people why they will not have jobs? It is because he played silly little games in this Chamber to try to win an election. Hon Phil Pental does not like that, but I will give him some more.

Hon Reg Davies: I hope the jobs are not the same as those at the Vines Resort where employees must have English as a second language and Japanese as a first language.

Hon JOHN HALDEN: That comment is about as relevant as my dog.

Hon Tom Stephens: A lot of my constituents at Broome will be able to get jobs there.

Hon JOHN HALDEN: The newly appointed Leader of the Liberal Party went on to say he would restore confidence -

Several members interjected.

The DEPUTY PRESIDENT (Hon Garry Kelly): Order! There are too many interjections in the Chamber; and apart from being too numerous, some are not relevant. I suggest they be kept to the barest minimum. If members want to interject, they should make their interjections relevant. The Parliamentary Secretary should direct his comments to the Chair.

Hon JOHN HALDEN: I am trying to, Mr Deputy President. The newly appointed Leader of the Opposition then said his Government would restore confidence for investors in this State by restoring integrity to the Government by delivering an efficient, fast approval system. I did not see too much integrity last night when the member on the other side of the House slated the member for Rockingham. He asked directly whether he had a financial interest, direct or indirect, in this development or whether he had any pecuniary interest.

Hon P.G. Pental: I asked it directly; I did not imply it.

Hon JOHN HALDEN: I know that. I will provide an answer if Hon Phillip Pental will remain quiet. The answer is no, and he knows that. He asked that question in order to be mischievous. He should make the same statement outside the House; we would then see how courageous he was.

Hon Tom Stephens interjected.

The DEPUTY PRESIDENT: Order! Hon Tom Stephens will come to order.

Hon JOHN HALDEN: Last night a range of furphies were raised in the debate. The Port Kennedy development is about the creation of 800 to 1 000 jobs in its construction phase. It is also about an investment of \$200 million.

Hon Derrick Tomlinson: When?

Hon JOHN HALDEN: Now.

Hon Derrick Tomlinson interjected.

The DEPUTY PRESIDENT: Order! I have allowed interjections to range fairly freely on the closing argument of the second reading debate. We should hear the Parliamentary Secretary in silence so that we will complete the debate more quickly and, presumably, be in a position to move a motion.

Hon JOHN HALDEN: The money is available. The Deputy Premier has spoken to the financiers and they have assured him of that. That question implies a furphy. I am sure the private developers will be only too happy to provide the appropriate information, or evidence - members can call it what they like - so that the development can progress.

Hon Reg Davies: That sure sounds like a lot of speeches I have read in the past.

The DEPUTY PRESIDENT: Order!

Hon JOHN HALDEN: I reiterate that we are talking about 800 jobs in the near future - the project will start before Christmas - and about \$200 million worth of investment. After more than a decade of environmental consultations and examination and the feasibility study of a very difficult project to ensure that the \$200 million can be seen to be available for investment in this State within weeks, the Opposition has decided that the early implementation of the project will not be, politically, in its best interests. Therefore, it wants to refer it to the Standing Committee on Legislation in order to waste as much time as possible. The Opposition agrees with the project; that is clear, but it does not want it to proceed before a State election. Politically, it is one of the gravest and most appalling stunts I have ever seen in this House, and the Opposition knows that. We have all heard the gossip in the Chamber.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon JOHN HALDEN: The conservation issues have been raised before. Fleuris Pty Ltd spent \$300 000 developing its environmental review and management program report. The company did not appeal against one of the 21 conditions placed on it by the Government.

Hon Reg Davies: With its own money?

Hon JOHN HALDEN: Yes. The study has been long and exhaustive. The question is whether this Chamber wants to play politics as, of course, it has been, and members opposite know that. Nevertheless, some outstanding questions may need to be answered and I am prepared to be generous. People may need to be satisfied on certain aspects of the Bill, but the Legislation Committee should not need to consider feral fences or any other microscopic, insignificant issue suggested by Hon Phillip Pental that may delay this very crucial project.

Hon Reg Davies interjected.

The DEPUTY PRESIDENT: Hon Reg Davies will come to order.

Hon JOHN HALDEN: If this House is to agree to this development and is genuine about satisfying itself on particular matters, when it refers the Bill to the Standing Committee on Legislation it should nominate a strict time frame. The matter has been debated in the community and everywhere else to the nth degree. The information is readily available. We should therefore not be any sillier in this House than we have been. Yesterday I sat here from 4.10 pm until 8.20 pm and was horrified by the accusations - the guttery - made by Hon Phillip Pental. We should now act in a responsible way in this House. If any questions are outstanding we should resolve them, but not in an open ended way. Hon Phillip Pental suggested the Bill should go before the Standing Committee on Legislation for no longer than a month, but he did not move a motion.

Hon P.G. Pental: Wait until you have finished and you will see what might be moved.

Hon JOHN HALDEN: I know what Hon Phillip Pental is talking about.

The DEPUTY PRESIDENT: Order!

Hon JOHN HALDEN: In conclusion, it is appropriate if people have genuine concern for those issues that they be concluded quickly. The comments made last night were furphies raised for the political ends of the Opposition. I am not suggesting that other people do not have genuine concerns which should be addressed. Let us expedite this matter. Let us not place artificial barriers in front of this issue, which has been under the microscope for a decade, by using the processes of this House. Members of the Liberal Party have gone against the express policies of their leader on this matter. He has no control over the likes of Hon Phillip Pental; he never has. We all know that Mr Pental was a supporter of the previous Leader of the Opposition. Whatever their party room problems, they should not bring them in here at a cost of 1 100 immediate jobs or at a cost to the State of \$200 million. If they want to play those sorts of silly politics, they should play them somewhere else, because the people of this State will repudiate them again and they will spend another four years sitting where they now sit.

Question put and passed.

Bill read a second time.

*Referral to Standing Committee on Legislation*

**HON MURRAY MONTGOMERY** (South West) [5.11 pm]: I move without notice -

That this Bill be referred to the Standing Committee on Legislation to investigate those issues relating to Fleuris Pty Ltd on finances, conservation and terms of development as raised by members in the second reading debate and that the committee report its finding to the House on or before Wednesday, 23 September 1992.

Concerns have been raised about this legislation. If the Bill were debated by the Committee of the Whole it would take more time than it would if it were referred to the Standing Committee on Legislation. Therefore, to expedite the legislation I seek members' support in referring it to that committee. At least then it will be taken away from the heat of debate in this House and I am sure that the committee will return it to this House so that it can be supported.

**HON P.G. PENDAL** (South Metropolitan) [5.13 pm]: I support Hon Murray Montgomery's remarks. However, I do not rule out the possibility of also moving an amendment if that is suitable to Hon Murray Montgomery. The minute that Hon Murray Montgomery moved a motion specifying the date of 23 September he completely underlined the nonsensical and immature rantings of the Parliamentary Secretary.

*Point of Order*

Hon JOHN HALDEN: I do not think the member's talking about my rantings has anything to do with the motion.

The DEPUTY PRESIDENT (Hon Garry Kelly): Order! That is not a point of order.

*Debate Resumed*

Hon P.G. PENDAL: It is germane to the matter before the House because the Parliamentary Secretary pre-empted this debate by saying that sending this matter to the Standing Committee on Legislation was a delaying tactic. By virtue of Mr Montgomery's inserting a reporting date of 23 September, this matter will now come back from the committee quicker than if it had remained in this House and gone through the normal Committee stage. I say that because next week is not a sitting week, so there will be no Committee stage then. We come back the week after that for a two week period. I suggest that the Committee stage of this Bill would continue for those two weeks. We will then take a two week break for the school holidays and no Committee work will be done in that time. When we return, the first week will be spent on Budget Estimates. Therefore, if someone is interested in expediting the Bill, I suggest he use his nous and support the motion moved by Hon Murray Montgomery.

Hon Mark Nevill: We could dispose of it before six o'clock.

Hon P.G. PENDAL: What does the member mean, "before six o'clock"? Anyone who suggests that we could complete a Committee stage on a Bill of such importance in 44 minutes -

Hon Murray Montgomery: Must have rocks in his head!

Hon P.G. PENDAL: Hon Murray Montgomery puts it more charitably than I would have. Hon John Halden has just told the House that this project has been under the microscope for a decade. It might have been under the microscope for a decade in the bureaucracy, or in Government or ministerial offices, but do members know how long this House has had access to the agreement and the Bill? It has been only for about eight weeks. It might have taken the Government 10 years to put it under a microscope, but I do not apologise and I hope no member of the Opposition would apologise for putting under scrutiny an agreement entered into by the Government, not in the light of the people from Fleuris, in whom I have confidence, as I said last night, but in the light of the past business dealings of this Government. Put simply, who would trust members opposite? Who would trust this motley lot which passes for a Government and which has presided over the loss of \$1.5 billion of taxpayers' money - and that is all we know about so far? I repeat: Who would trust a Government with that record when we are being asked to hold up to the light an agreement that involves money?

The DEPUTY PRESIDENT: Order! The member is straying from the motion. We are debating a motion to refer the Bill to the Legislation Committee.

Hon P.G. PENDAL: You are right, Mr Deputy President. Because of that level of justifiable suspicion, there is good reason for the matter to go to the Legislation Committee. Why do we have a Legislation Committee if we are not going to send it these pieces of legislation that will have the most profound impact, not only on the physical landscape, but also on the finances of the State? For example, why would we want to send minor Bills to the Standing Committee on Legislation to occupy the time of its members if we are not prepared to send it major Bills? I am fed up with the line that has been pushed in this place today, both within the Civil Service and without, that to send the Bill to the Legislation Committee is a delaying tactic. The Government can please itself: It can request the committee to expedite its hearings. For what it is worth, I estimate that at least six or eight people's opinions should be heard to back up the remarks I made in the second reading debate. Six or eight people heard in the relative calm of a committee room by people who until now - as you, Mr Deputy President (Hon Garry Kelly) would know - have conducted themselves in a bipartisan and productive way is the best way to get legislation back onto the floor of the House. I can imagine dealing with the Committee stage of this Bill on the floor of this House!

If Hon John Halden is serious about wanting to end the point scoring which he felt was apparent last night, he should agree to send this legislation to the Legislation Committee.

