

Legislative Council

Thursday, 29 August 1985

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

LAW SOCIETY PUBLIC PURPOSES TRUST BILL

Introduction and First Reading

Bill introduced, on motion by Hon. J. M. Berinson (Attorney General), and read a first time.

ADDRESS-IN-REPLY: SEVENTH DAY

Motion

Debate resumed from 28 August.

HON. P. H. LOCKYER (Lower North) [2.34 p.m.]: The opportunity for people to speak in this debate is traditional. Like other speakers I take the opportunity to pass on to the Governor and his lovely lady the best wishes of my electors and our appreciation of the good job he is doing in this State. The role of Governor of Western Australia has been handled with some tradition over the years. The incumbent at the present moment is doing a first class job.

The **PRESIDENT**: Order! Honourable members should understand that open public meetings in this Chamber are out of order while the member is addressing the Chair. Any continuation of these conversations will induce me to take some drastic action.

Hon. P. H. LOCKYER: Thank you, Mr President, for your indulgence; your assistance is greatly appreciated, particularly when the opportunity to speak was rushed upon me so swiftly. However I have something to bring to the attention of this Chamber.

One of the highlights of the last session was the introduction, by the Minister for Racing and Gaming, of legislation to allow two-up games to operate after country race meetings.

Hon. Graham Edwards: Who introduced it?

Hon. P. H. LOCKYER: The Minister for Racing and Gaming.

Hon. Graham Edwards: I am glad you appreciate that. It was to benefit your area.

Hon. P. H. LOCKYER: I am sure the Minister for Racing and Gaming and I are of one mind. If I have not brought that point to the attention of the electors, I seek their indulgence. I am sure it was only a slip of memory. It

is certainly not intentional. My relationship with the Government leader in this House is one I have never sought to hide.

In fact, Mr President, you would be pleased to know that I invited the Leader of the House, in his capacity as Minister for Racing and Gaming, to attend the Carnarvon Race Club last Saturday. Regrettably, due to a prior commitment to open a function in Toodyay, he was unable to attend. However, I can assure the House that invitation for him to attend was forwarded to him with the best wishes of my race club, the Carnarvon Race Club. The race club is very anxious to thank the Minister for his attention to the matter.

The reason I am bringing this to the attention of the House is that I do not believe all race clubs are playing the game according to the rules. I am talking about playing the game in the way the legislation lays down. For instance, it was made very clear that the proceeds from two-up at race meetings were to go to race clubs. It was also made very clear the game was to be conducted by a member or members of the race club concerned. It was also made quite clear there was not to be any liquor at these functions.

While most race clubs in the country have stuck to this rule, not all have. In fact I believe that in particular the Roebourne Race Club, at a recent meeting, approached the game quite incorrectly. I am advised that not only was liquor being served within about 10 feet of the two-up ring, but the game was being conducted by an agent on behalf of the race club.

A member: Are you talking about alcoholic liquor?

Hon. P. H. LOCKYER: I am talking about alcoholic liquor. I have never known liquor which is not alcoholic. I wish I could find some!

I understand that liquor-affected patrons of this two-up game were physically fighting during the game. This did not do any justice to the reason for this game being legalised.

I do not know who is at fault, and I do not hold the Roebourne Race Club responsible, although it should be aware of the reasons that the rules in this legislation were brought forward to the Parliament and passed. It was to bring legality to something that had allegedly been going on illegally in the past, and it was a way in which race clubs could make some form of profit.

For the information of the House, the Carnarvon Race Club conducted eight race meetings this year and made a net profit of some \$11 000 from two-up. I understand that a large proportion of that profit will be spent on the improvement of facilities for the club. I know also that other clubs within my electorate, such as Exmouth and Leonora, have had successful two-up games, as has Mt. Magnet. However, I am concerned that the actions of some clubs may affect the continued operation of this fund-raising event after race meetings, and I think that clubs like the Roebourne Race Club need to be reminded that before a two-up game can be operated after a race meeting a permit is required from the police. However, it is not mandatory that the police grant a permit. In fact, it is my belief that the Roebourne Race Club's permits should be examined, because the club is giving a bad name to the operation of two-up games after races. If the club continues to tolerate such things as alcohol in close proximity to the venue, people obviously affected by liquor, and fights, then it is not doing the reputation of two-up any good. I would not like one club to spoil it for the rest.

Members will agree that the legislation was brought in for the very best possible reasons, and it was not to be used for any reason other than to raise money for the race clubs and their members. Having said that, I repeat that I make no reflection on the Roebourne Race Club. Perhaps club members have not seen the legislation; perhaps they have been ill-informed on it. They should pay some attention to it, and no doubt the members of this House who represent that area will pass the necessary information on to them.

I now draw the attention of the House to a proposal by the State Government, through the Fisheries Department, to re-examine the fishing licences for snapper in the Shark Bay fishery. The department formed a committee to examine the over-fishing of the area and to come up with some suggestions to limit the number of boats and fishermen in this fishery. I commend the Director of Fisheries, Mr Bernie Bowen, for his stance in this matter because I believe that without his taking steps concerning this problem, it would have gone on for some years, and there may not have been a viable fishery.

I understand that in the next few days the final meeting of that committee will take place, after which it will present to the Government some recommendations concerning the limited entry to the Shark Bay fishery. I want it placed

on record that the draft proposals that I have seen, while they will not suit everybody, will in my view probably come as close as possible to organising the fishery into some semblance of order and restriction as far as the total fishing is concerned.

Members will recall that on many occasions I have brought the problem of fish traps to the attention of this Chamber. However, the weight of scientific evidence has forced me to concede that they are a very efficient way of catching fish but not necessarily damaging to the fishery itself as far as the environment is concerned, except when used in too large a number, in which case they would ruin a fishery. I understand that the committee has taken this into consideration and that it will try to limit the number of boats with traps in the fishery.

The only thing that concerns me in respect of committees like this is that perhaps they do not pay enough attention to local fishermen. I do not speak only of Carnarvon—it could happen in Bunbury, Albany, Geraldton, or any other coastal fishery that has a problem with the licensing of a number of boats. The number of years that a person has spent in the fishery needs to be considered. Certainly the fact that a fisherman lives in a town and has a family and a house in that town is a factor that needs to be taken into account. For instance, it is noted that in the Shark Bay fishery itself, some people from Albany who have been disadvantaged by the tuna fishery there—and Hon. Tom Knight is listening as it obviously affects his electorate—

Hon. Tom Knight: I am listening.

Hon. P. H. LOCKYER: Some of those people have taken the opportunity to shift their operations into the snapper fish area around Carnarvon. While this might save them from going broke in the matter of boat payments and so on, it does place some strain on the local fishery. I know those people would not have appreciated snapper boats coming into the tuna fishery while it was operating.

Hon. Tom Knight: If the Government had moved quickly enough, the tuna fishery would never have closed.

Hon. Mark Nevill: If so many licences had not been issued, it would not have happened.

Hon. Tom Knight: The Government could have helped if it had known what was going on.

Hon. P. H. LOCKYER: I did not know that geological studies included the subject of fisheries. No doubt Mr Nevill is better acquainted with the subject than I.

Hon. Mark Nevill: It is very dear to my heart.

Hon. P. H. LOCKYER: I look forward to hearing a speech on the subject by the member in this House at a later time.

Several members interjected.

Hon. P. H. LOCKYER: There is no doubt in my mind that the Fisheries Department is on the right track. It has recently brought out a draft proposal for the fisheries in Western Australia. The fishing industry is like any other primary producing industry in the State; it is an industry that needs to be watched very closely and assisted as much as possible because there will be every opportunity for it to go to the wall if it is not closely watched. It will take people who have the ability to read very closely agricultural and primary producing industries to bring to the attention of the Parliament, or of the various departments that are connected with it, the information that is required.

The fishing industry can, in my view, be likened to the agricultural industry because there are many factors that affect the industries in tandem. I speak mainly of the high cost of fuel. It is my view, and certainly the view of many fishermen and people in the pastoral and agricultural industries, that the last Federal Budget provision to lower the fuel price by some 2.4c a litre, is not enough. As the National Farmers Federation President, Mr McLachlan, said, it is just a very small fish in a very large barrel, and it will do little good.

I do not want to attack the Government for the sake of attacking. It is very difficult for any Government to come up with a proposal in relation to fuel which can be fair to one group of people and not be regarded as unfair to another group. It could be argued that a person who travels from Yanchep to Perth every day by car should get some relief as far as fuel costs are concerned. Regardless of who is Federal Treasurer, he will have difficulty with that proposal.

But there are many other ways in which Federal, State, and local governments can come up with methods of helping our agricultural industry through the crisis it faces at present. There are no easy answers, as previous speakers have said. The honourable member who sits next to

me brought that to the attention of the Chamber last night. I agree with many parts of his speech, although not all.

Members will know that I have been asking a considerable number of questions concerning the Mickelberg brothers. I want to make it quite clear that I am not asking the Government or the courts of Western Australia to find the Mickelbergs not guilty. I neither support nor reject the proposal that they are guilty or not guilty. I have taken it upon myself to talk with the Mickelbergs who are in Fremantle Prison. I have visited them there because in my view everybody, regardless of who he is, is entitled to have his voice heard.

I, along with many other people in Western Australia, was concerned after the book, *The Mickelberg Stitch*, was printed as it raised some doubts about some areas of this saga. In my view the Government, through the Attorney General and the Crown Law Department, should order a retrial to finally clear the doubts that quite obviously exist.

It also concerns me greatly when a situation arises like that which came up last night and the night before relating to the early release on parole of this chap Dodd. He is to be released, but one of the Mickelbergs is sitting in prison with a sentence of 20 years and the other has a sentence of 14 years because they allegedly stole some gold. Yet this fellow who wilfully murdered one man—a friend—now has the opportunity, as Parliament has been informed, to go free in September.

Hon. J. M. Brown: Was it wilful murder?

Hon. P. H. LOCKYER: Well, it was murder anyway.

I am concerned at the differentiation in the sentences. I am not a lawyer, and I have had to suffer lawyers in here talking to me about legal matters and blinding me with science! I do not want to reflect on their ability as far as law-making is concerned, because I am a practical person as are many people in my electorate.

When it is brought to my attention that people who commit the crime of rape get sentences of five or six years, I try to equate that to the case of Raymond Mickelberg who copped 20 years for a crime he allegedly committed. Whether he did or did not commit it I am not in a position to say. He copped 20 years; yet we have a situation where a woman has to bear the scar of a rape for the rest of her life and the person who committed the crime may possibly be walking the streets in three or four years, and sometimes less. Perhaps there is a legal

reason for this, and one which has been brought to my attention by people involved in the law is that if these jokers gave back the gold their sentences might be reduced. What happens if they did not take the gold? What happens if people like me do not go to Fremantle Prison and listen to them?

The lawyers and the courts say they can appeal. I understand one has no appeal but that the other can appeal. Who will pay for the appeal? Who will get the QC or the lawyer to go in and battle on behalf of these blokes because they cannot get legal aid? They say they have no money; people say they should get a bar of gold and pay for the appeal. What if they did not take the gold? That doubt is always there. I am not saying that these blokes are not guilty; all I am saying is that on reflection everything that has been said indicates there should be a retrial and the whole matter should be looked at again.

Hon. Tom Knight: Yet Dodd is out after eight years.

Hon. P. H. LOCKYER: That is right. I am using that case as an example. I do not know whether the Parole Board is right or wrong; I am not going to sit in judgment on the board. From the outside it does not look right, but there must be some reasons. Perhaps it is like a sentence to be sent to Jigalong.

While the doubts exist about these men someone should listen to them. The Government has a duty to order a retrial. That is all the Mickelbergs want; they do not want to be set free. For goodness sake, the Minister for Employment and Training slung words at me the other night because I asked why they could not be sent to Canning Vale Prison. He asked if I thought prisons should be hotels. No, I do not, but any member who has not been to Fremantle Prison should go there and look at it because it is a disgrace. I know we have to have maximum security prisons, and that only a certain amount of funds are available, but my God, Fremantle Prison is a dreadful place.

Along with many other members I went to Canning Vale Prison before it was opened, and it is a much better place as far as modern facilities are concerned. It does not seem right to me that the Mickelbergs are at Fremantle. These blokes said to me the other day, "There is no hope of our escaping because we know what will happen to us. Perhaps that is what the authorities want."

I do not know whether that is what the authorities want. This fellow Dodd has been in minimum security and in this morning's paper it was reported that when he went to have some treatment at a hospital he attacked a warder and caused all sorts of problems. Yet here are these other blokes in Fremantle Prison who are not allowed to be transferred to Canning Vale which is a medium security prison. They have not physically touched anybody yet there they sit with fewer and fewer people listening to them every day.