Hon John Halden: That is why I negotiated with Hon Murray Montgomery. It had nothing to do with you.

Hon P.G. PENDAL: I knew precisely what Hon Murray Montgomery intended to do. I am pleased to say that what he did was the result of meetings between him, members of the Liberal and National Parties, including me, and Hon Reg Davies. The meetings were held long before the somewhat silly and childish outburst by the Parliamentary Secretary.

I do not want to hear any nonsense about tactics being used to delay the passage of this Bill. If the Government does not want the Bill scrutinised it should say so. On its admission it has had the legislation for 10 years and the Opposition has had it for eight weeks. Over that time the Opposition has signalled that if certain elements of the Bill are modified it will support it. I hope to be in a position to vote in favour of the Bill when it comes back to the House, but I make it abundantly clear that if we get no more than the sort of diatribe we heard from the Parliamentary Secretary this afternoon the Bill will not progress very far. As one who wants it to progress I hope the Legislation Committee will deliberate on it when the Parliamentary Secretary - if he is a member of the committee - is not there. Perhaps he can be sent on a holiday because from the sound of his speech this afternoon he certainly needs one.

I thought the debate, until the point at which the Parliamentary Secretary entered it, was a pretty good debate. It covered many serious issues which are worthy of the Legislation Committee's examining the Bill.

Apart from the company, Mr Sheehan and Mr Lukin, who would be very familiar with the agreement, I doubt whether there is one member on the other side of the House who is remotely aware of what is in the Bill.

The DEPUTY PRESIDENT (Hon Garry Kelly): Order! The member is starting to stray from the path of righteousness again. The member should be addressing his remarks to why the Bill should be referred to the Legislation Committee.

Hon P.G. PENDAL: The Bill should be referred to the Legislation Committee to allow some of the Labor Party members to slow down sufficiently to understand what is in the Bill.

Hon Mark Nevill: I know more about this than you know about the trucking legislation.

Hon P.G. PENDAL: I agree that is probably true.

I have every good reason to believe that this is a committee Bill. Some Bills we deal with are not committee Bills; some Bills are simple and some Bills do not need a trained legal eye to understand them. If anyone were to suggest, on the one hand, that members on the other side of the House were familiar with the contents of the agreement and, more than that, were conversant with them, they certainly have not shown it in the course of the debate. On the other hand, I am aware of the legitimate concerns on the part of Opposition members who have had far greater business experience than any member on the other side of the House. It

is not the members opposite who understand what is in the Bill who concern me; it is the members opposite with a wealth of experience in their private professions who are unsure of the provisions in the Bill. That is another good reason why the Bill should be referred to the Legislation Committee.

I suggest we get on with the job of referring this legislation to the Legislation Committee and I hope it can stick with the deadline suggested by Hon Murray Montgomery. It is certainly a shorter period than what I believe is practical. When Hon John Halden asked me yesterday by way of interjection to give a time, I suggested that perhaps a month would be sufficient. Hon Murray Montgomery has suggested 20 days, so by the time the Bill reaches the committee it will have less than three weeks to consider it. By nature Hon Murray Montgomery is a far more optimistic person than I. If the legislation is returned to this House amended in the way I hope it will be, I will be the first person to recommend to the Opposition that under those circumstances it should support the Bill. In the meantime I support the motion that the Bill be referred to the Legislation Committee.

**HON REG DAVIES** (North Metropolitan) [5.28 pm]: I support the motion to refer this legislation to the Standing Committee on Legislation. It is important that members be fully satisfied with the legislation. The committee will have the opportunity to investigate the environmental and scientific aspects of the proposed development. The committee should be requested to examine the legislation thoroughly and decide whether the development proposal is appropriate or whether a modified version would be a better way to go. It is very important that the Legislation Committee investigate in detail the financial aspects of the legislation and report to the House on the ownership of all the shares. This is a vital area. I was certainly pleased to hear Hon Murray Montgomery include in the terms of reference that the committee investigate the concerns raised by members in the second reading debate. It is a very wide ranging term of reference.

Question put and passed.

## **ACTS AMENDMENT (EVIDENCE OF CHILDREN AND OTHERS) BILL 1991**

### *Returned*

Bill returned from the Assembly without amendment.

## **ELECTORAL AMENDMENT (POLITICAL FINANCE) BILL**

### *Committee*

Resumed from 2 September. The Chairman of Committees (Hon Garry Kelly) in the Chair; Hon J.M. Berinson (Attorney General) in charge of the Bill.

### **Clause 4: Part VI inserted -**

Progress was reported after the amendment to insert a definition of "specified amount" was partly considered.

**Hon J.M. BERINSON:** At the stage we left this discussion, there was concern by the Opposition to effect two changes. The first of these was to ensure that the \$1 500 threshold for disclosure should permanently remain a minimum amount irrespective of the movements in the consumer price index and, secondly, to ensure that that was effected in the definition of "specified amount". I have circulated proposed amendments to the definition of "specified amount". I move -

That the amendment be amended by deleting the word "other" and substituting the word "greater".

I notice that this coincides precisely with the suggestion the Leader of the Opposition made last night.

**Hon DERRICK TOMLINSON:** In the discussion last evening the Attorney General was making the point that movements in the consumer price index could result in the specified amount being greater than or less than \$1 500. He advanced the proposition that even though it is highly unlikely, there is a possibility that movements in the consumer price index could result in a specified amount which is less than \$1 500. I am sure we would all welcome an

economy so strong that the consumer price index reduced rather than grew.

Hon J.M. Berinson: I think that is called deflationary, which is not the sign of a strong economy.

Hon DERRICK TOMLINSON: It depends on one's consideration of what is a strong economy. Even if it were an appalling economy, there is that possibility. The Attorney General was making the proposition - I thought that was the principle the Government was arguing - that although we may start with a specified amount of \$1 500 at the commencement of the operation of the Act, thereafter the specified amount using the \$1 500 base will move in accordance with changes in the consumer price index and that might be a greater or lesser amount. In light of the amendment now moved by the Attorney General, does he anticipate in the event of a deflationary economy resulting in a negative CPI that the amount will be less than \$1 500, or that the amounts in the CPI will be ignored and the specified amount will remain at \$1 500?

Hon J.M. BERINSON: The effect of this amendment and the further amendment is that the specified amount would never move below \$1 500. In other words, I have adopted an amendment which reflects the Opposition's view, and that is different from the Government's original view.

Hon GEORGE CASH: My question is not specifically in respect of the word "greater" but is a more general question which fits within the amendment now before the Chair; that is, why items (a) and (b) are included within the definition of "specified amount". Why are they not set out in the Bill itself?

Hon J.M. BERINSON: This is part of the Bill, and it is as simple as that. This is merely indicating the source of the specified amount; namely, under the regulations and within a period of 30 days. The regulations are provided for in the body of the Bill and so is the 30 day period. In other words, we do not rely on the definition to provide the regulation making authority or the 30 day time period, but the definition reflects those provisions which are in the body of the Bill.

Hon GEORGE CASH: I understand what the Attorney General is saying, but I am interested in ascertaining why the definition of "specified amount" needs to relate to the words contained in (a) and (b). Why are those words not restricted to the main body of the Bill, rather than included in the definitions?

Hon J.M. BERINSON: For greater drafting clarity.

**Amendment on the amendment put and passed.**

**Amendment (definition of "specified amount"), as amended, put and passed.**

Hon P.G. PENDAL: On behalf of Mr Foss, I move -

Page 5, after line 17 - To insert the following new definitions -

"state trade union" means a trade union formed pursuant to the laws of this State;

"trade union" has the same meaning as is attributed to the term 'employee organisation' in section 96A of the *Industrial Relations Act 1979* and also includes an organisation of a similar nature incorporated under the law of any State.

I do not need to make protracted comments on this matter as I understand that for the purposes of this debate the Attorney General will agree to this amendment in order to reach the more substantial debate later in the Bill which is the subject of reference by my colleague Mr Foss.

It is sufficient to say that unless we define a "state trade union" and a "trade union" the amendments I will be moving later on behalf of Mr Foss will have no meaning. Also, the amendment just moved is central to the amendments I moved for Mr Foss yesterday. It means that the Opposition is unashamedly expanding the scope of the Bill's very narrow base, which the Government is looking to use to regulate voluntary donations, so that restraints can be placed on trade unions that donate money to political parties. We are looking at a situation where ordinary members of a trade union lose political, and for that

matter financial, control over their money. With that in mind, and bearing in mind that I intend to debate at length some of the more substantial issues related to this matter which arise later in the Bill, I am happy to leave the matter as it stands at the moment.

Hon REG DAVIES: I indicated last night that I did not have an opportunity to make a second reading speech on this Bill. Had I done so I would have outlined my views on the amendments related to trade unions. I oppose this amendment as I will oppose the whole of the amendments related to the trade union movement. I see these amendments as superfluous. I find it difficult to determine the intent of the proposal which requires trade unions to have secret ballots before they donate money to a political party. It requires 75 per cent of the membership of a trade union to authorise any donation to a political party. That seems to be an excessive requirement. Most elections in our community require just over 50 per cent of the membership to agree on anything and often only 50 per cent of those present is sufficient to pass a motion. If I recall my days in a political party correctly, a majority of those present was sufficient to move funds anywhere.

Hon Derrick Tomlinson: Seventy-five per cent, according to the Constitution.

Hon REG DAVIES: I cannot recall anybody in the party ever taking any notice of the Constitution, but that is another matter. I disagree with this amendment because a requirement of 75 per cent is excessive. To be even handed, one should treat every organisation likely to donate money to a political individual or party equally. Therefore, we should also address the need for shareholders of public companies, and so on, to conduct secret ballots before making political donations and require 75 per cent of all shareholders to vote at a secret ballot and agree that a donation can be made before such a donation is made. I am opposed to the amendment on those grounds.

Hon J.M. BERINSON: I could not agree more with Mr Davies' general argument. Of course, he is correct. However, this is not the place to solve that problem. The position is that, even if we knock out the definition of "state trade union" and "trade union", when we come to a later amendment in Mr Foss's name which talks about trade unions there would be nothing to prevent that debate proceeding. However, the problem would be that nobody would really know what trade union people were talking about. I believe the course we suggested last night helps that situation. We will decide whether the trade unions should be made subject to this appalling proposal, which hopefully they will not, in which case we will come back to the definitions and delete those terms at that point.

**Amendment put and passed.**

Hon J.M. BERINSON: I move -

Page 6, after line 20 - To insert the following -

(6) If the Electoral Commissioner determines and publishes an amount for the purposes of the definition of "specified amount" in section 175, the amount published becomes the specified amount -

- (a) in relation to sections 175O, 175P, 175Q and 175R (1)(b),(c) and (d) - from the end of the period of 30 days mentioned in that definition; and
- (b) in relation to sections 175N, 175R (1)(a) and 175ZE - on and from 1 July next following publication.

Once adjustments to section 175A as proposed are made, a new threshold will apply for candidates, groups and other persons as from 30 days after a general election. Parties will move to the new threshold as from the next 1 July. A threshold value will usually apply for four years.

**Amendment put and passed.**

Hon J.M. BERINSON: I move -

Page 13, line 5 - To delete "\$1 500" and insert "the specified amount".

Hon DERRICK TOMLINSON: We have established by the amendment that has already been adopted that the minimum sum of the specified amount will be \$1 500; it may be more than that. Let us imagine a situation where a political party or organisation imposes on its



members a levy of \$10 for a fighting fund for a specific political purpose, and that the organisation has a membership of 2 500 people.

Hon Reg Davies: That sounds like one of my branches!

Hon DERRICK TOMLINSON: Yes. It could well be the Independents of the North Metropolitan Region. I think 2 500 votes will be cast there. Each of those 2 500 persons may donate \$10 specifically to the Reg Davies fighting fund. That would amount to \$25 000, which would be well and truly in excess of the specified amount. Would that amount have to be disclosed under this provision?

Hon J.M. BERINSON: Yes. That would follow from the fact that the donation would not be directed from the individual member to the candidate but from the organisation after it had collected the levies to the candidate. The total amount would be caught by this Bill and would, therefore, be subject to disclosure.

Hon DERRICK TOMLINSON: If a trade union levied members for a specific fighting fund - and this is not unusual in the trade union movement - and the trade union in turn directed those funds to support the campaign of, for example, the Liberal Party, would that amount have to be disclosed and would that disclosure have to indicate that it was a levy upon members and the amount of that levy?

Hon J.M. BERINSON: The amount of the donation would have to be disclosed. The means by which the sum was collected or made available would not have to be disclosed.

#### *Progress*

Progress reported and leave given to sit again, on motion by Hon J.M. Berinson (Attorney General).

### **ADJOURNMENT OF THE HOUSE - SPECIAL**

On motion by Hon J.M. Berinson (Leader of the House), resolved -

That the House at its rising adjourn until Tuesday, 15 September 1992.

### **ADJOURNMENT OF THE HOUSE - ORDINARY**

HON J.M. BERINSON (North Metropolitan - Leader of the House) [5.54 pm]: I move -

That the House do now adjourn.

#### *Adjournment Debate -Exmouth (Consultative Planning) Transition Forum - "Forum News" Production, Local Business Discrimination*

HON P.H. LOCKYER (Mining and Pastoral) [5.55 pm]: I apologise to the House and will not keep it long but this matter should be brought to the attention of the House. Members know how tough things are in Exmouth because of the proposed closure of the Harold E. Holt Naval Communications Station and the withdrawal of the American personnel from Exmouth. The Government in its wisdom formed the Exmouth (Consultative Planning) Transition Forum, and while the preferred position, as I understand it, was for that forum to be chaired by a senior public servant, Hon Tom Stephens was appointed chairman of that forum.

I have been informed that in the town of Exmouth there is a small business known as Exmouth Expression, which produces a monthly newspaper called *Exmouth Expression* and is the only place in town that offers a photocopying service. The Exmouth (Consultative Planning) Transition Forum produces a monthly newsletter called the *Forum News*. So far, three editions have been produced. I understand that the chairman of the committee, Hon Tom Stephens, has directed that the photocopying for each edition be done at the offices of the Shire of Exmouth, at a cost of 40¢ a page. I understand also that the forum spent \$1 661.20 at the Shire of Exmouth for 4 153 copies between 27 May and 1 July 1992. Due to the inferior quality of the latest edition of the *Forum News*, which was produced by the local information officer, a directive was sent to the deputy chairman of the forum, Mr Doug Bathgate, from the chairman of the forum, Hon Tom Stephens, that future issues of this publication would be printed by the Carnarvon Regional Office of the Department of State Development in Carnarvon.

I bring this matter to the attention of the House because I was under the impression that this

Government supported local businesses. It is incumbent upon Hon Tom Stephens to stand in this place and state the reason that he is discriminating against a business in the town of Exmouth that will not only charge 30¢ a page but will also discount a tremendous amount because of the bulk of this work. Why has he not taken up the opportunity to have this newsletter printed for nothing in the local newspaper? Why is he wasting money? Why is he not encouraging the forum to deal with a local business and thereby put its work to the best use; that is, in the town? The motto of the Exmouth Chamber of Commerce is "Shop Locally". Perhaps Hon Tom Stephens can inform this House of the reason that the Government is not following that motto.

**HON TOM STEPHENS** (Mining and Pastoral - Parliamentary Secretary) [5.59 pm]: The township of Exmouth is faced with an enormous number of challenges in the process of transition from the United States presence at the Harold E. Holt Naval Communications Station to the sole running and control by Australia of that facility. Those challenges have spanned such issues as what to do with the excess housing that will become available in that community; how to go about getting better quality roads into that community to ensure it stays on the tourist beat; how to ensure we maintain air routes into that community on a regular basis; how to ensure that the population is well served by the contractor operating at the base in the future; how to ensure that the local work force is employed, trained, skilled and equipped with the opportunity to work at the base in the future; how to ensure that the local business community can benefit in the future; and how to ensure that the remaining US personnel have the chance to shop locally. A whole range of enormously diverse issues - health, education, emergency services and others - have come before the Government and the Exmouth (Consultative Planning) Transition Forum, and for this piddling issue -

The PRESIDENT: Order!

Hon TOM STEPHENS: - to be raised in this Parliament, even though during an adjournment debate, staggers me. It has also staggered the members of the forum, who saw this issue being raised by way of correspondence to the Premier, which was then sent to Canberra and all over the place. I would have thought that Hon Philip Lockyer, who endeavours to indicate that he has some level of commitment to the future of the people of Exmouth -

Hon P.H. Lockyer: I have.

Hon TOM STEPHENS: - might address himself to some of the substantive issues facing that community.

Hon P.H. Lockyer: Why don't you address this issue?

The PRESIDENT: Order!

Hon TOM STEPHENS: The history of this issue is that the Exmouth Forum is a joint venture of the Commonwealth, State and local levels of Government. On that basis, those three tiers of government have resourced that forum to try to address the issues of transition for the Exmouth community.

Hon P.H. Lockyer: Talk about the issue.

The PRESIDENT: Order!

Hon TOM STEPHENS: I am going straight to the issue. In that context, I have been pleased to work with all tiers of government and the local community in focusing on those issues. The forum wanted to bring a range of issues to the attention of the local community. The local newspaper does not come out as regularly as we want to make contact with the community, and on that basis we have produced a number of newsletters on a whole range of issues of interest to the community, mostly under the name of the shire president, who is the deputy chairman of the Exmouth Forum.

After about the third edition, I think, it was drawn to the attention of the Exmouth Shire Council by the editor of the *Exmouth Expression* that some years ago she had been successful in having passed by the Exmouth Shire a decision that the Exmouth Shire could not possibly produce a photocopy for anyone for a price lower than she could at her local newspaper, and that was the price of 30¢ a page. In order to recognise the difficulty in which the shire found itself, the forum decided it would cop the retrospective bill for previous editions of the *Forum News*.

We were unaware of the decision of the council, as it had not previously been drawn to our attention by the council. I had operated on the basis that the council might have wanted to contribute that cost itself. However, to avoid having the problems of council and its internal politics dragged into the forum in any way to hinder the further consideration of the important issues facing the forum and the community, we decided to cop it sweet and get on with the task. Then we found we were to be hit with a bill, if we utilised the local printing service, of 30¢ a sheet. There was no room for manoeuvre or negotiation - it was 30¢ a sheet to service the community of Exmouth with a broadsheet on the enormous range of issues before them. This was from someone who claims she has -

Hon P.H. Lockyer: This was the person you rang up and tried to gag.

Hon TOM STEPHENS: - some commitment to wanting to ensure the Exmouth community is informed on issues of importance to it. TAFE kindly offered to produce locally a copy of *Forum News* that is edited and put out by the forum information officer on behalf of the deputy chairman of that forum, the Shire President of Exmouth - not for me, nor for the Government, but for the forum.

Hon P.H. Lockyer: At your direction.

Hon TOM STEPHENS: We did that to try to make sure the Exmouth community was aware of the issues coming before the forum and the shire on a regular basis. Nothing could better serve the Exmouth community's interests than for its members to be aware of all the issues coming up on a daily basis - for instance, the opportunity for retraining and training packages to ensure that local people have the opportunity to take employment with the contractor who will run that base beyond the departure of the United States Navy.

Members of the forum include representatives of the work force, the local business community, the shire, the United States Navy, the Federal Government and the State Government, and they have supported me in my decision to make sure -

Hon P.H. Lockyer: That she does not get the order.

Hon TOM STEPHENS: - that there is no gagging of the information flowing into the local community and no overpricing of that information so that we cannot produce it on a regular basis. So the State Government has been happy, through the office of the Department of State Development, to produce for the Exmouth community as much information as that community wants. That will be given to the community; it will not be gagged by anybody who wants to price it out of existence.

I am surprised at the member - in fact, I should never be surprised by him - for coming forward with this nonsense, which is so far from the substantive issues the Exmouth community faces.

Hon P.H. Lockyer: I will take a copy of the *Hansard* to the *Exmouth Expression*.

Hon TOM STEPHENS: Such a trivial issue really should not occupy his mind, let alone the mind of the Deputy Shire President of Exmouth.