Another aspect which concerns me is that every member of this Parliament received a letter from a lady at Bruce Rock, a Mrs Lapsley. I understand that only four members replied to her letter. Members of Parliament get a lot of roneoed letters, and this was one. In essence it said, "I have read *The Mickelberg Stitch* and I think there are some doubts, and you people should do something about it". It is open for every member of the public to do what Mrs Lapsley did. They can write to members of Parliament, and we get such letters every day. A week later, however, Mrs Lapsley was visited by three CIB detectives who gave her a grilling. They had a real talk with her. One of the detectives was involved in the Mickelberg case. Why would they go all the way to Bruce Rock to see little old Mrs Lapsley because she wrote some letters to members of Parliament?

That is one of the points that disturbs me. I am not saying that the police have done anything wrong. In fact, they have done their very best to put across their point of view. Also, I am not saying that every author can write books containing scurrilous comments about policemen without obtaining legal advice. Legal advice is available to members of the Police Force, but it is not available to other people in the community.

There is definitely some doubt about this case and I do not accept the Government's allegations that the opportunity for them to seek legal advice is available.

The Attorney General, a person whom I hold in very high esteem, in a statement recently told this House—I regret having to bring this matter before the House now, but I certainly will not have a further opportunity to do so—about evidence concerning the fingerprints of the Mickelbergs. He told the House that the fingerprint experts had changed their minds. I have evidence which proves that three of those fingerprint experts have not changed their minds. In fact, I have written to them asking

for another copy of the evidence which they sent to the Government because the copy I received was sent to someone else for his attention. If the fingerprint experts have not changed their minds, the Attorney General, through his department, should ask a few more questions. If this is the case more doubt will be placed on the sentencing of the Mickelbergs and the matter should be brought to the attention of this Parliament because there will be every reason for a retrial.

One point that concerns me more than anything else is that the Mickelbergs have written to a number of members of Parliament for various reasons. Those members have chosen either not to reply to them or to watch their political backsides—perhaps I should too, but if I were a person who was sentenced to 25 years in gaol I would be most disturbed if members of Parliament would not listen to me. I will continue to try to obtain some sort of justice and a retrial for the Mickelbergs while it is physically possible for me to do so.

I am not saying whether they are guilty or not guilty. All I am saying is that there is considerable doubt about this case and that many things have changed since the first trial and the Mickelbergs deserve a retrial.

The final matter I wish to bring to the attention of the House concerns Hon. G. C. MacKinnon who made an excellent speech in this House on Tuesday night. I have had the pleasure of sharing an office with him for the last 5½ years. I know that it has been said that I was the only person who would share an office with him.

No doubt, after serving 29 years in this House, a number of speeches in honour of Hon. G. C. MacKinnon will be made during the last days of this session. However, I may not have the opportunity to speak at that time.

I remember well the first day I came into this Parliament. Before the session commenced a seminar which was organised by you, Mr President, was held. At that time Hon. G. C. MacKinnon had been dumped as the then Government leader in the upper House and had been passed over by the Premier of the day. Mr MacKinnon told me after the seminar that at the end of that particular session of Parliament as members, we would know the other members of this House better than their wives know them. He was right.

It is very sad that people like Hon. G. C. MacKinnon who have had a long standing in this House have to come to the end of their

political careers. I believe there is a lot to be learned from the senior members of this House.

Mr MacKinnon also told me that all the good ideas did not always come from members of my political party. He said I would learn from Opposition members and again he was right. Over the years people like Mr MacKinnon have left a mark on Western Australian politics. Without doubt I believe that Hon. G. C. MacKinnon is the best debater in this House. In the short time that I have been in Parliament I have noticed that anyone who has been silly enough to take him on has lost. It will be a sad day when he does retire. I know he will be missed. Goodness knows with whom I shall share an office.

I believe that the speech Hon. G. C. MacKinnon made on Tuesday night was excellent, regardless of the comments that he made about the Press that I would not have made.

I support the motion.

HON. ROBERT HETHERINGTON (South-East Metropolitan) [3.07 p.m.]: I support the motion and as with other members who have spoken I wish to mark my appreciation of the job being done by the third Australian Governor of Western Australia and the second civilian Governor of Western Australia. I think Sir James Mitchell was the first. When one looks at those two gentlemen I think that perhaps we should always appoint civilian governors. Certainly Professor Reid and Mrs Reid have done an excellent job and I believe that Mrs Reid is the best Governor's lady we have had since I have been in this State; that is, since 1967.

I was interested to note the remarks made by Hon. Graham MacKinnon and I might say, bearing in mind what the last speaker said, that I have learned a great deal from that honourable gentleman also. When I first entered this House he was Leader of the Government and he taught me a lot of lessons the hard way and I am better for them.

Hon. D. K. Dans: Accuracy was not one of his strong points.

Hon. ROBERT HETHERINGTON: That is true.

I was not present when Hon. Graham MacKinnon made his speech, but I was surprised to read his criticism of Mr Jerry Maher. I did not hear what Hon. Colin Bell said about him because I was distracted at the time.

I can only speak from personal experience and the only thing I can say about Mr Jerry Maher is that he has not always taken seriously the pearls I have dropped before him.

Hon. A. A. Lewis: Has anyone?

Hon. ROBERT HETHERINGTON: Some do.

Several members interjected.

Hon. ROBERT HETHERINGTON: I wonder whether Hon. Phil Pental, who has been interjecting, having been a journalist himself, will realise that we all seem to think that the Press are against us when we are in Opposition.

[Hon. D. K. Dans: I do not know about that!

Hon. ROBERT HETHERINGTON: If Mr Maher is supposed to be canonising the Premier, I wonder whether it is because he has better material to work on with the Premier than with the Leader of the Opposition. I would have thought that perhaps the Premier was more newsworthy, but I do not want to labour that point; I just thought I would mention it in passing.

I thank the member who has just resumed his seat, Hon. Phil Lockyer, for having leapt into the breach so quickly when I had the adjournment taken on my behalf and I was late. It is the first time I have been late in my eight years in this House and I regret that I was not present to make the speech I had intended to make. However, having listened to the speech by Hon. Phil Lockyer, which was one of the better speeches he has made and was certainly from the heart, I feel that I have not done him much harm and he certainly has done me some good.

I was late because I was in my electorate at The White House on Nicholson Road where I was having lunch served by members of the Langford CYSS who had taken a course on silver service. Having completed this course, they needed some victims to whom to serve lunch. I regret that I left earlier than I would have liked. The lunch was not over, but I managed to get to the main course. The young people were doing an excellent job and I pay full tribute to the people of the Langford CYSS. This is one of the latest CYSSs to be established, and although I am a member of the committee I am taking no credit for anything that happened because I have not produced anything that happened. The full credit goes to two people: Councillor Carol Matison of the

Gosnells City Council, who chairs the committee whenever I am there, and the project officer, Mrs Pat Tod.

Hon. Tom Knight: It is important that you were there because they need the support of members of Parliament.

Hon. ROBERT HETHERINGTON: It is important, but sometimes members mention that they are on committees or doing things because they are trying to take the credit. I have certainly given support, but I have not done the work. This has been done by these two very excellent women, Councillor Matison and Mrs Tod. Assistance has also been given by Mrs Tod's husband, Mr Joe Tod, without whose help the whole scheme perhaps would not have survived.

One of the interesting features of the Langford CYSS is that it has grown faster than any other CYSS in the area. At one stage it had as many as 58 visitors a day and at present it has about 40 visitors each day. It has proved useful and very helpful in the area. I wonder why it has been so successful and I think that is something we should give consideration to. We have had many CYSSs with varying degrees of success. It may be that the calibre of the people running the Langford CYSS is a factor, and also that some of the other CYSSs with which I have been associated have been located on major highways whereas the Langford CYSS is, in fact, in the centre of the community where it can be reached easily.

Another interesting point is that since the Langford CYSS has been operating, the incidence of boredom vandalism in the area has declined dramatically. Lately there has been a rise in the incidence of drunken vandalism, but this has nothing to do with the CYSS and involves other factors.

I should pay tribute to Mr Steve Parker, the tutor for this course, who came from the hospitality industry. Also, I pay tribute to Mrs Pat Morris of the Thornlie sportsmen's club because she persuaded her club to help train these young people; and to the bar manager, Reg McGuire, who trained these young people behind the bar and who gave them experience and encouragement. This has been an excellent project and I am very happy to be associated with this particular CYSS and perhaps bask a little in the glory which is owed to other people. It is certainly doing an excellent job. For this reason I regret that it held me up and regret even more that I did not stay for sweets—but one cannot have everything.

Before dealing with other subjects relating to my electorate, I make reference to one or two general matters. I have read with great interest the report of the inquiry into the Sexual Assault Referral Centre in Perth. It is an excellent document. As members may have read in the newspapers, there have been certain troubles with this centre. Tensions have occurred not so much because of the personalities—although this may have played some part—but because of different attitudes on what should be done in the centre; that is, whether it should be run on an authoritative medical model or on a more collective model.

It has been decided by the committee which reported—a committee which included Mr Graham McDonald, Mrs Wendy Silver, and Ms Liza Newby, who are excellent people—that the centre should be renamed the Western Australian Sexual Assault Referral Centre or WASARC. I suppose this has a different ring from the previous name—the Sexual Assault Referral Centre or SARC. It was also decided that the centre would be moved to the King Edward Memorial Hospital, located not within the hospital but in a separate section, under the management of the hospital in general but with its own management committee. The people who work in SARC at present may also transfer if they so wish, but no longer will there be a medical director or director. A co-ordinator will be appointed annually from among the people working at the centre. It seems this will give it a better chance of success.

There has been some concern among clients of the Sexual Assault Referral Centre that the service to which they have become accustomed might deteriorate and confidentiality might be breached. I can assure people that from my reading of the report and my discussion with members of the Sexual Assault Referral Centre the service will continue to provide the same excellent service it has provided since 1976 and confidentiality will not be breached. Indeed, were confidentiality breached then the centre would no longer work.

It is important, although some people do not always regard it as important, that the victims of rape or other sexual assault who go to the centre have whatever they wish to reveal of their case histories accepted as something which cannot be divulged to anybody.

By anybody, I mean anybody—not another Government agency, not the police. This has always been the way the Sexual Assault Referral Centre has worked, and this is the way

it will continue to work. This is the position now while it is still at Sir Charles Gairdner Hospital and it will continue to operate in this way when it is set up at its new premises under its new management system.

I am very pleased about this, because I first became aware of sexual assault as far as Western Australia was concerned when I went to the rape conference in Hobart in 1980 and met some of the people who worked in the Sexual Assault Referral Centre. Two of them no longer work there, but I became aware of the excellent work they were doing. Our Sexual Assault Referral Centre has been the envy of other States. It has managed to avoid the tensions which have been found in other places until recently. I believe a recognition by this committee that the authoritarian model is not one for a sexual assault referral centre will do much to make sure that we do not have the same sorts of tensions. The tensions were not as bad as they were built up to be in the Press, but there were some temporary sort of tension recently. I look forward to the development of the centre into something even better than it is now.

My personal view, which is one I will try to persuade members of the Government to adopt in due course, is that what we need in future—because we have various crisis centres—is one main crisis centre where anyone in a crisis situation—domestic violence, assault, children, assault on children, sexual abuse of children, sexual assault of adults, male or female—can report and be referred to the right kind of people; they can be referred to the proper person to deal with the particular crisis.

What we have done so far in this State is something which should be expanded and extended. We should develop a better crisis referral centre which is there for all people. We have some very good things in this State. Our State, in many cases, has been a model for the rest. I hope that we continue to be ahead of the other States, but this means that we have to keep looking at what we are doing and improving things as we go along.

I wish the centre well. I am sure it will produce an excellent service. I hope it has no further problems in the foreseeable future and that the victims of sexual assault in Western Australia can obtain the same good service they have had and be assured of confidentiality.

One of the points which interests me is the thought that people with professional qualifications are the only people who can do things. I

have never believed this. I believe professional qualifications are good, but sometimes people with real ability do not need professional qualifications to do better than some people in the professions. If this had not been the case, many of our advances in science would not have been made. It is not always the professionals who have the imaginative insights which produce change.

I want to comment briefly on a couple of remarks made by two honourable members in this House. Hon. Phillip Pendal, in a speech that I thought was not unnoted for its pomposity—referred to the Premier's visit to the Constitutional Convention. On page 127 of *Hansard*, he is reported as follows—

I venture to suggest not one other leader of any political persuasion in Australia played a more destructive role, albeit a pompous and sometimes immature role.

Hon. P. G. Pendal: He made a real fool of himself.