#### *Adjournment Debate - United States Export Enhancement Program*

HON KIM CHANCE (Agricultural) [6.07 pm]: Before the House rises I want to raise an issue which I believe is of sufficient urgency and importance to detain members for a few moments. In a few moments we will be returning home, and five members of this House - members for the Agricultural Region - have their homes in the wheatbelt. Today the wheatbelt received the worst possible news it could have received: The United States President announced from South Dakota last night, our time, that the export enhancement program will be increased by \$US1.5 billion in the coming year.

An Opposition member: This is an election year.

Hon KIM CHANCE: The cynical and selfish use that the United States has made of the export enhancement program must be condemned by this House. It was the bungling incompetence of the United States' foreign policy which led to the loss of market share in the first place, which created the need for the export enhancement program. In an attempt to regain its market share the United States is prepared to vandalise the world wheat market, and to continue to do so by the most lunatic actions ever seen in international trade.

We had expected that we would see something silly happen in relation to the export enhancement program because the United States election is just around the corner, as has been mentioned tonight. We had expected some expansion of the scheme. We have also seen a price slide in wheat in the United States in the last month, and I refer to today's edition of *The Australian Financial Review*, which says -

US wheat prices in August slid 26¢ from July to \$2.88 a bushel and corn prices dropped 19¢ last month to \$2.13 a bushel.

That newspaper article also said, in relation to this year's allocation -

So far this fiscal year, which ends on September 30, the US Agriculture Department has dispensed \$US900 million in export subsidies to capture sales in the Middle East, China, Russia and other markets. Most of the subsidies are designed to counter heavily subsidised exports by France and other EC nations.

The damage that has been done in this last financial year by an allocation of \$US900 billion can be put into perspective only when we consider the damage that an allocation of \$US1.5 billion can do.

To illustrate the seriousness of this latest lunatic action by the White House I quote from today's *The West Australian* article by Paul Armstrong. In the article, Tim Ryan, Executive Director of the WA Farmers Federation, comments -

Mr Ryan said Australian wheat farmers were already operating at break-even point.

"Any subsidy affects the Australian producer because they drive the world price down and we get the world price," Mr Ryan said.

"We will be major losers out of any subsidy war - if a major subsidy war breaks out then, depending how big it is, the Australian wheat industry might not survive."

Mr Ryan advised me, when I spoke by telephone with him this afternoon, that the \$1.5 billion additional allocation will take the total EEP allocations to \$5.5 billion. The extra \$1.5 billion will be allocated entirely to wheat. That is a sufficient allocation for the United States to subsidise every tonne of wheat that it exports to the level of \$US46. Considering the world trade price of United States spring red wheat at about \$US122, a subsidy of \$US46 is a frightening concept. Never before in the EEP have we seen a situation when the United States has been capable of subsidising every tonne it exports. It has only ever been able to target individual wheat markets. This move by the United States underlines the need for Australia to support the strong centralised marketing of wheat. All Australians have for years benefited from the strong position that the Australian Wheat Board has been able to take in the world markets. With negotiations now under way in the Federal Parliament for a new Wheat Marketing Act, members on both sides of this House should urge their Federal colleagues to ensure that the Australian Wheat Board retains the four principles which have made it so effective in the past.

Hon George Cash: Is there a split in the Labor ranks? The member's Federal counterpart, Mr Crean, does not seem to be echoing his comments.

Hon KIM CHANCE: Perhaps he needs more advice from colleagues in the State Parliament.

Hon George Cash: I detect a split, because what the member has said does not agree with what Mr Crean has said.

Hon KIM CHANCE: He needs to be better educated.

The PRESIDENT: Order! The member is trying to give his four principles.

Hon KIM CHANCE: The principles are: First, the single desk status for the Australian Wheat Board in export markets; second, the sovereign guarantee for the Australian Wheat Board borrowings; third, the continued tax free status of the Australian Wheat Board; fourth, a return to the principle of Government underwriting of the Australian wheat crop along the lines of the 1984-89 Wheat Marketing Act.

It was interesting that Hon Phil Lockyer referred to the actions of the United States Navy and its effect on Exmouth. It would seem that all things the Federal Government can do to respond to the United States and what has been done so far has made little difference to the attitude by the United States to its so-called established principles of a fair, free market

internationally - the only thing that the United States Administration might listen to is the suggestion of the end of all joint facilities in Australia. Perhaps that is the only threat that Australia can make that will bring some commonsense to the White House.

*Adjournment Debate - Rotary Club of Perth - Child's Letter to God*

**HON R.G. PIKE** (North Metropolitan) [6.15 pm]: This House should not adjourn until I share with it the following information. It comes from the latest edition of the *News Chronicle* and in this day and age the faith and honesty that is displayed in the article is something upon which we all should reflect. The article reads -

This one comes from Perth Rotary.

A child addressed a letter to God and sent it to the local post office.

A postal employee, not having encountered such a letter before, sent it off to the Rotary Club.

It read: "Dear God, my name is Jimmy. I am six years old. My father is dead and my mother is having a hard time raising me and my sister. Would you please send me \$500?"

The Rotarians were moved by the little boy's request.

They all pitched in and between them raised the tidy sum of \$300.

A couple of weeks later, another letter arrived.

Jimmy thanked God for the \$300 but ended with this request:

"Next time, would you please deliver the money directly to our home. If you send it to the Rotary Club they deduct \$200."

Question put and passed.

*House adjourned at 6.16 pm*

---

### QUESTIONS ON NOTICE

#### PUBLIC SERVICE EXAMINATIONS - REPEAT SITTINGS CIRCUMSTANCES

470. Hon P.G. PENDAL to the Leader of the House representing the Premier:

- (1) Under what circumstances do individuals sit the Public Service examinations more than once?
- (2) Is it sometimes required that, for example, an individual offered a work contract for one year, following success in the exams, is required to sit for a second time?
- (3) If so, under what circumstances?
- (4) What would such a person's position be regarding further work, if his/her second examination marks were below those of the first sitting?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) To retain eligibility for base grade employment in the Public Service all applicants must sit the clerical test every year.
- (2) Yes.
- (3) All individuals, even those offered employment from the results of their first test, are required to sit the clerical test to retain eligibility for base grade employment.
- (4) The applicant would be placed in the current order of merit in accordance with his/her latest test score.

#### VALUER GENERAL'S OFFICE - HOUSEHOLD INSPECTIONS FOR RENTAL VALUE

477. Hon P.G. PENDAL to the Leader of the House representing the Treasurer:

- (1) Is it correct that representatives of the Valuer General's Office have the legislative right to inspect households with the aim of ascertaining a rental value for individual properties?
- (2) Is the Treasurer aware that some householders, women living alone for example, regard such inspections as personally threatening situations and are therefore refusing to allow entry to inspectors?
- (3) Is she further aware that others maintain such inspections are a gross invasion of privacy?
- (4) What type of information is gathered from households by inspectors?
- (5) Is it possible that some of the needed information, number of rooms for example, could be obtained from local government authorities?
- (6) Given that the interior condition of houses can deteriorate very quickly if regular maintenance is not carried out, how reliable, over a period of time, are these household inspections in assessing rental value?

Hon J.M. BERINSON replied:

The Treasurer has provided the following reply -

- (1) Section 10 of the Valuation of Land Act grants right of access to inspect land and buildings for the purpose of valuing land.
- (2) Under these circumstances an appointment is usually made and inspection carried out by a female valuer at a suitable time
- (3) Yes.
- (4) Construction and condition of a property, accommodation provided, and any other variations to the existing record.
- (5) Plans of all new construction and alterations are provided to the

Valuer General, but these must be confirmed by inspection.

- (6) Legal precedent states that valuations for renting purposes should assume that an owner would carry out normal maintenance to retain the value of the asset. Consequently inspections are necessary to determine whether deterioration is due to lack of maintenance or some other cause.

#### STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - SECURITY DEPOSITS

##### *Payment Date - Government Policy*

483. Hon BARRY HOUSE to the Leader of the House representing the Minister for Fuel and Energy:

- (1) When are SECWA security deposits required to be paid?
- (2) How is the amount of security deposit determined?
- (3) What criteria - eg, payment records - are taken into account when assessing the SECWA security deposits?
- (4) What is the Government's policy in regard to SECWA security deposits?

Hon J.M. BERINSON replied:

The Minister for Fuel and Energy has provided the following reply -

- (1) A security deposit is required of non-domestic customers and is to be paid within 14 days of the customer's application.
- (2) SECWA requires that a customer provides as security an amount equivalent to twice the average of the last three accounts in accordance with the State Energy Commission Act 1979.
- (3) Following the Government's commitment to the "WA Advantage" steps have been taken to effectively halve the security deposit requirement of businesses who establish a good payment record.

As of February 1992, existing businesses that have established a good payment record (that is, payments made by the due date for three out of the last five accounts) can apply to SECWA to have their security deposit reviewed. A refund of the amount in excess of the average of their last three accounts will then be arranged. New businesses can also apply for the security deposit review on the same basis after a 24 month qualifying term.

- (4) The SECWA security deposit paid by the State's business community was incorporated in the SECWA Act by the Liberal coalition Government in 1979. As non-domestic customers represent 70 per cent of SECWA's revenue and expose SECWA to a higher risk of bad debt, the Government accepts the security deposit as a means of protecting all customers from SECWA's bad debt exposure. The Government has taken positive steps by reducing the security deposit required of customers who establish a good payment record.

#### HOLDFAST BARRACKS, VICTORIA PARK - PENDING SALE

##### *Government Purchase for Community Centre Proposal*

485. Hon P.G. PENDAL to the Leader of the House representing the Premier:

I refer to the pending sale by the Federal Government of the Holdfast Barracks, in Washington Street, Victoria Park and ask -

- (1) Is the Premier aware that an Army cadet parents' support group are keen for the State Government to purchase the barracks for use as a community centre where groups such as the cadets can meet?
- (2) Will this suggestion be acted upon by the Government?
- (3) If not, for what reason/s?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) No.
- (2) We have no information on which to act.
- (3) Not applicable.

**BUSES - HARVEY CRESCENT, LE SOUEF DRIVE AREA, KARDINYA  
(SOMERVILLE)**

*Current Services Status - Re-routing Petitions*

496. Hon P.G. PENDAL to the Minister for Police representing the Minister for Transport:

- (1) What is the situation regarding current bus services in the Harvey Crescent, Le Souef Drive area of Kardinya (Somerville)?
- (2) Has the Minister received one or more petitions favouring a rerouting of the service from Harvey Crescent into the southern section of Le Souef Drive?
- (3) What action, if any, has been taken following receipt of such a petition/s?
- (4) Of the signatories to these petitions, how many live on the southern section of Le Souef Drive?
- (5) Have residents in this southern section, who would be affected directly by the change of bus route, been consulted about their views on the matter?
- (6) Is the Minister aware that a number of residents in this affected section of Le Souef Drive are strongly opposed to buses being rerouted into their street, having originally purchased property in that area because no bus route was proposed?
- (7) If not, will the Minister undertake to comprehensively gauge the attitudes of southern Le Souef Drive residents prior to making any change to the bus route?

Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following response -

- (1) Transperth has two bus services which pass through the Somerville Estate, Kardinya; route 159 which operates from Fremantle to Perth and route 169 which operates from Fremantle to the Booragoon Bus Station.
- (2) Yes.
- (3) A committee has been established under the chairmanship of Hon Cheryl Davenport, MLC, to examine if alternative bus routes were favoured by the residents within the estate. Representation on the committee comes from Transperth, Main Roads Department, Melville City Council, and two residents' groups.
- (4) No comparison was made as to the number of residents residing on Le Souef Drive compared to the rest of the estate.
- (5) Yes, representatives of the residents are represented on the committee.
- (6) Yes.
- (7) The attitudes of all residents will be gauged through a market research study that has been recommended by the committee.

**RAILWAYS - NORTHERN SUBURBS TRANSIT SYSTEM**

*Completion Date - Total Expenditure*

527. Hon GEORGE CASH to the Minister for Police representing the Minister for Transport:

- (1) When is the anticipated completion date of the northern suburbs railway line?
- (2) What was the total expenditure on the project as at 30 June 1992?



Hon GRAHAM EDWARDS replied:

The Minister for Transport has provided the following reply -

- (1) The exact completion date of the Northern Suburbs Railway Line depends on a number of factors, particularly weather conditions. However, it is still anticipated that the completion date for this aspect of the project will be December 1992.

(2)	\$ million
Infrastructure	87.1
Railcars	67.5
TOTAL	\$154.6

#### JOONDALUP SPORTS COMPLEX - CONSTRUCTION PHASE 1

*Government and Joondalup Development Corporation's  
Contribution - Completion Date*

528. Hon GEORGE CASH to the Leader of the House representing the Premier:

With reference to the Premier's announcement on 25 June 1992 concerning the construction of phase 1 of the Joondalup Sports Complex -

- (1) What will be the State Government's contribution to phase 1 of the project?
- (2) What will be the Joondalup Development Corporation's contribution to phase 1 of the project?
- (3) When is it anticipated phase 1 of the complex will be completed?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1)-(2) \$10.5 million - by the State Government through the Western Australian Land Authority.
- (3) January 1994.

#### REDUNDANCY PACKAGES - PUBLIC SERVANTS

*Applications 1990-91 - Approvals; Consultants Hired By Government*

537. Hon DERRICK TOMLINSON to the Leader of the House representing the Premier:

- (1) How many public servants applied for voluntary redundancy in the financial year 1990-91?
- (2) How many voluntary redundancies were approved?
- (3) How many of those granted voluntary redundancy have been hired as consultants by Government agencies?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) Applications received are not recorded. However, the number would approximate the number of applications approved.
- (2) 23.
- (3) This information is not available within a central register.

#### POLICE - WANNEROO DIVISION

*Break and Enter Offences; Break, Enter and Stealing Offences; Assault Offences; Drug Offences April-June 1991*

546. Hon GEORGE CASH to the Minister for Police:

In the Wanneroo police division for the three months to 30 June 1991, how many offences in the following categories occurred -

- (a) break and entry offences;

- (b) break and enter and stealing offences;
- (c) assault offences; and
- (d) drug offences?

Hon GRAHAM EDWARDS replied:

- (a) 77
- (b) 204
- (c) 17
- (d) Statistics are not kept for individual police subdivisions.

**POLICE - WANNEROO DIVISION**

*Break and Enter Offences; Break, Enter and Stealing Offences; Assault Offences; Drug Offences April-June 1992*

547. Hon GEORGE CASH to the Minister for Police:

In the Wanneroo police division for the three months to 30 June 1992, how many offences in the following categories occurred -

- (a) break and entry offences;
- (b) break and enter and stealing offences;
- (c) assault offences; and
- (d) drug offences?

Hon GRAHAM EDWARDS replied:

- (a) 33
- (b) 77
- (c) 7
- (d) Statistics are not kept for individual police subdivisions.

**POLICE - BRENTWOOD STATION**

*Behavior of Two Officers Complaint, 8 August*

550. Hon P.G. PENDAL to the Minister for Police:

- (1) Has the Commissioner of Police received a complaint concerning the behaviour of two officers from the Brentwood Police Station over an incident at Deepwater Point on 8 August?
- (2) If so, is this complaint being independently investigated; and if so, by whom?
- (3) Will the Minister inform me of the outcome of such investigation, given the complainant's decision to inform me of the complaint?

Hon GRAHAM EDWARDS replied:

- (1) Yes.
- (2) The complaint is being investigated by a commissioned police officer attached to the Police Internal Investigation Branch.
- (3) No. For the police to maintain confidentiality of a person's complaint, the result of the inquiry will be conveyed to the complainant and it is his decision who should be informed.

**STATE ENERGY COMMISSION OF WESTERN AUSTRALIA - MUJA-KEMERTON POWERLINE PROPOSAL**

*Construction Commencement Date; Property Easements; Compensation to Landholders*

553. Hon BARRY HOUSE to the Leader of the House representing the Minister for Fuel and Energy:

In relation to the proposed new powerline from Muja to Kemerton -

- (1) When will construction begin?

- (2) Have easements over affected properties already been taken?
- (3) What compensation will be provided to affected landholders?

Hon J.M. BERINSON replied:

The Minister for Fuel and Energy has provided the following reply -

- (1) Construction of the proposed Muja to Kemerton powerline will commence in late 1995 and is scheduled for completion by 1997.
- (2) SECWA is presently negotiating easement acquisition with property owners. Some easements have already been acquired.
- (3) SECWA will pay a consideration for the easement, based on independent valuations, and compensation for any loss of production or damage to land caused by the construction and future operation of the line.

#### NATIONAL PARKS - D'ENTRECASTEAUX

##### *Project Sandcastle Group Demonstrations - Police Arrests*

554. Hon BARRY HOUSE to the Minister for Police:

- (1) What was the extent of the police operation in the D'Entrecasteaux National Park to counter demonstrations by the group called Project Sandcastle?
- (2) What was the cost of these police operations?
- (3) How many arrests were made and how many of these proceeded to court?
- (4) Were charges laid by the police involved on any other matters at this time?

Hon GRAHAM EDWARDS replied:

- (1) Between 30 January 1992 and 8 May 1992 police travelled from Bunbury to Pemberton on a needs basis.
- (2)
 

Overtime	511 hours
Travelling allowance	\$9 459.71
Vehicle running costs	\$3 375.00
- (3) Total of 18 arrests were made. All charged persons have appeared in court and been convicted.
- (4) No.

#### MOTOR VEHICLES - NUMBER PLATES

##### *Plastic Covers Prohibition Reason*

559. Hon MAX EVANS to the Minister for Police:

- (1) Why are plastic covers not allowed to be attached to number plates?
- (2) Have these covers been proven to affect the efficiency of the Multanova speed cameras?
- (3) If no, why is the prohibition still maintained?

Hon GRAHAM EDWARDS replied:

- (1)-(2) Testing in all lighting conditions has shown that in almost every instance the registration number is either distorted or illegible to varying degrees due to such covers.
- (3) Not applicable.

#### COMMUNITY SPORTING AND RECREATION FACILITIES FUND - PORT HEDLAND GRANT

560. Hon MAX EVANS to the Minister for Sport and Recreation:

- (1) Has Port Hedland had any advances under the community sporting and recreation facilities fund original allocation of \$2 million?

- (2) How much was paid to Port Hedland?
- (3) Is further money still available to Port Hedland under this fund?

Hon GRAHAM EDWARDS replied:

- (1) No.
- (2) Not applicable.
- (3) Money is still available to Port Hedland under this fund.

#### REDUNDANCY PACKAGES - RETIREMENTS

561. Hon MAX EVANS to the Leader of the House representing the Treasurer:

- (1) At the time of preparing the estimate of 1991-92 what was the expected number of retirements under the voluntary severance scheme?
- (2) At 30 June 1992 how many persons retired under the voluntary severance scheme?

Hon J.M. BERINSON replied:

The Treasurer has provided the following reply -

- (1) The 1991-92 Consolidated Revenue Fund (CRF) Estimates reflected a planned reduction of roundly 2 000 positions, comprising about 1 000 expected voluntary severances with the balance anticipated from natural attrition and redeployments.
- (2) As at 30 June 1992, 1 986 persons from CRF agencies and 394 persons from non-CRF agencies had taken voluntary severance.

#### SUPERDROME - WATER POLO WARM UP POOL

##### *Sale Price*

563. Hon MAX EVANS to the Minister for Sport and Recreation:

What was the sale price of the water polo warm up pool at the Superdrome?

Hon GRAHAM EDWARDS replied:

The sale price of the water polo warm up pool was \$5 000, plus the cost of restoration works at the Superdrome estimated at \$25 000.

#### POLICE - KULIN SHIRE

##### *Traffic Officer Transfer Intention*

570. Hon GEORGE CASH to the Minister for Police:

- (1) Is the Minister aware of the undertaking given to the Shire of Kulin in 1975 by the then Minister for Police that a traffic patrol officer would always be stationed in Kulin?
- (2) Is it intended to transfer the current traffic patrol officer from Kulin, and if so, for what reason?
- (3) If so, is the traffic officer to be replaced by another traffic officer, and if not, why not?