Hon. ROBERT HETHERINGTON: I thought I should have a look at this speech which was so heavily criticised by the honourable gentleman.

Hon. P. G. Pendal: Which one are you referring to?

Hon. ROBERT HETHERINGTON: I am referring to the speech by the Premier when he talked about—

A member: Put the House out of its misery.

Hon. ROBERT HETHERINGTON: Just wait a minute. He was mainly talking about Federal-State financial relations and he gave an excellent exposition. I shall quote extensively so that the honourable member can see that we have nothing to hide. He said—

I believe that this Convention should confine its recommendations for change to those which put beyond legal challenge the taxes already imposed by the States. As delegates would know, although there has been no legal challenge to State imposts on goods such as tobacco and fuel, there is a substantial body of opinion that says that those taxes are capable of being challenged successfully. If this occurred, it would cause substantial financial dislocation for the States, which would, in turn have an impact on the Commonwealth by placing strong pressure on the National Government to raise the lost revenue and then to compensate the States.

I suggest that this Convention confine itself to such recommendations for four reasons. The first is—and I have already alluded to it—the likely unfavourable response of the electorate to any proposals for fundamental change of the taxing powers set out in the Constitution. The second is that, by confining itself to such recommendations, the Convention would be merely proposing the legitimisation of the status quo and there would be no fear of the proposed changes leading to new taxes or to any increase in the overall tax burden which is already too heavy.

The third is that I believe that fundamental changes in fiscal powers should not be proposed without the benefit of the work that is being done for next year's Premiers Conference. It is this Premiers Conference that is the most appropriate forum for thrashing out matters of Commonwealth/State financial relationships.

We should go further than this, in my opinion. Now that this State, South Australia, Victoria, and New South Wales have set up policy secretariats attached to their Premiers' departments, I believe that there should be a secretariat attached to the Premiers' Conferences which stays in office in perpetuity so that Premier's Conferences become merely the end result of work done by the secretariats of the States and the Commonwealth throughout the year. In this way we would obtain more depth and more satisfaction out of Premiers' Conferences and we would do many of the things which at present the Constitutional Convention tries to do so unsuccessfully.

To return to what the Premier said—

The final one is that the subcommittee's report assumes an ongoing role for this Constitutional Convention in the area that is particularly addressed by the subcommittee's report. I do not believe that there should be any ongoing role for the Constitutional Convention as it is presently constituted in any area. Western Australia is strongly committed to the need for an ongoing efficient and effective mechanism that will see constitutional reform, but I believe that this should be the last of these Constitutional Conventions. Later this week the Government members of the Western Australian delegation will propose that this long-running institution should be put out of its misery.

Hon. P. G. Pandal: Mr Fordham did not agree, nor did New South Wales.

Hon. Peter Dowding: Rubbish, Mr Pandal.

Hon. ROBERT HETHERINGTON: It continues—

Having said that, I restate that Western Australia believes very strongly that there is a need for an efficient and effective mechanism by which the changes proposed from time to time—the changes that are necessary to the Constitution—can be addressed and can be implemented. But after 16 years of this Convention, its meetings and its performances, the one thing that is demonstrably clear is that the mechanism in which we are participating today is not the appropriate mechanism.

That is what the Premier said.

Hon. P. G. Pandal: Done like a dinner!

Hon. Peter Dowding: Good speech!

Hon. Fred McKenzie: Excellent.

Hon. ROBERT HETHERINGTON: I must say that the person who has not had the honour of being a full delegate; he was only a substitute—

Hon. Peter Dowding: Is full of himself.

Hon. P. G. Pandal: Would you clarify that?

The DEPUTY PRESIDENT (Hon. P. H. Lockyer): Order! The honourable member on his feet will address the question before the Chair.

Hon. ROBERT HETHERINGTON: I was a substitute delegate and I have been to both Adelaide and Brisbane and have been less than impressed by both conferences.

Hon. A. A. Lewis: Did you have a Chinese meal too?

Hon. ROBERT HETHERINGTON: I did not have a Chinese meal now, then, or at any other time, and I do not know what the honourable member is talking about.

The DEPUTY PRESIDENT: Order, please. Would the honourable member address his question to the Chair and not engage in chit-chat.

Hon. ROBERT HETHERINGTON: Mr Deputy President, I was in fact talking to you. Perhaps I just looked away momentarily. I do apologise if you got the wrong impression.

I have never been impressed by the conferences. I believe the only reason that the conferences in the 1890s were successful was because

of the overriding and driving need for union which produced this Constitution which many people seem to think is the most perfect thing that should last for perpetuity. I regard it as a compromise which perhaps will change in due course.

Hon. G. C. MacKinnon: None of them was a member of the Federal Parliament? Were they personally involved?

Hon. P. G. Pandal: A very good question.

Hon. G. C. MacKinnon: They were not personally involved?

Hon. ROBERT HETHERINGTON: They were personally involved because many of them were to become members of the Federal Parliament, and some of them either became members of the Federal Parliament, Chief Justices of the Federal system, or Prime Ministers in their term of office, so they were personally involved in their own way.

Hon. G. C. MacKinnon: Directly personally involved?

Hon. ROBERT HETHERINGTON: I think the honourable member is dragging a red herring across this matter which I would prefer to ignore because I am not happy about that. The interesting thing, of course, is that at the last meeting the delegates made some sort of appeal resulting in a resolution that the convention would change at some time, in some way, that it would be modified. There was general agreement. I would have thought that the convention would not have continued in its present form. It is not a great victory for our Premier because I did not go in for such extravagant nonsense, nor was it such a great defeat.

Hon. P. G. Pandal: You must have been aware of it.

Hon. ROBERT HETHERINGTON: He made his contribution which I thought was a good contribution. Also when he was not there he made a contribution.

Hon. G. E. Masters: He always does.

Hon. P. G. Pandal: This will be good.

Hon. ROBERT HETHERINGTON: It was quite good, as a matter of fact, because Hon. Arthur Tonkin, who was then leader of the delegation quoted a letter from the Premier to the Prime Minister on the subject of the external affairs power as follows—

“Dear Prime Minister

External Affairs Power

Procedures for discussion of the above matter at the Constitutional Convention are quite unsatisfactory.

The Convention process, in general, has clearly outlived its usefulness and you will be aware of my views in this respect.

This is highlighted by the External Affairs Power question. On the one hand, the Convention sub-committee has implicitly conceded its inability to grapple with the possibility of constitutional amendment. On the other hand, the nature of the Convention is such that any proposals arising in the course of debate will not have the consideration that such an important issue requires.

I do not share the hysteria which is sometimes exhibited on this matter. On the other hand, the related issues are fundamental to the Federal balance and require full and careful attention.

I believe that that attention should most appropriately be given at the heads of government level. I therefore write to request that the question of the External Affairs Power be listed for consideration by the next Premiers' Conference."

Mr Arthur Tonkin moved that amendment to insert a new paragraph at the end of the motion to the effect that the question of the external affairs power be referred for consideration to the Premiers' Conference. The motion was seconded by Mr Taylor and it was carried.

Hon. P. G. Pental: Absolutely insignificant. That is like asking about the price of pies in Brisbane.

Hon. ROBERT HETHERINGTON: The Premier's two contributions to the Constitutional Convention do not make me ashamed. I was quite proud to be sitting behind him, as I always have been and I really think that the honourable gentleman's comments were uncalled for. I suppose if one wants to tear somebody down one looks for something, and this is a case in point.

Hon. P. G. Pental: I just meant he made a dill of himself. I do not put it higher than that.

The DEPUTY PRESIDENT: Order!

Hon. ROBERT HETHERINGTON: I do not think they were very meritorious comments and I cannot take them terribly seriously. The other person who made some comments in this regard is Hon. Bill Stretch. It was not all good. Some of his remarks illustrated some error in thinking. He said, *inter alia*—

Had it not been for the stand by the South African Government there is little

doubt that the Russians would have moved in under the pretext or the cloak of some people's liberation movement and, as is its practice, would have systematically allowed the slaughter of different tribal and racial groups by each other. It has happened all over the continent of Africa. It has happened elsewhere. It is happening now in Afghanistan. I regret that the Federal Government has chosen to indulge in such selective condemnation.

Hon. G. C. MacKinnon: Were you reading those out to heap praise on it?

Hon. ROBERT HETHERINGTON: No.

The DEPUTY PRESIDENT: Order, please! The honourable member once again will address his comments to the Chair and will disregard unruly interjections.

Hon. ROBERT HETHERINGTON: Thank you, Mr Deputy President. Yes, I will do my best. I was not going to heap praise on them, as a matter of fact. I was going to suggest it shows mistaken thinking to say it is all over Africa and that tribal groups are slaughtering each other and all African countries are in chaos. I also find it quite interesting—and I am not referring to Hon. Bill Stretch—that other people who like to condemn, for instance, Tanzania because it is a one-party State are unequalled in their praise of South Africa which has domination by one group over another.

Hon. A. A. Lewis: But you would support Uganda and Nigeria and these other places?

Hon. ROBERT HETHERINGTON: I am not going to go into the complexities of it.

Hon. A. A. Lewis: I don't think you ought to go into it at all.

Several members interjected.

The DEPUTY PRESIDENT: Order, please! I remind honourable members that my patience is running out. I have very carefully listened to the honourable member's speech and I want to hear it in silence.

Hon. ROBERT HETHERINGTON: As a matter of fact, I have got hold of the transcript of the speech by State President Botha which he made to the National Party Congress quite recently. I do not intend to read it out in great detail but only to read two extracts from it as follows—

But I know for a fact that most leaders in their own right in South Africa and reasonable South Africans will not accept the

principle of one-man-one-vote in a unitary system. That would lead to domination of one over the others and it would lead to chaos. Consequently, I reject it as a solution.

This, of course, has been written by the State President who believes in the domination of white over black in South Africa. He believes in the black people having no vote and has believed in the system of apartheid for a long time.

I have watched what has been going on in South Africa for about 25 years. I have been interested in the subject. I have done a great deal of reading about the matter and have spoken to people from South Africa. It is not a matter of being objective for one to be fairly appalled and very worried about what is happening.

Many years ago I said that it seemed to be getting later and later for any reasonable solution of the problem in South Africa to be achieved—any reasonable solution that would not ultimately lead to bloodshed. Since I first said that, the doctrine of apartheid has been applied in South Africa and conditions in South Africa have become worse.

Hon. G. C. MacKinnon: You could say that about Uganda.

Hon. ROBERT HETHERINGTON: I am not talking about Uganda. I have never supported Idi Amin or Milton Obote. I thought both had systems we could do without. I am talking about South Africa and I would be glad if I were left alone to talk about South Africa.

The situation of the Africans has got worse and worse under apartheid. The possibility of solving the problems in South Africa without bloodshed has become almost impossible under apartheid. The system of apartheid and the establishment of the Bantustans where the families of people working in mines support themselves on land that has very little fertility, but which allows them to support themselves sufficiently to subsidise the wages of their husbands in the mines have been a great economic prop to the white rulers of South Africa.

If honourable members want to speak about South Africa they might consider that. They might also consider the fact that the South African Government is at present holding on to Namibia or South West Africa against a resolution of the United Nations. It has divided that area into Bantustans and let people out when they wanted them to work in the

mines. It has a reason for hanging on to Namibia. That area has uranium, diamonds, and gold. Of course it does not want to give that over to black Africans who, no doubt, would not do very well with it.

The State President, later in his speech said—

Our enemies—both within and without—seek to divide our peoples . . . Let there be no doubt about what they would do with such power. One has only to look at their methods and means. Violent and brutal means can only lead to totalitarian and tyrannical ends.

I agree with that because violent and tyrannical means in South Africa have been used by a regime that is becoming more and more totalitarian with the South African secret police and with people being thrown into jail without trial.

I was sorry to read that Doctor Allan Boesak of the Dutch Reformed Church of South Africa is being detained. He was president of the World Alliance of Reformed Churches and also a member of the national executive of the South African Council of Churches. He was the last surviving leader out of gaol of the United Democratic Front which is a non-racial social movement. He has been detained without trial. I had the pleasure of meeting Doctor Boesak when he was in Australia. I gave a lunch for him at Parliament House.

Sitting suspended from 3.45 to 4.00 p.m.

[Questions taken.]

Hon. ROBERT HETHERINGTON: Before the afternoon tea suspension I was saying that in South Africa, the Reverend Allan Boesak, who had lunch with a number of notable people in this community, and whom I met and with whom I was most impressed, has now been detained. I wonder whether the Reverend Desmond Tutu will be the next person detained.

I want to make clear what I was saying earlier. I was referring to a statement by the State President of South Africa, Dr Botha, when he said, "Violent and brutal means can only lead to totalitarian and tyrannical ends."