Hon GRAHAM EDWARDS replied:

- (1) No.
- (2) Yes, the officer concerned has applied for and been selected as Officer in Charge of Dalwallinu Police Station.
- (3) Yes.

#### POLICE - ROCKINGHAM CITY SHOPPING CENTRE

##### *Hooliganism and Unlawful Behaviour in Car Park Increase*

571. Hon GEORGE CASH to the Minister for Police:

- (1) Is the Minister aware of an increase in the incidence of hooliganism and unlawful behaviour in the car park of the Rockingham City Shopping Centre

both during daylight hours and, in particular, the early evening?

- (2) What is the policy of the local police in maintaining patrols of this area?
- (3) What is the role of the police located at the shop front police facility located within the Rockingham City Shopping Centre, and are these police officers required to patrol the shopping centre and to provide a police presence in the immediate vicinity?

Hon GRAHAM EDWARDS replied:

- (1) There has been no increase in the incidence of hooliganism and unlawful behaviour. There has in fact been a decrease in the number of incidents.
- (2) General foot and vehicle patrols are conducted during normal operational patrol periods.
- (3) The community police centre (shop front police facility) manned by community policing officers provides assistance, information and advice to the general public and shopkeepers. These officers patrol the shopping centre as part of their community liaison duties.

#### NULLARBOR PLAIN - REPORT

##### *Public Release*

579. Hon P.G. PENDAL to the Minister for Education representing the Minister for the Environment:

- (1) Is it correct that the Government has received a report on the Nullarbor region?
- (2) If so, has this report been publicly released?
- (3) If not, why not?
- (4) When is it likely to be made available to the public?

Hon KAY HALLAHAN replied:

(1)-(4)

I refer the member to my answer to question 541.

#### FISHING - FISH PROCESSORS AND DISTRIBUTORS

##### *Fee Proposal*

593. Hon MURRAY MONTGOMERY to Hon Mark Nevill representing the Minister for Fisheries:

- (1) Is the Government considering a proposal to impose a fee on fish processors and/or distributors that is to be used for the promotion of fish?
- (2) If yes, will the fee be introduced and, if so, when and how much?
- (3) Will the Government be introducing legislation or gazetting a regulation to establish the fee?
- (4) If so, when?
- (5) Does the Government regard this fee as a model that it will apply to producers, processors or distributors of other primary products?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

(1)-(5)

I refer the member to my reply to question 568 of 27 August 1992.

#### ROCK LOBSTER INDUSTRY ADVISORY COMMITTEE - AIMS AND OBJECTIVES

594. Hon GEORGE CASH to Hon Mark Nevill representing the Minister for Fisheries:

- (1) What are the aims and objectives of the Rock Lobster Industry Advisory Committee?
- (2) Does the composition of the Rock Lobster Industry Advisory Committee

membership enable the committee to be able to consult widely with all sections of the industry and thus become informed of matters affecting the industry?

- (3) Does the Government support the process of involving industry and the department through the Rock Lobster Industry Advisory Committee to advise the Minister on the future of the industry and in particular the consequences of an increase in fishing effort and efficiency?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

- (1) Section 5B(2) of the Fisheries Act 1905 states -
- (2) The Rock Lobster Committee shall -
  - (a) inquire into and report to the Minister upon any matter referred to it by the Minister or by the Director in relation to the rock lobster fisheries in Western Australian waters or any waters adjacent thereto; and
  - (b) advise the Minister on questions relating to the management, control, protection, regulation and development of those rock lobster fisheries and may make such recommendations as it thinks fit in relation thereto.
- (2) Yes.
- (3) Yes. However, the committee and the department do not represent the sole sources of advice to the Minister for Fisheries on the rock lobster fishery.

#### ROCK LOBSTER INDUSTRY - NEW MANAGEMENT STANDARDS

##### *Model and Process Used to Determine Impact of Previous Standards on Breeding Stock*

595. Hon GEORGE CASH to Hon Mark Nevill representing the Minister for Fisheries:

Having rejected the majority of the recommendations of the Rock Lobster Industry Advisory Committee as outlined in Fisheries Management Paper No 46, what model and process did the Minister use in respect of determining the impact of previous management practices in the industry on the breeding stock and the biological impact on the breeding stock of his personal standard as announced on 11 August 1992?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

The Minister for Fisheries has not rejected the majority of the committee's recommendations. Some have been adopted in total. The main thrust of others have been incorporated into the current management package.

The Minister for Fisheries has made himself familiar with all the information on the rock lobster fishery which has been made available to the rock lobster industry advisory committee by the Fisheries Department's research division. He also received a detailed briefing on the latest analysis of the status of stocks by research division scientists and the Executive Director of Fisheries shortly before making his decision on a future management package for the fishery.

#### ROCK LOBSTER INDUSTRY - NEW MANAGEMENT STANDARDS

##### *Rock Lobster Industry Advisory Committee Recommendations - Impact of Minister's Rejection, No Consultations Reason*

596. Hon GEORGE CASH to Hon Mark Nevill representing the Minister for Fisheries:

- (1) Why did the Minister not consult with the Rock Lobster Industry Advisory Committee on the likely impact of his rejection of the majority of the advisory

committee's recommendations, which were set out in Fisheries Management Paper No 46 of April 1992, and impose his own personal standards for the industry which he announced on 11 August 1992?

- (2) Is the Minister aware that his rejection of the majority of the advisory committee's recommendations and the imposition of his own personal standards on the future management of the industry are being interpreted by the industry as a vote of no confidence in the advisory committee?
- (3) Is there a future for the Rock Lobster Industry Advisory Committee given that the Minister does not appear to have confidence in the advisory committee's recommendations for the rock lobster industry and has failed to support this important advisory body which is drawn from a wide cross-section of the rock lobster industry?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

- (1) The Minister for Fisheries discussed the Rock Lobster Advisory Committee's recommendations at a series of meetings with industry. It was apparent from those meetings that there was a wide disparity of views as to the most appropriate package for future management measures and that there was not majority support for a number of the committee's recommendations. The Minister subsequently met with the Executive Director of Fisheries (who is Chairman of the Rock Lobster Industry Advisory Committee) together with members from the department's research division to assess the options he was considering prior to determining the package of management measures which he believes will be effective.
- (2) The Minister is aware that some sections of industry have incorrectly interpreted his decision. However, he rejects the suggestion that his own personal standards are being imposed on the industry.
- (3) Yes, of course there is a future for the Rock Lobster Industry Advisory Committee. However, it must be recognised that it does not represent the sole source of the Minister's advice on rock lobster fisheries management, and the Minister reserves the right to consult other industry members, community interests and officers of the Fisheries Department in order to assist him to arrive at decisions for management.

#### ROCK LOBSTER INDUSTRY - NEW MANAGEMENT STANDARDS

##### *Detrimental Effect on Processing Industry*

597. Hon GEORGE CASH to Hon Mark Nevill representing the Minister for Fisheries:

- (1) Is the Minister aware of concern expressed in particular by rock lobster processors that his recent decision to create a northern and southern sector for the rock lobster industry will have a significant detrimental effect on the market for rock lobster?
- (2) Is the Minister aware that the 1988 Peat Marwick report and the more recent Monaghan report into the rock lobster market both stressed the importance of smoothing peak catches to improve marketing and reduce overcapacity?
- (3) As the Minister has proposed a January to mid-February closure for the northern sector, does he understand that this will have the opposite effect to that recommended in the Peat Marwick report and Monaghan report?
- (4) Is the Minister aware that his recent decisions announced on 11 August 1992 will have a detrimental effect on the rock lobster processing industry and will cause instability in the continuity of supply of rock lobsters for the export market and will cause buyers to seek alternative suppliers in New Zealand, South Australia and South Africa?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

(1)-(2)

Yes.

(3)-(4)

The Minister's decision will not necessarily produce the opposite effect to that recommended in the Peat Marwick report and the Monaghan report. The January period is one of high spawning and relatively low catches in the northern sector. In addition, the key product of concern - the live export trade, is in turn only a small component of this catch. The Minister is of the view that the considerable cross-zone road transport of rock lobsters should continue to supply northern-based processors with product to meet their requirements for continuity of supply.

#### ROCK LOBSTER INDUSTRY - NEW MANAGEMENT STANDARDS

##### *Northern Sector Closure, Adverse Effect on Exports*

598. Hon GEORGE CASH to Hon Mark Nevill representing the Minister for Fisheries:

- (1) Is the Minister aware that a substantial proportion of the rock lobster caught in the northern sector in late December and January is shipped to the Asian region in particular for Chinese New Year celebrations?
- (2) Is the Minister aware that his recent decision to close the northern sector of the rock lobster industry from 1 January to mid-February will have a significant adverse effect on the export of rock lobster from the northern sector?
- (3) Did the Minister consult with companies associated with the marketing of rock lobster, particularly those specialising in the export of rock lobster prior to his 11 August 1992 decision and, if so, with whom?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

- (1)-(2) The member's question is based upon a supposition which is not in accord with the advice of the Fisheries Department. In 1993 Chinese New Year will be held on 23 January. In order to ship product in time to supply this market the product will have to be caught in the first few weeks of the season from 15 November 1992, and not in late December or January. In addition, most of the product caught in the northern sector in late December and January has been shipped in the past in frozen form as tails, raw or whole cooked. Such product can be carried over in inventories to smooth out product flows to all markets, not just in the Asian region.

In fact during January less than six per cent of the annual northern catch is on average taken and only a small proportion of this is live animals - the major product of concern. Therefore, the summer closure from 1 January to 10 February which will be introduced in the northern zone should have a relatively small impact on export produce.

- (3) I received advice and met with the Rock Lobster and Prawning Association in regard to the impact of a seasonal closure.

#### ROCK LOBSTER INDUSTRY - NEW MANAGEMENT STANDARDS

##### *Consultations with Cray Fishing Associations*

601. Hon GEORGE CASH to Hon Mark Nevill representing the Minister for Fisheries:

I refer to the Minister's recently announced decisions concerning the rock lobster industry and ask -

- (1) Did the Minister consult with individual cray fishing associations and, if so, which associations did he consult?



- (2) Did the Minister consult with the Rock Lobster Industry Advisory Committee?
- (3) Which associations/committees are in agreement with his announcement?

Hon MARK NEVILL replied:

The Minister for Fisheries has provided the following reply -

- (1) The Minister consulted with industry generally at a series of meetings in coastal ports held to receive its views on the Rock Lobster Industry Advisory Committee recommendations. Association representatives took the opportunity to express their views at these meetings. The Minister also received and considered written comments from several associations.
- (2) As well as receiving the recommendations on future management of the rock lobster fishery from the Rock Lobster Industry Advisory Committee, the majority, if not all the members of the committee, took the opportunity to attend the public meetings mentioned in (1).
- (3) For the member's information, the Minister will forward him a copy of recent correspondence received from the Western Australian Fishing Industry Council which details the proposal by its rock lobster sub-committee. This correspondence apparently reflects the position of the Western Australian Fishing Industry Council's member (rock lobster) associations. The Minister has requested advice from the Rock Lobster Industry Advisory Committee on these proposals. The committee will be meeting on 9 September 1992.

### QUESTIONS WITHOUT NOTICE

#### PRISONS - CASUARINA

##### *Pharmacy - Answer Request*

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

Some notice of this question has been given to the Minister. I have a question relating to the pharmacy at Casuarina Prison. Yesterday the Minister advised that he had not at that time been able to ascertain the answer. Has he now been able to ascertain that information?

Hon J.M. BERINSON replied:

I acknowledge some notice of this question. The department has still not provided me with the material required for the response. I suggest it now be put on notice. I will undertake to ensure that the response will be available on the next Supplementary Notice Paper.

### CORRECTIVE SERVICES, DEPARTMENT OF - REDUNDANCY PACKAGES

#### *Criteria Used for Application Approvals*

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

I have given the Minister notice of this question. Relevant to the redundancies that were granted in the department during the past year, will the Minister advise the criteria used for each of the categories under which an applicant was granted a redundancy package?

Hon J.M. BERINSON replied:

I am advised as follows -

The Department of Corrective Services applied the criteria specified in the guidelines prepared by the Special Voluntary Severance Task Force to applications for special voluntary severance, which it received. All permanent employees were eligible to apply under these guidelines. The guidelines

required the applicant's position to be abolished or an alternative position or positions of comparable salary level to be abolished in consequential restructuring activity. This requirement was met in respect of every severance application that was approved by the Special Voluntary Severance Task Force.

**CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION**  
*Purchasing Practices - Letter of Concern*

396. Hon GEORGE CASH to the Leader of the House representing the Treasurer:

- (1) Has the Office of Government Accommodation or the Minister written to the Department of Corrective Services outlining concerns about the practices of the building services division?
- (2) If so, will the Minister advise of the response?

Hon J.M. BERINSON replied:

The Treasurer has provided the following response -

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

**COMMUNITY SPORTING AND RECREATION FACILITIES FUND - GRANTS TO ORGANISATIONS AND CLUBS**  
*List Tabling*

397. Hon MURRAY MONTGOMERY to the Minister for Sport and Recreation:

Will the Minister table, either today or on the next sitting day, the documents relating to the list of organisations and clubs which will receive community sporting and recreation facilities funds during the next three financial years?

Hon GRAHAM EDWARDS replied:

I am happy to table the paper. If the member thinks I can do it today he is mistaken. A fair bit of work is required to pull them together. I am more than happy to table them -

Hon Murray Montgomery: On the next sitting day?

Hon GRAHAM EDWARDS: I will not give an assurance of that today, but I will table them without delay.

I take this opportunity to clarify the funding question that I answered yesterday. Hon Murray Montgomery was right: Funding for the first year will be \$5 million, for the second year \$7.5 million and, for the third year \$2.5 million totalling \$15 million over the three years. When members get the opportunity to look at the application of this funding they might be pleasantly surprised to see how evenly and how well it has been allocated across the State. An immense amount of work has gone into the allocation. I am very pleased at the results and at the spread of moneys.

The PRESIDENT: Order! The member is making a statement about a matter that really is not part of the question.

Hon GRAHAM EDWARDS: I will conclude with one more sentence. Each town that applied for money was granted something. I think that is good.

**POLICE - HELICOPTER**  
*Purchase Completion*

398. Hon P.H. LOCKYER to the Minister for Police:

- (1) Will the Minister inform us whether the deal to purchase a new helicopter or a helicopter for the Western Australian Police Force to replace the one that was destroyed has been completed?
- (2) Is it a fact that, prior to the completion, there was some question that the people with whom the Government was dealing were not in a position to sell the Police Force the helicopter?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I am pleased to say that the negotiations have been completed. The helicopter was purchased from Japan. There was a hiccup in the purchase. We had to send a senior police officer to Japan to finalise negotiations which I am pleased to say he did very well, resulting in what I believe to be a very good purchase. My advice is that we have purchased a helicopter that is in mint condition, with very few hours on the clock, for an excellent price. It is fortunate that, at this stage in Japan, a number of helicopters are available. I am pleased to say that a number of options were available if this helicopter deal had fallen through.

Hon P.H. Lockyer: When will it be operational?

Hon GRAHAM EDWARDS: It should not be too long.

MINISTERS OF THE CROWN - MINISTER FOR THE ARTS  
*Overseas Trip - Anderson, Marcelle, Total Cost*

399. Hon DERRICK TOMLINSON to the Minister for The Arts:

Will the Minister confirm, that in a report on her visit overseas on parliamentary business it was indicated that the total cost of the trip for Marcelle Anderson was \$11 377 of which fares comprised \$6 197?

Hon KAY HALLAHAN replied: I am not in a position to confirm the figures to which the member referred.

POLICE - CAPEL STATION  
*No Funding or Permanent Police Presence Reason*

400. Hon BARRY HOUSE to the Minister for Police:

In view of the assurances given by successive Labor Governments since Brian Burke was the Premier that a police station would be built in Capel, why have no funds been allocated again in this year's Budget for a permanent police presence in Capel?

Hon GRAHAM EDWARDS replied:

I have never given an assurance that a police station would be built at Capel. Indeed, I am very firm on the principle that the Commissioner of Police is responsible for the allocation of funds, based on his priorities. I am sympathetic to the member's question, and I will ascertain where exactly that item is on the forward plan.

POLICE - CAPEL STATION  
*Burke Government Building Commitment*

401. Hon BARRY HOUSE to the Minister for Police:

Is the Minister aware that the Burke Government made a commitment to build a police station in Capel and, in view of his previous answer, is he repudiating that commitment by a previous Labor Administration?

Hon GRAHAM EDWARDS replied:

It is immaterial whether I am aware of any such commitment. If the member had listened to my previous answer, he would not have found it necessary to ask the supplementary question.

MINISTERS OF THE CROWN - MINISTER FOR THE ARTS  
*Overseas Trip - Anderson, Ms Marcelle, Upgraded to First Class*

402. Hon DERRICK TOMLINSON to the Minister for The Arts:

I refer to the Minister's answer to question without notice 380 yesterday in which she indicated that she was upgraded to first class airline seats at her request on the Australian leg of her journey overseas on parliamentary business. Was her travelling companion, Ms Marcelle Anderson, also upgraded to first class at the Minister's request?

Hon KAY HALLAHAN replied:

I should have said at the outset what I propose to say now on the advice of various colleagues from both sides of the House. I find this line of questioning inappropriate, as do members on both sides of the House. Expenditure on that travel was from the imprest parliamentary account, and it is open to all members to access that account and to make arrangements to travel. Approvals were obtained in the required way and after today I do not intend to respond to any questions on imprest related matters.

I asked for an upgrade from economy because I had booked and paid for a business class seat. That is now clearly on the record. Whatever was said or misunderstood yesterday, that is the fact of the matter.

**MINISTERS OF THE CROWN - MINISTER FOR THE ARTS**  
*Overseas Trip - Anderson, Marcelle, Upgraded to First Class*

403. Hon DERRICK TOMLINSON to the Minister for The Arts:

My previous question was: Did the Minister also request that Ms Marcelle Anderson's travel be upgraded?

Hon KAY HALLAHAN replied:

I can speak only for myself, and I have nothing more to say on my travel arrangements undertaken on the imprest account.

**SCHOOLS - WAGGRAKINE PRIMARY**  
*Permanent Buildings Funding*

404. Hon MARGARET McALEER to the Minister for Education:

In view of the fact that the Minister recognised the need for permanent buildings for the Waggrakine Primary School as recently as 26 August, are some funds for that purpose hidden in the Budget?

Hon KAY HALLAHAN replied:

There are funds in a couple of categories for which the expenditure is determined by a committee process. It could be that the Waggrakine Primary School will attract funding for that upgrading, but decisions have yet to be made on the allocation of those funds. If the member can find no reference to the Waggrakine school in the Budget papers, that does not necessarily mean there will be no expenditure on that school. A number of schools require upgrading of various kinds, and until that committee meets and makes a determination it would not be fair to be overly optimistic. Other members have schools in their electorates that also require funding and I do not know which schools are at the top of the priority list. It is difficult to know. I advise the member to keep in touch with me, and when the committee has made a decision on its expenditure I will advise her. At this stage the allocation of funding in a number of areas is still to be decided.

**SCHOOLS - ABORIGINAL ATTENDANCE AND PARTICIPATION**  
*No Budget Allocation, Eric Charlton's Claims*

405. Hon TOM HELM to the Minister for Education:

- (1) Is the Minister aware of the claims made on ABC radio station 6WF this morning by Hon Eric Charlton that nothing in the current year's Budget addresses the issues of the attendance and participation of Aboriginal children in education, further education and training?
- (2) Will the Minister tell the House whether those comments are true?

Hon KAY HALLAHAN replied:

(1)-(2)

A number of people have spoken to me about the comments made by Hon Eric Charlton on that radio program this morning. He was apparently quite wrong in his assertions. Funding has been allocated in a number of areas. For

example, \$410 000 has been allocated in the first half of 1993 to implement alternative education programs for persistent offenders and, therefore, truants. No doubt Aboriginal students will be the focus of those programs. It will involve the expansion of some existing programs in which, unfortunately, Aboriginal children feature rather prominently. I refer to the off-campus programs at Balga, Cockburn and Bayswater. A new program will be set up in the south east corridor around the Kelmscott-Armadale area where a number of students are causing concern.