I know that in South Africa the economic condition of some people has improved; I know that in South Africa the morality laws have been repealed and it is now possible for whites and blacks to cohabit sexually. I know there are easings of various laws in South

Africa, but that does not mean there is not a great deal of tyranny and repression; they are, of course, there all the time.

Hon. William Stretch pointed to the fact that communism might be in South Africa if it were not for the South African Government. It might get there because of the South African Government.

I remember that when I was an undergraduate—I know there are members in this House who think that they should not take people who read too seriously—I became aware of the fact that Karl Marx, because he found it too difficult to live in Germany, went to London and published his works in that city. The British put up with it and he is now buried in London.

When Lenin wanted to hold a meeting of his party, which eventually split into the Bolshevik and Menshevik parties, he too went to London because he could not afford to stay in Moscow or Leningrad. Of the two repressive nations, Germany finished up as a fascist dictatorship and Russia finished up as a communist dictatorship, whereas Britain, I am glad to say—although sometimes only very tenuously—is still a democracy.

I have said before in this House what Ben Chifley once said, and that was, "Wherever there is fire you will find a communist pouring oil on it. Wherever there is injustice in a society you will find the Soviet Union and its agencies pouring oil on it." First comes the injustice and then comes the possibility of the Soviet Union to inflame the whole process. This is what worries me about what is happening in South Africa. How can it reverse the trend and how can it avoid bloodshed? I think that it is probably too late.

When one talks about dealing with South Africa people keep asking, "What about Uganda, what about Afghanistan?" They may as well also ask, "What about Argentina and about this and that?"

I remember having an argument with a communist friend of mine in the 1940s, when I was attacking the Soviet occupation of the Baltic States. He said, "What about Greece?" I said, "Yes what we are doing is terrible; but what about the Baltic States?" In fact, the Baltic States are still under the heel of the Soviet Government.

I am not sure that cutting off diplomatic, sporting, or cultural relations with the Soviet

Union will make it better. I am quite sure that if we had cut off diplomatic relations, cultural relations, or sporting relations when Idi Amin was ruling Uganda it would have made no difference at all. However, there is some evidence that if we cut off relationships, particularly sporting and cultural relations with South Africa, it may influence its decisions and it has begun to do so.

Members may not agree with that and I respect their right to differ, but it is no good comparing the situation in South Africa with Afghanistan. It does not necessarily follow that what is good in the case of South Africa is good in the case of Afghanistan, or vice versa.

Hon. W. N. Stretch: I hope you are not suggesting I said that.

Hon. ROBERT HETHERINGTON: The honourable gentleman asked if he suggested that and I will read what he said from page 244 of *Hansard*. He referred to—

...the slaughter of different tribal and racial groups by each other. It has happened all over the continent of Africa. It has happened elsewhere. It is happening now in Afghanistan.

I accept that the honourable gentleman did not mean what I thought him to have meant. I do not want to force words into his mouth and I am not interested in scoring debating points. I am interested in looking at the very serious question of the injustice of what is happening in South Africa and the grave difficulties which the South Africans will have in changing it because of the position into which they have put themselves.

Hon. W. N. Stretch: The whole point was that it is for them to look after it and it is not for us to make comments on how they should run their country.

Hon. ROBERT HETHERINGTON: I do not agree with the member. I think we are quite right to make comments on all sorts of people. We make comments on Chile and some of the juntas in South America and so we should. We make comments on the destruction of civil rights in the Soviet Union; we make comments on the destruction of civil rights in South Africa and so we should. We make comments on the destruction of civil rights in Australia and so we should. Often when we do so we are accused of being do-gooders but we have to keep arguing and talking. We have every right to look at South Africa and decide if it is a

problem with which we wish to deal. We have that right, but if we decide to take action we should only do so after very careful and reasoned consideration, and that is something which I believe the present Minister for Foreign Affairs in the Australian Government has done. I have never known Bill Hayden to act stupidly off the cuff; he does things after careful consideration of all the issues involved.

The situation in South Africa concerns me tremendously and, as an aside, I was quite interested to hear the statement by President Botha. Of course, I understand why it is not possible to have one-man-one-vote in South Africa at present, including all black and white people. I am told by Hon. David Wordsworth that if that happened the Zulus would have a majority and, therefore, it would be ruled by Zulus. That might not be a bad thing, but I have not met any Zulus and cannot comment.

A member: What about the Afghans, might they rule?

Hon. ROBERT HETHERINGTON: I do not disagree with what the honourable gentleman is saying about Afghanistan. I believe it would be much better if the Soviet Union were not in that country. I did not approve of the invasion of Afghanistan by the Soviet Union or the invasion of Tibet by Communist China.

Hon. Tom Knight: What about Timor?

Hon. ROBERT HETHERINGTON: I did not approve of that either.

Sometimes I think it is necessary to be realistic. For instance, with regard to the Soviet annexation of the Baltic States, I did not approve of what had been done, but I felt that probably the time had come when we had to accept it as a matter of fact. It does not mean I approve of it or of the Soviet Union remaining in those countries, but we have to sort out what we approve of and what we can do as a nation. My main comment was that there was serious loss of civil rights and oppression in the South African republic. They are in Namibia which was not part of the territory, despite the fact that the United Nations thought they should leave. It is my belief that if we take action, particularly so far as sporting events are concerned, we may influence them to change for the better. We may or we may not, but I think it is worth trying. Having made that point, I will leave the subject of South Africa.

I now turn to the other question raised by Hon. Phillip Pandal, a question which I take quite seriously—rising crime and violence in our city.

Hon. P. G. Pandal interjected.

Hon. ROBERT HETHERINGTON: I do not intend to attack the honourable gentleman at all. I too am concerned about the situation. I know that when cities grow larger there is a tendency for the incidence of crimes of violence to rise. I know that the population of Chicago in 1940 was approximately 3.3 million. I do not know what its size was in 1930, but it was probably one and a half to two million, and in the middle of the Depression and prohibition it was a highly violent city. A number of factors are involved in this matter. However, there is no doubt that one of the factors in the rise in crimes of violence in Western Australia is the high rate of unemployment. If we reduced the level of unemployment to one half of one per cent as it once was, the number of violent crimes would decrease. I do not know by how much it would decrease because we know that we now have habits in this country that we did not have previously.

I have a great deal of concern about the influx of drugs, particularly heroin. I noticed today that a gentleman convicted of trading in heroin was given a minimum sentence of three years because that is the going rate. Although I think the Chief Justice is a man of great erudition and learning, it is time he and his fellow judges changed the going rate. We should look at the whole rate. I do not accept the view that some people have that we should deal with violent crimes with further violence; that we deal with crimes of sexual assault by hanging, castration, putting people in the pillory, whipping, or flogging. An interesting fact is that when the punishment for stealing and picking pockets was hanging, when the crowds gathered around the gallows at Tyburn the pick-pockets plied their trade vigorously. Violence begets violence and there is no blanket, across-the-board solution to this rise in violent crime.

I have suggested that comparatively minor crimes of vandalism—although there has been breaking and entering by people in the Gosnells area—have dropped in the Langford area because of the activities of the Langford CYSS which gives young people in the district comradeship, pride in achievement, and a sense of belonging.

One point that has been argued in books, and I suppose we are allowed to learn from books, is that the growth of vast dormitory suburbs may lead to alienation of the individual who loses a sense of community and belonging. Consideration should be given to this aspect,

and that is one of the reasons I believe the activity of our local government authorities in a whole range of welfare areas is a good activity which is helping to bring people together with a sense of community.

In some cases, such as rape and sexual assault, the sentence should be greater. It was suggested the maximum should be 20 years for sexual assault with aggravation. Brian Tennant, whom I respect very highly, said this was too high. A lawyer said one does not improve a person by leaving him in gaol for more than five or seven years. What is the good of putting him in for 20 years?

One thing we can see by looking at the statistics is that recidivism in rape cases is high. I do not want to leave a rapist in prison for many years to make him better or to punish him. One social worker says she has had one rapist admit remorse, but usually they do not do this. All I want to do is to comment that recidivism is high and we need to keep offenders off the streets to make sure they do not do it again.

One of the other things statistics show is that with murder recidivism is low, therefore, one can let some murderers—I am not arguing a particular case, I am arguing the general—out on parole earlier than some rapists.

We must look at the whole issue of crime bit by bit. We must look at the complex nature of the system. Sometimes we will find ourselves better off not putting people in gaol, but giving them work service orders, or doing what the Swedes do and putting them in gaol for the weekend. This means they have to work all the weekend and forgo sexual relief over the weekend; that is their punishment. Apparently the Swedes find this a punishment.

Hon. G. E. Masters: So would everyone else!

Hon. ROBERT HETHERINGTON: It depends. There are some crimes which would be better treated with a more lenient punishment. We cannot make a blanket assertion that we have to make penalties heavier, because it is true that violence begets violence. If we treat violent people violently we might make them worse. Some of them must be kept out of the way. Therefore I am happy that when ultimately the Government's legislation on sexual assault is introduced into this House it will receive support from Mr Pental and other members opposite. I believe it will because it is good legislation which tries to deal with a very difficult problem.

Hon. P. G. Pental: You will always get a good review, you know that.

Hon. ROBERT HETHERINGTON: I think the member will on this one, but I would not like to make a generalisation.

The only other thing I want to say—and I will be fairly brief about it—is that I have an interesting electorate which goes from Canning and Armadale down to Bibra Lake. It is a rapidly developing electorate. New markets are going to be established at Canning Vale, and Hon. Phillip Pental would be the first to agree with me that we need a network of roads and a transport system to get ahead of the development in this area so that we do not find, as they have in the northern corridor, roads being put in to catch up with the development.

Hon. P. G. Pental: They want to put in a few roads that we do not want.

Hon. Graham Edwards: The main point is that the electorate is in good hands.

Hon. ROBERT HETHERINGTON: One of the interesting developments is the development of Armadale as a subregional centre. The Town of Armadale is about to become the City of Armadale with a new civic centre. I am trying to persuade the Government to establish regional Government offices in Armadale because I think this is an ideal place. It could be established as a subregional centre with Government departments. It is now linked tenuously to the city by Ranford Road and South Street. Where Ranford Road meets Westfield Road there is a dangerous dogleg and we must get rid of it. The Government is looking at that at present and I hope to persuade it to do something before too long because it is important.

I was talking to an officer of a local authority on another matter when I was pleased to see the plans for the second Nicholson Road bridge which will be built soon, and the sooner the better, to get rid of that bottleneck. As many honourable gentlemen will agree, Nicholson Road needs to be upgraded.

The Gosnells council is at present upgrading Warton Road. That should be upgraded. Nicholson Road should be upgraded and Ranford Road also. I am looking to the day when the Roe Freeway is completed, because this will be a great help. When the Roe Freeway and these other roads are completed, and the Albany Highway bypass around Gosnells is completed, then we might find that the Spencer-Chapman link is not needed. I wonder

about that. If these things were done we could then have another look.

Hon. G. C. MacKinnon: Was any time specified?

Hon. ROBERT HETHERINGTON: It all needs to be done tomorrow, as the honourable gentleman knows.

Hon. G. C. MacKinnon: The most congested road in the whole city goes past Victoria Park to Armadale.

Hon. ROBERT HETHERINGTON: We must do something immediately and urgently; as immediately and urgently as we can.

Hon. G. C. MacKinnon interjected.

The DEPUTY PRESIDENT (Hon. John Williams): Order! This is not a conversation piece, this is the Address-in-Reply.

Hon. ROBERT HETHERINGTON: As the honourable gentleman will know, having been in Government, it is difficult to do it all at once, but certainly there are problems which need to be solved.

Among the streets in Gosnells, Corfield Street is being upgraded and I am looking forward to the day when a new bridge is put across the Southern River to link up with Warton Street intersection and one can go straight through without having to take a dogleg which is dangerous.

One of the good things to happen—I know this happened under another Government—was the Tonkin Highway, the Beechboro-Gosnells Highway, which is an example of a road which went out before development and is a very good road. It cuts the time for all people living in Gosnells who want to go to the airport by at least half and makes it a so much simpler journey. This has been a delight to me.

Hon. P. H. Wells interjected.

The DEPUTY PRESIDENT: Order! Hon. Peter Wells is out of order with his interjections.

Hon. ROBERT HETHERINGTON: I would like to mention one more thing, although I think it is time I considered stopping. The most interesting development I have come across—and I saw this when I went to see

about a bus for school children, and I am glad I succeeded in doing that—concerns the Urban Lands Council and the Cockburn City Council development at South Lakes where there are much smaller blocks of land, and that means cheap housing for people who cannot afford dear housing.

It is an excellent development and both the Urban Lands Council and the Cockburn City Council are to be congratulated on what they have done.

I do think that there is still a great deal to be done for the health of our city and particularly for that part of it which is my province. We are on the way—and I look forward to the next decade—to sensible planning and to developments of which we can be proud. It gives me great pleasure to support the motion.

Debate adjourned, on motion by Hon. A. A. Lewis.

ADJOURNMENT OF THE HOUSE

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.12 p.m.]: I move—

That the House do now adjourn.

Community Services: Fine Payments

HON. TOM KNIGHT (South) [5.13 p.m.]: I do not wish to hold up the House, but following my address to this House yesterday I have had numerous telephone calls from people in the community and from police officers. One officer said to me, "Thank God at least someone has woken up to what is going on out there." He then gave me some information. Following that I received a call from another person who also indicated he was a member of the Police Force and gave me some information I believe should be put before the House.

That police officer advised me that a particular gentleman, Mr Barry Leon John Feehon, an officer with the Aboriginal Advancement Council, was charged with dangerous driving, having a blood alcohol level in excess of 0.08 per cent, driving whilst disqualified from so doing, giving a false name and address, and not carrying a drivers' licence. This person was fined \$1 145. This officer informed me that his fine had been paid by the Aboriginal Advancement Council.

When we look into this we find that the taxpayer is funding these types of activities. One of the officers informed me that the surface had not been touched yet.

Hon. D. K. Dans: Can you verify this? I am not saying you are wrong but I think you should have some verification.

Hon. TOM KNIGHT: I did check it out.

Hon. D. K. Dans: The House does not know that.

Hon. TOM KNIGHT: I should point out that I was not prepared to stand up and put this before the House without some check.

Hon. D. K. Dans: You are divulging a person's name but not the name of his accuser.

Hon. TOM KNIGHT: I point out that I did check that the information was correct when I received it. The police officers concerned in the other issue said I could use their names.

It will keep happening. Every member I feel will be subjected to public concern now because boiling point has been reached. These are the type of things members of this Parliament and people in this State should be aware of. It is the exploitation of taxpayers' money. The point is, that if a person is to be convicted of committing a crime, there is a penalty to be paid. One of the penalties is a financial payment and the other is prison if there is no penalty commitment there is, in effect, no penalty.

If a person uses someone else's money, and in this particular case it was the taxpayers' money, then where is the penalty? That person has not been inconvenienced in any way. If a penalty is to be imposed it has to be a deterrent and a detriment to the person on whom it has been imposed. We are coming to the situation where every member of this House who pays taxes is contributing to the payment of fines imposed as punishment on people who have broken the law in this country. We are the lawmakers and I believe I have to bring this matter before the House.

Hon. D. K. Dans: I know, I pay for keeping those people in prison. About 75 per cent of them should not be there.

Hon. TOM KNIGHT: The honourable member can see how strongly I feel about this. I am glad he feels the same way. Hon. D. K. Dans is the Leader of the House. I have to put the matter to him as the leader of the Government in this House, because it is the Government that must investigate and take action on the matter. That is why I have brought it to the

attention of the House and why I have passed the information on. All of us here are representatives of the people of this State, but at the moment the Labor party is in Government and it has the responsibility of making the investigation.

Hon. D. K. Dans: Give me the names of the police officers who made those investigations.

Hon. TOM KNIGHT: You have the information that I checked out. It is sufficient to find out that all I have said is correct. I cannot cause people to spend money on investigations because I am not in Government.

Hon. D. K. Dans: I will give you a written guarantee that the Government will investigate it, but give me the facts.

Hon. TOM KNIGHT: I have given the Minister the facts. The Government is charged with raising taxes from the taxpayers of the State, as the Federal Government is from the taxpayers of the country. Therefore we can only pass on information to the Government. I will back up whatever the Government does in connection with the matter because I represent some of the taxpayers of the State.

The people to whom I referred told me of their concern that taxpayers' money is being used in this way to this degree. It all started with my statement in this House last night, and I have been stunned by the number of calls I have received from people who say they know of similar instances, and they thank God we have woken up to it. These people have not been prepared to come forward in the past—or maybe they have and nothing has been done. But I am not prepared to let it lie. The people out there are concerned and I want to charge the Government with the responsibility, backed by this side of the House, to see that that sort of thing does not happen. Next week the Opposition intends to ask the Leader of the Government what he has done, and what action has been taken. It is imperative that something be done to stop this manipulation, extortion, and misuse of public funds. That is where deficits come from—money wrongly spent and misused. In two days I have brought forward two cases, and I believe that in the next month a lot more cases are going to come forward. I hope the people who wish to complain about this matter do not only ring members of the Opposition, but also members of the Government. I am only telling the House of the complaints I have received, and I hope other members also receive complaints because they must be just as concerned as I that Government

funds are being misused. It concerns me greatly, and it must also concern all members of this House and the people they represent.

Government Supplies: Tenders

HON. P. H. WELLS (North Metropolitan) [5.18 p.m.]: I seek to bring before the House a matter which has come to my attention in connection with tendering by the Building Management Authority.

I understand that some cabinets were required for a high school in my province, the Woodvale High School. Tenders were called, and the second highest of those tenders was \$19 000. The lowest and successful tender was that submitted by the Building Management Authority, of \$10 000. As one would expect from these circumstances, the tender was awarded to the Building Management Authority.

The system of awarding tenders has raised questions from a number of suppliers and other people in private enterprise who have tendered for Government jobs from time to time. I have been asked who actually checks that the job will be completed for \$10 000 or less, and whether the situation is not left open to appear that the Government may not have taken into account all those requirements that every other person tendering has to consider. Those people asked also how a Government tender for a job can be almost half the figure of other tenders, when 50 per cent of the job cost relates to materials.

On this occasion the Government took the job away from private small business by putting in a tender of just over half the tender price. Although one would hope the authority is honest, I wonder whether there is a system whereby every purchase is charged against that job number; and also whether there is any profit and loss within the Building Management Authority and any check that it is adhering to the tender.

The difference on that occasion was some \$9 000 which itself might not be startling. It might well be able to be simply answered.

On 27 August I asked a question in relation to the Kalgoorlie College, stages 2 and 3, fixed furniture, in which I asked for the names of the persons or firm tendering. The answer I got to that question indicated that because a formal acceptance of the tender has been reviewed, the Minister for Works would write to me.

On this occasion two tenderers tendered for the job. One of those tenderers was the Building Management Authority which lodged

a tender of the order of \$150 000 and the other tender was for approximately \$122 000. The tenders were recalled because there were insufficient tenders. This information was available to the trade, although it was not provided to me in answer to my question. I am told any person is able to obtain that information.

I am told the information which is readily available in the trade from the BMA but which was not provided to me is that of the subsequent tenders recalled, the second closest was \$123 000. Another four to five tenders varied between \$123 000 and \$140 000 and the BMA, which originally tendered \$150 000 for the job, tendered \$100 000. Surprise, surprise; when a tenderer was able to cut down his tender by one third it was subsequently awarded the tender.

If the practice is to provide work for day labour I would assume that there is no necessity for a Government to call tenders. The job could have been given to the BMA in any case. However, in a case where tenders are called, I would suspect that each of the small businesses which spent the time preparing typewritten tenders, and spending money, particularly on the Kalgoorlie job which was over \$100 000, there must be fairness not only in regard to the appointment of the successful tenderer but also that the tenderer, if it is a Government instrumentality, charges a fair price.

I ask who can justify whether the Building Management Authority had actually quoted a fair tender, and can it, having tendered \$150 000 and knowing the order of the tenders decide, "We want the job regardless. We will put in a tender for \$100 000. No-one is likely to go lower than that", knowing very well that there will be no reckoning day? No-one can check and say whether the job costs \$100 000 or \$200 000.

For instance, in terms of the tenders, if a Government authority wants to make up a tender, does it quote the transport costs or was the transport component covered by vehicles that are used by the BMA and covered under those terms, and, in legal terms, is this tender a case of the Government dealing against the Government? It is a practice which I suggest leaves a lot to be desired because a lot of small businesses wonder what they are doing in tendering against a Government department which will get the job in any case and that they stand no chance if the Government is prepared to do the job at a loss and have the taxpayers foot the bill. It may well be that the taxpayer does not pay the bill and that the BMA can do

the job more cheaply, but I suggest that the way it is done leaves a lot to be desired and leaves a lot of people's questions unanswered.

Small businesses are concerned. They are spending a lot of their personal money putting in quotes and wondering whether they are really providing the BMA with a bit of pricing information at great expense. I would like the Government to give some assurance to small businesses that things are aboveboard because, firstly, not only does the system smell, but also it smells to me because of the lack of an answer to the question I asked in this House. That information is readily available to almost any supplier who decides to come down to the BMA and ask for it. The information that was given to me in this House was that the Minister would write to me. If the fact is that the successful tender was not available, it would have been quite possible to provide me with the information about all the other tenders, but that information is not provided. That act in itself smells of some collusion; it smells as though somebody is not doing his job correctly and that perhaps the BMA has something to hide. The BMA should come clean and should give some undertakings to small businessmen that it is acting in accordance with laid down principles.

I have some reason to be concerned because on a previous occasion when seeking information in connection with a tender for aerial photographs for the Lands and Surveys Department when compared with quotes provided by private enterprise this was cheaper. When the tender was put under the magnifying glass, it was realised that labour costs and the cost of the plane at the airport had been forgotten. I suggest that occasionally some people who compare Government costs with private enterprise costs forget to include all those things that go towards the total cost.

I ask the Government whether it has a complete accounting system in terms of the charges against each job in a fair and systematic way when they are going to tender against small businesses in this State because it is too costly for small businesses to keep going as they are currently.

Premier: Misleading Parliament

HON. G. E. MASTERS (West—Leader of the Opposition) [5.27 p.m.]: I make no apology for rising at this time on a matter which I think is probably of the greatest importance of any matter or issue that I have raised or have seen raised in Parliament. At question time today I

asked the Attorney General who signed the Executive Council minute that permitted the release of Ronald Joseph Dodd. After a little twisting and turning eventually the Attorney General came back into the House and said he had checked on the document and had found that the Premier himself had signed it—an Executive Council minute. I want to draw the attention of the House to a question asked in the Assembly on Tuesday, 27 August 1985. The question was directed to the Premier by Mr Hassell. Mr Hassell asked—

Is he aware that the convicted killer, Ronald Joseph Dodd, is to be released on parole with the approval of the Attorney General on 6 September after serving only eight years of a life sentence for wilful murder?

Part of the answer given by Mr Burke was as follows—

To the best of my knowledge I have not been acquainted with this matter and I am not aware of it.

Bear in mind that the Premier of this State has said he had no knowledge and was not aware of the matter of the release of Dodd. We can only say that the Premier must have attempted to deliberately mislead Parliament. There can be no other reason for it. It was an attempt, if you like, to cover up, an attempt to hide the fact that a certain person was being released from gaol and the Government did not want any publicity over it. Under the Westminster system the only penalty for that sort of statement is for the Premier to resign. There is no other course. This is not the first time that this sort of statement has been made by the Premier in an attempt to mislead the House. We saw it before, but this is much more serious.

Hon. G. C. MacKinnon: Shades of Profumo!

Hon. G. E. MASTERS: It is obvious the House has attempted to make some sort of security arrangements. It is obvious that the Government wishes to hide this matter from the date when the Premier of the day, in his own words, states, "To the best of my knowledge I have not been acquainted with this matter and I am not aware of it". A Minister of the Crown must have seen an Executive Council minute. Most other people at some time or another have seen one. I have a copy here which I am quite happy to make available to every member of this House, and I will seek to table it. An Executive Council minute starts off with the words, "The Council respectfully ad-

vises." It is addressed in this case to the Lieutenant-Governor. It is a document which sets out certain matters. It has been signed by the responsible Minister. Mr MacKinnon knows that very well.

In this case the document, in the Attorney General's own words, was signed by the Premier so, a Minister of the day, the Attorney General, signed the document for the release of Dodd and the Premier countersigned that document.

Hon. P. G. Pental: He denied it.

Hon. G. E. MASTERS: The Premier said that he was not acquainted with it or aware of it. It is inconceivable that the Premier of the day could have signed a document of that importance and not known what was in it. No-one in his right mind could sign a document like that without reading it first. The Premier signed that document for the release of Dodd. He denied that he was aware of it in the Legislative Assembly.

Hon. P. G. Pental: He knew all right.

Hon. G. E. MASTERS: The kindest thing one could say was that it was gross incompetence and a sheer slovenly act. I suggest that is not like the Premier and he most certainly would have been fully aware of the document he was signing.