Also, 215 Aboriginal education workers are employed to liaise between schools and their communities, and to encourage regular attendance at school. I am surprised Hon Eric Charlton knows nothing about those people.

Hon E.J. Charlton: I do know about them.

Hon KAY HALLAHAN: His comments suggest that he knows nothing about his electorate or about the work that is being undertaken to encourage Aboriginal students and their parents, and to overcome the problems which result in their having a bad experience at school. In some cases it is necessary to encourage the parents to recognise the importance of their children attending school. There are 16 Aboriginal education support teachers who are trying to develop teaching strategies particularly relevant to Aboriginal students. They have a very challenging task and a rewarding time at school. Under the Department of Employment, Vocational Education and Training there is an Aboriginal liaison bureau, and \$4 million of funding is targeted through that agency to Aboriginal people to improve their range of training and opportunities for employment. Given all that, and given Hon Eric Charlton's alleged interest in this area, the statements he made on radio as reported to me were abominable and very misleading.

#### MINISTERS OF THE CROWN - MINISTER FOR THE ARTS

*Overseas Trip - Anderson, Ms Marcelle - Meeting with Roderick Anderson*

406. Hon DERRICK TOMLINSON to the Minister for The Arts:

Was Ms Marcelle Anderson with the Minister when she met Mr Roderick Anderson while overseas on parliamentary business?

Hon KAY HALLAHAN replied:

I have indicated that I have nothing further to add on this matter, and I meant it.

#### SCHOOLS - FIVE YEAR OLDS

*Full-time Schooling - List of Schools Offering Places, Impact on Ministry of Education*

407. Hon FRED McKENZIE to the Minister for Education:

Will the Minister tell the House of the impact on the Ministry of Education of the announcement of the list of schools offering full time places for five year old children in 1993?

Hon KAY HALLAHAN replied:

An interesting change has taken place since the announcement of the list of schools. Two types of responses have been received: The first are from people ringing the ministry and my office, overjoyed that their children's school is included in the program, and inquiring about enrolment procedures. The second group of calls are from parents who are very disappointed that their local schools have not been included and asking whether they can be considered. Today I received a letter from a person in Esperance who is very concerned and worried about the actions and public statements of the local member, Mr Ross Ainsworth, from another place. The person who wrote the letter is concerned that Mr Ainsworth's statements have denied the school the opportunity of a full time program. We shall, of course, indicate to such people that a number of factors were taken into account when listing the schools. However, there is no doubt that the people will take a close interest

in the positions individual members adopt and it will be apparent to them that some members are not very supportive of their aims for their children.

It has been reported in some areas that the union movement is against this program. That is not the case. The Miscellaneous Workers Union has stated publicly that it supports it. Therefore, rather than the negative perception that there is a lack of public support, which I have constantly refuted, the support since the publication of that list has become much more evident.

#### SCHOOLS - WAGGRAKINE PRIMARY

##### *Upgrading Funding*

408. Hon MARGARET McALEER to the Minister for Education:

I refer to the Minister's reply to my earlier question about the Waggrakine Primary School and ask: Are sources of funds available which would provide for things such as new classrooms, a library, and music, art and craft facilities, or was the Minister referring to funds which would only allow for a much smaller upgrading?

Hon KAY HALLAHAN replied:

There is what is called an admin upgrade program, and it would not include some of the things to which the member referred, which are major, but they are sometimes done in conjunction with an admin upgrade. The member has in the past been very preoccupied with the state of toilets in her electorate and she has done a great job in some areas of pushing to the fore the needs of particular schools in respect of the older style toilets that they have. The people of Moora will be interested to hear that the toilets at the school will definitely be upgraded; and I will not mind if they do not invite me to the official opening! That will also be the case at Kalannie, which is also in the member's area. While there will not be joy in every school, we have certainly tried to improve the student amenities at as many schools as we can across the State, and if ultimately there is disappointment at Waggrakine, perhaps the member can enjoy success in other areas.

Hon Margaret McAleer: Does the Minister understand that I was referring to improvements to classrooms and to art and craft facilities and so on and not simply to toilets?

Hon KAY HALLAHAN: I understand that.

#### POLICE - ACADEMY

##### *New Recruits Statistics*

409. Hon GEORGE CASH to the Minister for Police:

- (1) How many recruits are expected to be inducted into the Police Academy before the next election?
- (2) Will the Government be able to fulfil its earlier commitment that there will be 1 000 new police officers this year?

Hon GRAHAM EDWARDS replied:

(1)-(2)

I am pleased to say that we will be continuing our fine record of unprecedented support for the Police Force in this State. This will, in part, be recognised by a move to what we are calling a feed system, where we will be putting regular schools through this year; I think we are looking at three schools, totalling 75 new officers. We will not meet the original forecast of 1 000 officers in the short term. However, that target will be met in the longer term. I am pleased that we have moved to a new system of training recruits because -

Hon D.J. Wordsworth: You have moved or the commissioner has moved? A while ago it was the commissioner.

Hon GRAHAM EDWARDS: I said we have moved to a new system of recruiting.

In my view, that will result in a better trained police officer. I had some problems with the large schools that we put through the Police Academy in the past. Whether we will achieve that result remains to be seen, and I guess we will know the truth about that in the long term.

#### POLICE - ACADEMY

##### *New Recruits Statistics - Reallocation of Staff and Resources; Meeting Retirements and Resignations*

410. Hon GEORGE CASH to the Minister for Police:

- (1) Will the Government's decision to recruit only 75 persons this year for the Police Academy require a reallocation of staff and resources at the academy?
- (2) Will the 75 persons be sufficient to meet expected retirements and resignations from the Police Force this financial year?

Hon GRAHAM EDWARDS replied:

- (1)-(2) When the Leader of the Opposition says only 75, let me remind the House that when we took office this State had the worst police-population ratio of any State in Australia. During the time that we have been in office, we have moved to the best police-population ratio. This recruitment program will enable us to maintain that ratio. I might say also that on current forecasts we will have an excess of recruits over retirements and resignations, but we will watch that figure closely.

Regarding resources, I ask the member to put that part of the question on notice.

#### SCHOOLS - JOINT PERFORMING ARTS FACILITIES FOR SCHOOLS AND LOCAL COMMUNITIES

##### *Special Capital Funding Allocation*

411. Hon DERRICK TOMLINSON to the Minister for Education:

Mr President -

Hon T.G. Butler interjected.

The PRESIDENT: Order!

Hon DERRICK TOMLINSON: I ask -

- (1) Has the Minister announced a special capital funding allocation to provide joint performing arts facilities for schools and their local communities?
- (2) Will those funds be distributed this year?
- (3) When will that distribution be announced?

Hon KAY HALLAHAN replied:

(1)-(3)

Mr President, I did not hear the beginning of the question because of the interjection, and perhaps the member would repeat it.

The PRESIDENT: Order! I remind members of the Chamber, particularly those members who support the Minister, to stop hindering her in her endeavours to participate in this part of questions without notice.

[The question was repeated.]

Hon KAY HALLAHAN: The answer is no.

#### JUVENILE OFFENDERS - RELATIONSHIP BETWEEN CRIME AND DRUGS STUDY

##### *Report Tabling*

412. Hon GEORGE CASH to the Minister for Education representing the Minister for Health:

Some notice of this question has been given.

- (1) Will the Minister table a report which studied the relationship between juvenile crime and drugs and was compiled by Longmore clinical psychologist Phil Watts?
- (2) If not, why not, considering that the report was made available to the Press and reported on in *The West Australian* on 3 July 1992?

Hon KAY HALLAHAN replied:

I thank the member for giving notice of his question. The Minister for Health has provided the following response -

- (1) No.
- (2) The study, entitled "Youth in Custody Project: A Profile of Juvenile Offenders' Drug Use Patterns", is part of a series of specific studies commissioned by the Health Department of Western Australia's Youth Suicide Steering Committee. The findings of this study, although obtained by the media, are still in draft form and will be incorporated into a more comprehensive report which seeks to develop a screening procedure that can identify juvenile offenders who are at increased risk of deliberate self harm or suicide. The final report will be released publicly by the Youth Suicide Steering Committee.

**CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION**  
*Purchasing Practices - Building Management Authority, Letter of Concern*

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

Some notice of this question has been given.

- (1) Has the Building Management Authority or the Minister written to the Department of Corrective Services outlining concerns in respect of the practices of the building services division?
- (2) If no, will the Minister advise the nature of the department's concerns?

Hon J.M. BERINSON replied:

I have a number of answers here but I am not sure that I have the one that matches that question. To which department is the Leader of the Opposition referring?

Hon George Cash: I was referring to the Minister for Construction, but I will take anything you have at the moment.

Hon J.M. BERINSON: The answer is no, as long as I am not bound in responding to the question! I do have a mass of papers here; but I am sorry, I do not appear to have one that relates to that question. I will ensure it is followed up if it is put on notice.

**CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION**  
*Purchasing Practices - Public Service Commission or Premier, Letter of Concern*

414. Hon GEORGE CASH to the Leader of the House representing the Premier:

Does the Leader of the House have an answer to a question to the Premier in exactly the same terms as the previous question?

Hon J.M. Berinson: I have an answer to a question to the Premier in respect of the Public Service Commission.

Hon GEORGE CASH: That will do. I will ask that one.

The PRESIDENT: Order! If the Leader of the House will read out all the answers, the Leader of the Opposition can put the questions to him! Let us do things properly. For the benefit of the Leader of the House and the Leader of the Opposition, I advise that once a member asks a question and a Minister says it should be put on notice, that is what happens to the question. The member cannot ask the same question twice. If he asks a question and the Minister does not answer it and says it should be put on notice, that is where it must go.



Hon GEORGE CASH: The Leader of the House has indicated he has an answer to this question, so I will ask the question -

- (1) Has the Public Service Commission or the Premier written to the Department of Corrective Services outlining concerns in respect of the practices of the building services division?
- (2) If so, will the Premier advise of the nature of that department's concern?

Hon J.M. BERINSON replied:

I thank the Leader of the Opposition for some advance notice of my answer! I am advised by the Premier that the answer to his question is as follows -

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