Hon. J. M. Berinson: Mr Masters—

Hon. G. E. MASTERS: The Attorney General can stand up and make a speech if he likes. In the Attorney General's own words, the Premier of the day and the Attorney General both signed a document stating that Dodd would be released. That is the point I am making. The Premier, in the Legislative Assembly, in answer to a question, said that he had no knowledge of the matter and was not aware of it. There is no doubt the Premier has deliberately attempted to mislead Parliament.

Hon. Garry Kelly: Again?

Hon. G. E. MASTERS: That is a fair comment from a Government member. I do not think this is a laughing matter and Government members are laughing. When the Premier of the day signs an Executive Council minute and then denies any knowledge of it, he has but one alternative and that is to resign. He could never hold his head up again and his word could never be taken seriously. We will have to check any answer that he gives to a question in the future. We certainly cannot trust him one inch.

Hon. J. M. Berinson: Would you answer a question?

Hon. G. E. MASTERS: No-one in his right mind, least of all the Attorney General, would believe a statement from the Premier or anybody else saying that, having signed a document like this only a short time ago, he had no recollection of it.

Hon. J. M. Berinson: How many documents do you think he has signed since then?

Hon. G. E. MASTERS: I cannot believe what I have just heard from the Attorney General. The Attorney just asked me how he could read everything he signs.

Hon. J. M. Berinson: I did not say that. Do not misrepresent me.

The PRESIDENT: Order! I ask honorable members to come to order. Everybody gets an equal opportunity to speak, but they must speak one at a time.

Hon. G. E. MASTERS: The Attorney General said that the Premier signs hundreds of documents. He is therefore saying that he cannot read all of them. What else could I have assumed from what he said? He is a signatory to the document. He has been caught out and the Premier has misled the Parliament.

Hon. J. M. Berinson: Rubbish!

Hon. G. E. MASTERS: The Attorney General says, "Rubbish!" Only a short time ago, the Attorney General told this House that the Premier had signed an Executive Council document which recommended the release of Dodd from prison. That is what he said. Yet the Premier, on Tuesday, denied any knowledge of the matter. That is all I am saying. There is no alternative for the Premier. If this Premier is ever to be believed again, I suggest it will not be in this Parliament.

Parliamentary Privilege: Abuse

HON. D. K. DANS (South Metropolitan—Leader of the House) [5.35 p.m.]: There have been three speakers on the adjournment tonight. Let me deal firstly with Mr Knight. One thing that is starting to disturb me in this House is the abuse of privilege. Members of Parliament are quite capable of defending themselves in this place. However, over the last couple of days there have been unprovoked attacks on people outside of the Parliament who have no opportunity to defend themselves. Tonight Mr Knight, as he did last night, made a number of assertions without giving any background information. I have no way of knowing whether Mr Knight is telling the truth. I have no way of knowing whether Mr Knight had the dozens of telephone calls he said he had.

Hon. N. F. Moore. He did not say dozens.

Community Services: Fine Payments

Hon. D. K. DANKS: If Mr Knight wants these matters checked he will give me the information in writing—

Hon. Tom Knight: It will be in *Hansard*.

Hon. D. K. DANKS: I do not want it from *Hansard*. If he cannot give it to me in writing he should contact the people who gave him the information, and when we return next week or after the recess I will give him the answers he requires. If he expects the Government to reply on very shallow assertions that have racist overtones—

Hon. G. E. Masters: You can check it out in five minutes if you want.

Hon. D. K. DANKS: He dealt with Aborigines in both speeches. How many people in this Chamber know of sons and daughters being charged with similar offences and their parents paying for their fines? That blows his argument out of the water.

Hon. Tom Knight: Parents are a lot different.

Hon. D. K. DANKS: Parents are no different. Mr Knight is saying that unless the person charged paid the fine, justice would not be done. That will appear in *Hansard*.

Government Supplies: Tenders

I now deal with the second speaker and what I have said to Mr Knight applies equally to Mr Wells. He made a number of assertions against the Building Management Authority. I challenge him to put those allegations in writing to me in some cogent manner. Only then will I answer him. It is easy to come into this place and castigate groups and people in general statements. It is done for one reason and that is to gain some political advantage.

Premier: Misleading Parliament

I deal now with the Leader of the Opposition.

Hon. P. G. Pendal: Here is a hanky.

THE PRESIDENT: Order! I ask honourable members to come to order and to cease this rowdy behaviour. I ask the Leader of the House to ignore the interjections and to direct his comments to the Chair.

Hon. D. K. DANKS: The Leader of the Opposition reminds me of a blowfish who puffs bigger and bigger as he gets more upset and who loses all sense of form or shape. In the first instance—any fair-thinking or fair-minded per-

son would agree with me—he accused the Attorney General of twisting, turning, and running away to get some kind of answer after he thought the matter through. That is untrue. On any given occasion, the Attorney General, both in Opposition and in Government, has been most consistent in his answers and has made sure that he has been correct. If anyone does not agree with me let him say so.

Hon. A. A. Lewis: We can't now.

Hon. D. K. DANKS: The member will have his opportunity. I do not think this was a nice thing for the Leader of the Opposition to do. He knows what I say is true and it is a matter of his sincerity.

Hon. G. C. Masters: What about the Premier's sincerity?

Hon. D. K. DANKS: I am coming to that. The Leader of the Opposition should dry his mouth out. Out of the Leader of the Opposition's mouth the Premier said, in answer to the question, "To the best of his knowledge."

Hon. G. E. Masters: To the best of his knowledge—and there was a document signed! What a lot of rot.

Hon. D. K. DANKS: What is the translation of that statement? I ask Hon. Gordon Masters to tell me in plain English.

Unlike Mr Masters I have had the experience of being the Acting Premier for two to three weeks on a couple of occasions. I can assure him that if I had been asked the following week whether I had signed a particular document I also would have been very cautious in my answer.

Hon. G. E. Masters: Even concerning the release of a murderer!

Hon. D. K. DANKS: In a situation like this one would always add, "To the best of my knowledge."

If the performance here tonight by the man who purports to be the Leader of the Opposition in this place, and the performance of the Leader of the Opposition in another place, is all the Liberal Party has to offer then I repeat my prediction that not only will we win the next election, but we will also win it with a further majority of three in the Assembly.

Question put and passed.

House adjourned at 5.41 p.m.

QUESTIONS ON NOTICE

18, 30, 41, and 48. *Postponed.*

TRANSPORT: WESTRAIL

Advertising Campaign: Cost

49. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister for Transport:

- (1) What is the expected cost of the advertising campaign currently being run by Westrail to provide the so-called "new Westrail"?
- (2) When is it expected that this campaign will conclude?

Hon. PETER DOWDING replied:

- (1) \$200 000 including production costs, research, and agency fees.
- (2) The main thrust of the campaign will occur during August to October or November. After analysis of its impact, there may be a further run of the advertisements in the New Year.

54, 58, 60, and 61. *Postponed.*

STOCK

Tuberculosis: Eradication

62. Hon. D. J. WORDSWORTH, to the Leader of the House representing the Minister for Agriculture:

- (1) Is the total eradication of bovine tuberculosis from Western Australia on target as planned?
- (2) Have there been changes in financing and underwriting the cost of this programme since 1980?
- (3) Can WA beef producers still expect this State to be completely free before the USA completes its programme?

Hon. D. K. DANS replied:

- (1) Yes.
- (2) Additional financial assistance was provided in the form of a subsidy for owners' extra expenses incurred for herd testing, for low interest long-term loans for capital improvements, and a freight rebate where cattle have to be purchased and transported for restocking.

- (3) It is unlikely that this State or other northern Australian States will be free of bovine tuberculosis before the USA.

WATER RESOURCES

Denmark: Source

63. Hon. D. J. WORDSWORTH, to the Leader of the House representing the Minister for Water Resources:

- (1) Is the Denmark water supply coming from the usual sources or is the water now being taken from Scotsdale Brook because of high salinity in the Denmark River?
- (2) What is the salinity in the Denmark dam, and is the salinity uniform at all levels within the dam?
- (3) How long is the high salinity expected to continue and is the alternative source of Scotsdale Brook considered satisfactory for continued supply?
- (4) Has the proposal for a scour in the Denmark dam been cancelled? If not, when is it to be installed?

Hon. D. K. DANS replied:

- (1) Denmark is currently being supplied from Scotsdale Brook.
- (2) The average salinity is less than 600 milligrams per litre total soluble salts and varies depending on the depth of water. The salinity at the offtake is 576 milligrams per litre.
- (3) The salinity is no longer high and action is in hand to supply the town from Denmark Dam. The Scotsdale Brook source is only capable of supplying requirements from about May to October.
- (4) Yes.

CHEMICALS

Disposal Plant: Eastern Goldfields

65. Hon. N. F. MOORE, to the Attorney General representing the Minister for Industrial Development:

- (1) Has the Government made a decision on the siting and construction of a hazardous chemical waste disposal plant in the Eastern Goldfields?
- (2) If so, what is this decision?

Hon. J. M. BERINSON replied:

- (1) and (2) The member may have noticed in the Press last week an advertisement placed by the Government of Western Australia seeking expressions of interest from consultants with appropriate experience for the preparation of a discussion paper on a proposal to establish a national hazardous industry waste management facility in Australia.

When the study has been received it will be released as a public discussion document providing all the data necessary for informed discussion in this important matter.

The State Government has a firm commitment to continue the consultative process with all interested parties.

Before any decision can be taken to proceed with such a facility, the Government and the community would need to be convinced that the project was environmentally safe and economically viable, and that substantial benefits would flow to both the Eastern Goldfields and the State.

66 to 68, and 70. *Postponed.*

EDUCATION: HIGH SCHOOL

Donnybrook District: Primary Annexe

71. Hon. A. A. LEWIS, to the Minister for Employment and Training representing the Minister for Education:

Have any plans been made to extend the primary annexe at Donnybrook District High School?

Hon. PETER DOWDING replied:

No.

72 to 75. *Postponed.*

TRANSPORT

Metropolitan Transport Trust: Survey

76. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister for Transport:

- (1) Will the Minister table the surveys referred to by the Chairman of the MTT in a Press article which appeared in

The West Australian on 15 August, 1985, under the heading, "Support for MTT after \$70m loss".

- (2) If not, why not?

Hon. PETER DOWDING replied:

- (1) and (2) The figures referred to were the preliminary results of a survey report which is not yet complete. When the report is available, I shall be happy to send the member a copy. I would expect this to be towards the end of September.

TRANSPORT

Metropolitan Transport Trust: Members

77. Hon. N. F. MOORE, to the Minister for Employment and Training representing the Minister for Transport:

Who are the members of the MTT Board and who do they represent?

Hon. PETER DOWDING replied:

Mr Stuart Hicks (Chairman)
Mr L. G. S. Hyland
Mr J. S. Yull
Mr W. I. McCullough (Commissioner of Railways)
Mrs M. C. Nicol
Mr N. J. Xavier
Mr T. H. Evers

Mr Xavier is the nominee of the Trades and Labor Council of WA.

Mrs Nicol is a user member.

Mr McCullough is a member *ex officio*. All other members are appointed in their own right, and not as formal representatives.

78. *Postponed.*

HORTICULTURE: PECAN NUTS

Ord River

79. Hon. N. F. MOORE, to the Leader of the House representing the Minister for Agriculture:

- (1) Have any feasibility studies been carried out on the possibility of growing pecan nuts in the Ord River area?

- (2) If so, what have been the results?

Hon. D. K. DANS replied:

- (1) and (2) Pecan trees have a chilling requirement—750 hours below 8°C—which is not satisfied in the Ord River area.

CRIME

Violence: Jigalong Community

80. Hon. G. E. MASTERS, to the Attorney General:

How many crimes of violence have been reported and dealt with at the Jigalong Mission in the last five years?

Hon. J. M. BERINSON replied:

This information is not kept by the Crown Law Department.

81 to 83. *Postponed.*

STATE EMERGENCY SERVICE

Bush Fires Board

84. Hon. A. A. LEWIS, to the Attorney General representing the Minister for Police and Emergency Services:

It is the intention of the Government to place the Bush Fires Board under the control of State Emergency Services?

Hon. J. M. BERINSON replied:

No.

EDUCATION: HIGH SCHOOL

Bridgetown: Administration Area

85. Hon. A. A. LEWIS, to the Minister for Employment and Training representing the Minister for Education:

When is it proposed to upgrade the administration area and build a resource centre at Bridgetown High School?

Hon. PETER DOWDING replied:

The work is listed for attention from a future capital works programme, but no firm indication of an actual starting date can be given at present.

QUESTIONS WITHOUT NOTICE

PRISONER: RONALD JOSEPH DODD

Daily Release

54. Hon. G. E. MASTERS, to the Attorney General:

Is it correct that Ronald Joseph Dodd is already on daily release from prison? If so, where does he go to undertake his release, and what supervision is there of his activities?

Hon. J. M. BERINSON replied:

Mr Dodd, as I understand it, is not on daily release.

PRISONER: RONALD JOSEPH DODD

Daily Release

55. Hon. G. E. MASTERS, to the Attorney General:

Has Mr Dodd ever been on daily work release? I understood that the Minister answered my previous question that he is not now on daily release. Has he ever been on release?

Hon. J. M. BERINSON replied:

Mr Dodd has never been on daily release, to the best of my knowledge. Since being held in minimum security he has participated in some section 94 programmes, but that is a different matter.

PRISONER: RONALD JOSEPH DODD

Cabinet Discussion

56. Hon. G. E. MASTERS, to the Attorney General:

(1) Was the release or the proposed release of Ronald Dodd discussed in Cabinet?

(2) If not, was the release of Dodd the subject of a decision by Executive Council?

Hon. J. M. BERINSON replied:

(1) No.

(2) Yes.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

57. Hon. G. E. MASTERS, to the Attorney General:

If the release of Dodd was the subject of a decision by the Executive Council, is it true that the decision would

have been made as a result of an Executive Council minute which would have had to have been signed by the Premier?

Hon. J. M. BERINSON replied:

All Executive Council decisions are taken on the basis of an Executive Council minute. As to whether it was countersigned by the Premier, I would have to check to ensure that the Premier was in the State at that time.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

58. Hon. G. E. MASTERS, to the Attorney General:

If the minute was not signed by the Premier, who would be authorised to sign that document?

Hon. J. M. Berinson: I am sorry. Would you repeat the question?

Hon. G. E. MASTERS: In answer to a question without notice the Attorney General said that if the Premier had been in the State he would have signed that Executive Council minute. My question to the Attorney was, who would have signed that Executive Council minute had the Premier not done so?

Hon. Fred McKenzie: How would he know? Put it on notice.

Hon. J. M. BERINSON replied:

To my knowledge an Executive Council minute not signed by the Premier requires the signature of the Acting Premier.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

59. Hon. G. E. MASTERS, to the Attorney General:

If the Premier did sign that Executive Council minute—and I have no doubt a check will be made—how can the Premier explain the following statement made in the House on Tuesday, 27 August 1985, and I quote—

Point of Order

Hon. J. M. BERINSON: It is obvious already that this question is not directed to me.

The PRESIDENT: A question cannot be directed to the Minister in a capacity other than as the holder of those portfolios he holds in his own right. Thus the question obviously cannot be asked.

Questions Without Notice Resumed

LIQUOR: HOTELS

Licences: Premium

60. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

It is true that every hotel licence issued under the Liquor Act has been the subject of a premium on the licence? If so, why has that premium been waived in the case of the Burswood Casino Hotel?

Hon. D. K. DANS replied:

Parliament decided that that would be the way the licence would be issued.

LIQUOR: HOTELS

Licences: Premium

61. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

I direct a supplementary question to the Minister. I thank him for that information. I was aware of it. How can the Minister justify having the Merlin Hotel pay to the Licensing Court a premium of \$181 000 on the liquor and cabaret licence while the Burswood Casino Hotel will not pay one cent?

Hon. D. K. DANS replied:

I do not have to justify premiums. They are imposed by the court and the court is an independent body. Mr Pendal well knows that the Burswood Property Trust or the Burswood casino company paid \$30 million for the land, and in respect of the casino it paid \$400 000 for a licence. It also undertook to provide \$15 million for the development of Burswood Island Park.

LIQUOR: HOTELS

Licences: Premium

62. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

I direct a supplementary question to the Minister. Is it true that the Orchard Hotel paid a total of \$60 500 in premiums for its licences? In view of the financial difficulties of the Orchard Hotel, will the Minister agree to or at least consider a refund of that \$60 500 to the Orchard Hotel so that it is treated as an equal with the Burswood Casino Hotel?

Hon. D. K. DANS replied:

A decision like that is outside my control. Mr Pendal well knows that that is the prerogative of the court.

LIQUOR: LICENCE

Lake King Country Club

63. Hon. D. J. WORDSWORTH, to the Minister for Racing and Gaming:

Is the Minister aware that the Licensing Court is asking the Lake King Country Club for \$20 000 for a licence and yet not so long ago we forbade it to get a licence because it was too small?

Hon. D. K. DANS replied:

I repeat that the question of whether a premium is imposed is the prerogative of the Licensing Court. What formula it uses again is the prerogative of that court. I have been told by members that a premium of \$20 000 has been imposed on Lake King Country Club, but again, that is up to the court.

LIQUOR: HOTELS

Licences: Premium

64. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

Is it true that under the Liquor Act the Licensing Court has discretionary powers in the matter of waiving the premiums to do with liquor licences?

Hon. D. K. DANS replied:

Yes.

CASINO (BURSWOOD ISLAND)
AGREEMENT ACT*Liquor Licence Premium*

65. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

I direct a supplementary question to the Minister. If it is true that it is a matter for the court to decide, why is it that the Government decided to include the waiver in the Burswood Island Casino legislation passed in this Parliament recently?

Hon. D. K. DANS replied:

The legislation referred to was the Casino (Burswood Island) Agreement Bill and was fully debated and agreed to by the Parliament. If the honourable member goes through the agreement, he will notice that there were a number of other exclusions. He had ample opportunity to raise these matters on that occasion. The legislation passed through this Parliament.

MINISTER FOR RACING AND GAMING

Misleading House

66. Hon. P. G. PENDAL, to the Minister for Racing and Gaming:

I direct a supplementary question to the Minister. It follows on from what he has just told the House. Why is it that in the Minister's second reading speech on this matter, he deliberately made no mention of the fact that the fees in this case would be waived? Is that therefore not a case of the Minister's having wilfully misled the House on that occasion?

Hon. D. K. DANS replied:

The member well knows that the second reading speech is my prerogative. The reading of the Bill is the responsibility of the members of this House.

CASINO (BURSWOOD ISLAND)
AGREEMENT ACT*Liquor Licence Premium*

67. Hon. P. G. PENDAL, to the Leader of the House:

Is it a fact that the Bill, the number of lines of which ran to 1 840, had just three lines on matters related to the waiver? Why the cover-up?

Hon. D. K. DANS replied:

The question of whether the premium would have been \$100 000 or \$1 is mere speculation. I do not intend to comment on that. The Bill was before the House, and it was the responsibility of every member, including Mr Pental, to read it. If he did not, that is his own fault. I do not intend to answer any more questions with respect to premiums.

Hon. P. G. PENTAL: You have covered up on every issue on this matter since you brought it to Parliament.

A member: You are looking after your mother.

Hon. D. K. DANS: You are looking after your brother. Your brother was a member of one of the, unsuccessful syndicates.

Hon. Peter Dowding: Declare your interest.

Hon. D. K. DANS: Declare your interest.

The PRESIDENT: Order! Order! The Leader of the House and Hon. P. G. Pental will come to order. When I rise and call for order it is an absolute insult to the Chair for members to persist with outbursts of the sort the two honourable members have just carried on with. We have a question without notice period in this House of Parliament for the purpose of making inquiries and to have those inquiries answered. It is not the role of those answering the questions necessarily to give answers that make everyone happy. If honourable members want to continue with questions without notice they will conduct themselves in the proper manner, otherwise there will be no further questions without notice.

Withdrawal of Remarks

Hon. P. G. PENTAL: I ask for the withdrawal of the remarks from the front bench, both by Mr Dowding and Mr Dans, that were made subsequent to your making your comments, Mr President. The remarks indicated that I had a vested interest in this matter.

The PRESIDENT: Because of the quite outrageous behaviour of the members involved in that altercation I was not able to hear whether comments were made such as those Hon. P. G. Pental suggests were made. If those remarks

were made they are obviously unparliamentary and out of order and the member is entitled to seek their withdrawal. There are two ways I can go about this: The long way or the short way. The long way is for me to ask the *Hansard* reporter to go away and bring me back the transcript of the interjections. The short way is for me to ask the honourable members accused of making those remarks to withdraw them if they did make them.

Hon. D. K. DANS: I withdraw any unparliamentary language unequivocally. I would now like Hon. Phil Pental to withdraw the remarks that there was a cover up. How could there have been a cover up when the Bill was put through the Parliament in accordance with the procedures of the Parliament of WA?

The PRESIDENT: It disturbs me to see members of Parliament who normally do not act the way they are acting today—I hope everyone understands that it is quite abnormal behaviour today—persisting in requiring me to make rulings on these particular charges. If an honourable member takes exception to a comment made and asks for it to be withdrawn, it has been my practice to request the honourable member involved to withdraw it. I do not intend this afternoon to deviate from that practice and therefore I ask Hon. Phillip Pental, if he did reflect on the Minister in the way the Minister has suggested—frankly I do not know whether he did or not—to withdraw those words.

Hon. P. G. PENTAL: Mr President, I ask your guidance on the matter. My point of order to you was for a withdrawal by the two Ministers on the front bench who used the words to the effect—one Minister echoing another—that the reason for my interest in this Bill was that I had a vested interest in it. Mr Dans withdrew. The other Minister has not been asked to withdraw.

The PRESIDENT: Order! We are considering the point of order now where I have asked you to withdraw the allegation you made about the Leader of the House.

Hon. P. G. PENDAL: I withdraw that.

The PRESIDENT: If Hon. Peter Dowding made the same remark as the Leader of the House, I put the same question to him and ask him to withdraw.

Hon. PETER DOWDING: I did not hear the Leader of the House clearly and I seek your guidance. The words I used were, "You should declare an interest."

The PRESIDENT: That is quite different and those words are obviously not unparliamentary. If they are the words the Minister used, obviously he has nothing to withdraw. I point out to the Minister that I will get a transcript from *Hansard* to ensure that that is what he said. In the meantime I have no desire or authority to ask him to withdraw those words.

Hon. FRED McKENZIE: During that heated exchange I heard Hon. Phillip Pendal say to the Leader of the House, "You are looking after your mates." I would like to have that withdrawn.

The PRESIDENT: With respect, that is not unparliamentary. Such words are quite normal. I think we are getting to the ridiculous stage indeed where too many members in this place are becoming too thin skinned about what actually is said in this place. Let us resume where we were with questions without notice.

Questions Without Notice Resumed

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

68. Hon. G. E. MASTERS, to the Attorney General:

Will he table a copy of the Executive Council minute authorising the release of Ronald Joseph Dodd; and if not, why not?

Hon. J. M. BERINSON replied:

I do not propose to table that document, and the reason is that that is not the usual course with such documents.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

69. Hon. G. E. MASTERS, to the Attorney General:

If the Attorney General refuses to table that document, would the Attorney General examine the document and ascertain who in fact did sign the document if the Premier did not, and report to this House accordingly?

Hon. J. M. BERINSON replied:

I am happy to put myself in the position of answering questions on this at some later time.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

70. Hon. G. E. MASTERS, to the Attorney General:

Does the Attorney General mean to say by that answer that he refuses to answer now but he will on another day?

Hon. J. M. BERINSON replied:

Of course that is not what I said. I was asked in the first place whether I would check on the detail of the Executive Council minute I said I would.

Hon. G. E. Masters: And will you report back to the House?

Hon. J. M. BERINSON: I said I would check on that and thereby put myself in the position to answer further questions on another occasion.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

71. Hon. G. E. MASTERS, to the Attorney General:

With due respect, again I ask whether the Attorney General is prepared to examine the document and report back without further question to the House?

Hon. J. M. BERINSON replied:

I am prepared to examine the Executive Council minute, and I would be prepared, following that, to answer further questions.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

72. Hon. G. E. MASTERS, to the Attorney General:

Would the Attorney General consider himself to be in a position, say next Tuesday, at the next sitting of this House, to answer a question similar to the one I have just asked? In other words, is the weekend sufficient time for him to peruse the document?

Hon. J. M. BERINSON replied:

Of course.

PRISONER: RONALD JOSEPH DODD

Further Charges

73. Hon. G. E. MASTERS, to the Attorney General:

Has Ronald Dodd been on any charges while in prison, and if so, what have been the nature of those charges?

Hon. J. M. BERINSON replied:

I have to ask that that question be placed on notice. I do not carry that sort of detail in my head.

PRISONER: RONALD JOSEPH DODD

Jigalong Community

74. Hon. G. E. MASTERS, to the Attorney General:

Is the Attorney General aware that most members of the Jigalong community were unaware of the arrangements to permit Dodd to live with the community until the recent publicity that brought the matter to their attention?

Hon. J. M. BERINSON replied:

My advice is to the contrary, and I have written confirmation from its leaders of Mr Dodd's acceptability to the community.

COMMUNITY JUSTICE CENTRES

Departmental Committee

75. Hon. P. H. WELLS, to the Attorney General:

Further to my question concerning mediation centres which was answered yesterday by the Attorney

General, has he set up the departmental committee to examine the matter, or is he proposing to set up any type of committee, or is he making the inquiries that he referred to?

Hon. J. M. BERINSON replied:

No committee has been set up, but I have already received some preliminary departmental advice and I will be taking that further.

HEALTH: NOISE-INDUCED HEARING LOSS

Departmental Responsibility

76. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Could the Minister explain to the House, in reference to my question No. 53 of 27 August, why it was expedient or appropriate to shift the responsibility for employee deafness from the Health Department into the field of industrial relations?

Hon. PETER DOWDING replied:

It was not. It was shifted into the area of occupational health, safety and welfare.

HEALTH: NOISE-INDUCED HEARING LOSS

Departmental Responsibility

77. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Further to my previous question, the information directed to me was that all questions on that matter were to be directed to the Minister for Industrial Relations. In the Minister's capacity in representing occupational health, safety and welfare, could he indicate why it was expedient or appropriate to move the deafness and hearing well-being of all employees into the care of the Minister for Industrial Relations rather than the Minister for Health?

Hon. PETER DOWDING replied:

Because the Occupational Health, Safety and Welfare Commission and its department are under the responsibility of the Minister for Industrial Relations.

GAMBLING: CASINO

Dispute: Plumbers

78. Hon. N. F. MOORE, to the Minister for Industrial Relations:

Is the Minister aware of an industrial dispute involving plumbers at the Burswood Island casino construction site; and if so, is the dispute still on, and what is or was the nature of the dispute, and the reason for it?

Hon. PETER DOWDING replied:

No.

HEALTH: AUDIOMETRIC TESTING

Local Authorities

79. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Further to the Minister's answer on noise abatement, saying that the onus has been shifted, will the Minister consider allowing shire health surveyors to take noise surveys and audiometric tests after a suitable period of training? I ask this question in order to help shires in distant areas overcome the considerable costs they are forced to incur when complying with the regulations. In many cases, such as the area represented by the Minister, such regulations are quite inappropriate—I am of course referring to the area that the Minister represents now.

Hon. PETER DOWDING replied:

I have indicated that the Government is desirous of ensuring that people in remote and outlying areas local authorities, and other employers will have a breathing space in terms of compliance with the requirements of audiometric testing. I have made that public for a period of time and have notified a number of authorities that that is the position. It is still my position and I am, as is the whole Government, very conscious of and sympathetic to the needs of country local authorities and business people in remote areas.

HEALTH: NOISE-INDUCED HEARING LOSS

Regulations: Withdrawal

80. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Further to my previous question, has the Minister received requests from local government authorities and country small businesses to withdraw the more onerous and odious parts of these regulations?

Hon. PETER DOWDING replied:

I do not know what Hon. W. N. Stretch would call onerous and odious. I have received correspondence on a number of aspects of the regulations, and I think it is fair to say that the department and I, and the commission, have been most sympathetic to any people who have had problems in complying with them. That will continue to be our position.

HEALTH: NOISE-INDUCED HEARING LOSS

Regulations: Withdrawal

81. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Is the Minister going to withdraw or further amend these regulations in the near future?

Hon. PETER DOWDING replied:

They are not going to be withdrawn. The question of amendment is an ongoing situation. I am not aware of any immediate plans to amend the regulations, but the commission and the department keep them under constant review.

HEALTH: NOISE-INDUCED HEARING LOSS

Local Authorities: Plant

82. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

In answer to question No. 52 on 28 August, the Minister said that there was already a method under the regulations whereby a register was made on noise levels of common items of plant in local government. I accept that there is a provision for this. What I asked was, is the Minister consider-

ing setting up a register of these things so that a local authority, on purchasing a new item of heavy plant, can look it up in the book and say, "Its noise level is such-and-such and provisions need to be made for that." Is the Minister actually going to set up this register, rather than just tell me there is a provision in the regulations to do so?

Hon. PETER DOWDING replied:

That is a matter on which I have made no clear decision, but if the honourable member has a point of view, he might like to write to me and I will give it some thought.

HEALTH: NOISE ABATEMENT ACT

Local Authorities

83. Hon. A. A. LEWIS, to the Minister for Industrial Relations:

I preface this question by saying that it is along the same lines as those asked by Hon. W. N. Stretch. The Minister has already indicated that he has had some correspondence about noise abatement. I ask the Minister, would he undertake to soften the approach of his department to businesses and shires in relation to the regulations under the Noise Abatement Act? If not, will he take action under his consumer affairs hat to investigate people who are trying to rip off country businesses and shires in regard to the hearing tests and noise level tests? I would say that I am not asking for anything other than a softer approach and a look by his department at going out and doing a bit of a PR job, which is not obvious now to country businesses and shires.

Hon. PETER DOWDING replied:

The first comment I would make is that the assertion that my departmental actions are not perceived as compliant or as of assistance to country businesses is not a perception that stands up to scrutiny. In fact, the department has been most anxious to ensure that people affected by the audiometric testing regulations have the opportunity to comply with them and do not suffer too much in that compliance. As far as I am aware, that

is the position taken by the various departmental officers. If the member has some evidence to the contrary I would expect it not in the form of an assertion but in more detail which he would be prepared to write to me about.

Hon. G. E. Masters: There is quite a deal of concern.

Hon. PETER DOWDING: There is a lot of concern, and there is very significant activity at present to allay that concern.

Hon. G. E. Masters: It is a bit heavy-handed.

Hon. PETER DOWDING: I do not accept interjections from Hon. Gordon Masters which are assertions. If members have evidence which concerns them about the introduction of these regulations they are at liberty to bring it to my attention.

Hon. G. E. Masters: We will do that next week.

Hon. PETER DOWDING: I would assume members would do that in the ordinary course of events.

Let me make it clear that both the department and I recognise that with a new set of regulations like these we must ameliorate problems as they arise. When they have been brought to our attention it has been my wish, and it is my view of the department's actions to date, that that has been done properly, consistent with the interests of the safety of the people concerned.

HEALTH: AUDIOMETRIC TESTING

Local Authorities

84. Hon. A. A. LEWIS, to the Minister for Industrial Relations:

I ask the Minister to answer the second part of my question which asked him to don his consumer affairs hat and make some inquiries about people trying to rip off country businesses and shires in regard to hearing and noise tests.

Hon. PETER DOWDING replied:

Again, I am not aware of any such information having been brought to my attention. In those circumstances I have really nothing to add to my previous answer.

HEALTH: AUDIOMETRIC TESTING

Licences

85. Hon. A. A. LEWIS, to the Minister for Industrial Relations:

I ask a further question on this topic because the Minister obviously is being obtuse and is not trying to be helpful. It is not usual for me to bring questions to the Minister in this House unless some concern exists. I do not do it as a joke. A lot of concern has been expressed in connection with both parts of my last question. I ask the Minister to investigate whether there can be a softening of the departmental approach to this matter, and under his consumer affairs hat to have a look at whether some people are being ripped off by people who are licensed to do hearing and noise abatement tests.

Hon. PETER DOWDING replied:

I can only repeat that if the honourable member has a particular concern he will not be slow in coming forward.

Hon. A. A. Lewis: So you will do nothing?

Hon. PETER DOWDING: I have made it quite clear that the department and I have been very sympathetic to the problems experienced by some groups in the community in complying with the regulations for audiometric testing. I have already indicated that my actions and those of the department have been designed to ameliorate those problems. The member can make whatever statements he likes about whether one will investigate this, that, and the other thing; but if the member has something to be investigated he would presumably either ascertain the current situation under the audiometric testing regulations or stop belly-aching and do something for a change.

HEALTH: AUDIOMETRIC TESTING

Licences

86. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Can the Minister outline what qualifications are required before a person is appointed as an audiometric officer and as a noise abatement officer?

Hon. PETER DOWDING replied:

I ask that the question be put on notice.

HEALTH: AUDIOMETRIC TESTING

Local Authorities

87. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Would he consider, when answering my last question, why shire health surveyors are not being given responsibility to look after this supposedly important area in their own shires and areas surrounding them?

Hon. PETER DOWDING replied:

I suggest the member puts that question on notice as well.

HEALTH: NOISE

Motorcycles

88. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Is the Minister aware that most motorcycles and discos emit far higher noise levels than most earthmoving equipment? How does he justify loading these great expenses on to local government and country businesses while ignoring the far greater noise from discos and motorcycles?

The PRESIDENT: Order! That question is nearly a statement.

Hon. PETER DOWDING replied:

If members want to make some political capital out of the introduction of these regulations—

Several members interjected.

The PRESIDENT: Order!

Hon. PETER DOWDING: If members opposite want to go around winding up a sort of concern and fear campaign in the wider community I cannot stop them, but it seems to me incredible that on an issue which seems to be so important to people like Hon. Sandy Lewis they have done so little as to not inform themselves of the current state of play in this area. Some people might cop that sort of slackness, but it surprises me.

There is very real concern about the potential for noise-induced hearing loss in discotheques and among people working and participating in that aspect of the entertainment industry. It is a matter of concern that people should subject themselves to those very high noise levels without adequate protection. The matter is not being ignored; it is being examined at present to see how we can effectively deal with the problem.

Point of Order

Hon. A. A. LEWIS: I take exception to the words the Minister used about me, and I ask for the withdrawal of the words that I have done nothing in this area.

The PRESIDENT: Order! The member knows that that is not a point of order.

Hon. A. A. LEWIS: I seek leave to make a personal explanation.

The PRESIDENT: The area of manoeuvrability open to the honourable member is that if he alleges he has been misrepresented he can seek leave of the House to make a statement in that regard. If that is what the member wishes to do he should seek leave of the House.

MINISTER FOR INDUSTRIAL RELATIONS: MISREPRESENTATION

Personal Explanation

Hon. A. A. LEWIS—by leave: I take violent exception to the Minister—quite a new Minister at that—accusing me of not learning my subject. The Leader of the House knows extremely well that I was one of the people who chaired meetings on occupational health and safety while the present Minister for Industrial Relations was being kicked out of the Ministry for Minerals and Energy.

The PRESIDENT: Order! Honourable members have to understand that the rules of this place apply equally to each and every one of us and when one gets leave of the House to make a personal explanation he must make that explanation without bringing controversial comments into it. If members are permitted to bring controversy into a personal explanation, it is reasonable that someone else can seek

the opportunity to make some comment on that person's remarks and we will be here all afternoon trying to get through the questions without notice period. The procedure to make explanations is to indicate where a member has been misrepresented.

Hon. A. A. LEWIS: I take your guidance, Sir, and I would like to inform the Minister for Industrial Relations that over the period of some 25 to 30 years I have been working off and on in this area. I have, at the instigation of the Leader of the House, chaired meetings on the subject, I have dealt with unions on it, and I have dealt with employers on it. I would guess in regard to the total subject, that I would know as much, even more, than most members, even the Ministers, and I take exception to the Minister saying that I have no knowledge of and I have not studied the subject.

HEALTH: NOISE

Heavy Machinery

89. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Is the Minister aware that before most customers take delivery of heavy machinery they already have had an inspector inspect the machines to obtain a noise level reading on those machines? This applies particularly to machines going a long way from Perth.

Hon. PETER DOWDING replied:

I cannot say that I am.

HEALTH: NOISE LEVELS

Recording

90. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Does the Minister not agree that there should be a very simple and quick method to record these levels and make a register available?

President's Ruling

The PRESIDENT: Order! That is seeking an opinion; the question is out of order.

HEALTH: NOISE

Register

91. Hon. W. N. STRETCH, to the Minister for Industrial Relations:

Will the Minister consider it as a matter of urgency that he compiles this register and gives consideration, having studied it, to allowing shire councils needing to overcome the noise with such machines to be taken off that list?

Hon. PETER DOWDING replied:

Perhaps the question would be clearer if it was put on notice. I do not understand it.

PRISONER: RONALD JOSEPH DODD

Executive Council Minute

92. Hon. J. M. BERINSON (Attorney General):

Mr President, having come to the end of question time, I ask your indulgence to elaborate on an earlier answer which I provided.

Hon. Gordon Masters was anxious earlier in the day to learn who had countersigned the Executive Council minute relevant to Dodd's release on parole. During the last few minutes I have taken the opportunity to check that detail with my office and I am advised that the Premier countersigned that minute.

