

# Legislative Council

Tuesday, 3 August 1993

**THE DEPUTY PRESIDENT** (Hon Barry House) took the Chair at 3.30 pm, and read prayers.

## **EMPLOYERS' INDEMNITY SUPPLEMENTATION FUND AMENDMENT BILL**

*Assent*

Message from the Governor received and read notifying assent to the Bill.

### **MOTION - STANDING COMMITTEES APPOINTMENT**

*Notice of Motion No 5 to be taken before Notice of Motion No 1*

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [3.38 pm]:

I move without notice -

That notice of motion No 5 standing in my name be taken before notice of motion No 1.

There is an understanding between me and the Leader of the Opposition that the membership of the various Standing Committees in the Legislative Council be determined today. It is therefore appropriate that motion No 5 be moved now. It should not take long to deal with this matter, following which we will be able to deal with motion No 1.

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [3.39 pm]: I have no problem appointing the committees today. However, it has struck me as strange that the Government has shied away from dealing with these committees. It is also strange that the Leader of the Government, unlike Hon Joe Berinson, his predecessor, did not have the courtesy to advise that he intended to alter the placing of a motion on the Notice Paper. We have come to expect that from Hon George Cash and I guess we will see much more of it in future.

Question put and passed.

### **MOTION - STANDING COMMITTEES**

*Appointment of Members*

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [3.40 pm]: I move -

That -

The Standing Committee on Estimates and Financial Operations shall consist of the Hons Murray Montgomery, B.K. Donaldson and P.R. Lightfoot.

The Standing Committee on Constitutional Affairs and Statutes Revision shall consist of the Hons M.D. Nixon and B.M. Scott.

The Standing Committee on Government Agencies shall consist of the Hons Barry House, M.J. Criddle and N.F. Moore.

The Standing Committee on Legislation shall consist of the Hons Derrick Tomlinson, W.N. Stretch and P.R. Lightfoot.

The Joint Standing Committee on Delegated Legislation shall consist of the Hons B.K. Donaldson and Reg Davies.

It is clear that there is a need to establish the various standing committees of this House by appointing members to them. Members will recall that earlier in this parliamentary session the Government and the Opposition were able to agree on the membership of a

number of committees, including the Joint Printing Committee, the Joint House Committee and the Joint Library Committee. However, the Government was not able to get from the Leader of the Opposition nominations to the Standing Committee on Estimates and Financial Operations, the Standing Committee on Constitutional Affairs and Statutes Revision, the Standing Committee on Government Agencies, the Standing Committee on Legislation or the Joint Standing Committee on Delegated Legislation. I spoke to the Leader of the Opposition on a number of occasions about this matter, but for reasons best known to him and the Opposition, there were some changes to the membership intended to be appointed by the Opposition and, as a result, we have not been able to appoint these committees.

In relation to notifying the Leader of the Opposition about our intention to deal with this matter today, I thought it was clearly understood by him that this motion would be moved today. If I had not moved that motion No 5 be taken before motion No 1, the matter would not have been dealt with. However, I understood that the Opposition was keen to pursue this matter and establish these committees. If that is not the case, I hope the Leader of the Opposition will let us know his attitude to these committees. The Government believes they should be established and that is why I have nominated various members to the committees.

Mr Deputy President, I suggest as a matter of procedure that while I have moved the motion standing in my name, the individual committees be dealt with separately so that the Opposition has the opportunity of nominating members to serve on those committees.

The DEPUTY PRESIDENT (Hon Barry House): Order! It is appropriate that the different committees be dealt with in turn. According to Standing Order No 303, the numbers of members nominated in the motion are not the requisite number for the committees. If there is no motion to the contrary, there will be a need for a ballot to decide all positions. In the absence of an amendment to add further names, I will decide each vacancy by ballot.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [3.43 pm]: I wish to respond to the comments by Hon George Cash. However, perhaps there will be a more appropriate time for me to do that a little later. Mr Deputy President, I understand that you will put questions relating to membership to each of the committees separately and, in the absence of further names to make up the full number, you will call for a ballot, vacancy by vacancy.

The DEPUTY PRESIDENT: That is correct. The question is that the House agree with paragraph (1) of motion No 5 which relates to the membership of the Standing Committee on Estimates and Financial Operations. In the event of there being no motion to clarify the required number of members, I will call for a ballot for each position on that committee.

Hon GRAHAM EDWARDS: Will you put the question that the motion be agreed to, and in the event that there is no amendment to appoint the required number, you will call for a ballot?

The DEPUTY PRESIDENT: Yes. The question is that the motion be agreed to.

Question put.

#### *Appointment of Scrutineer*

The DEPUTY PRESIDENT: Before calling for nominations, I ask the House to appoint a scrutineer in the event that there is a need to hold a ballot.

HON GEORGE CASH (North Metropolitan - Leader of the House) [3.46 pm]: I nominate Hon Muriel Patterson to be the scrutineer.

The DEPUTY PRESIDENT: There being no further nominations, I declare Hon Muriel Patterson appointed.

#### *Point of Order*

Hon R.G. PIKE: The substantive motion that has just been carried is that the Standing

Committee on Estimates and Financial Operations shall - that is the imperative - consist of three members. That has been carried and thus represents the will of the House. Mr Deputy President, the alternative view to that adopted by you seems to be that, notwithstanding the motion has been carried, you are going to have a ballot anyway. I am aware that your view is that now that the motion has been carried, the House shall proceed to elect the members. However, there seems to be a conflict between the wording of the motion that the House has carried and what you propose to do. I ask you to clarify your ruling.

Hon GRAHAM EDWARDS: I am not surprised that Hon Bob Pike has raised this point of order. He should know what we are dealing with in this process. His side has indicated that we will get nothing out of the appointment of members to these committees.

The DEPUTY PRESIDENT: Order! I do not believe it is appropriate to produce debatable material on a point of order. I did not declare the motion carried. The fact is that the motion is now aborted because it was not carried and we will now move to a ballot for each vacancy.

*Motion Resumed*

## STANDING COMMITTEE ON ESTIMATES AND FINANCIAL OPERATIONS

### *Nominations and Appointment*

The DEPUTY PRESIDENT (Hon Barry House): I call for nominations for vacancy one on the Estimates and Financial Operations Committee.

HON GEORGE CASH (North Metropolitan - Leader of the House) [3.51 pm]: I nominate Hon Murray Montgomery for the first position on the Estimates and Financial Operations Committee.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [3.52 pm]: I nominate Hon Mark Nevill for the first position on this committee.

[Hon Murray Montgomery and Hon Mark Nevill having accepted nomination, a ballot was taken with Hon Muriel Patterson acting as scrutineer. Hon Murray Montgomery received a majority of the votes.]

The DEPUTY PRESIDENT: I declare Hon Murray Montgomery elected to vacancy one on the Estimates and Financial Operations Committee. I now call for nominations for vacancy two on the committee.

HON GEORGE CASH (North Metropolitan - Leader of the House) [3.57 pm]: I nominate Hon Bruce Donaldson to fill the second position on the committee.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [3.58 pm]: I nominate Hon Mark Nevill to fill the second vacancy on the committee.

[Hon B.K. Donaldson and Hon Mark Nevill having accepted nomination, a ballot was taken with Hon Muriel Patterson acting as scrutineer. Hon B.K. Donaldson received a majority of votes.]

The DEPUTY PRESIDENT (Hon Barry House): I declare Hon B.K. Donaldson to be elected for vacancy two on the Estimates and Financial Operations Committee. We move now to the ballot for vacancy three.

On motion by Hon George Cash (Leader of the House), Hon R.G. Pike appointed as scrutineer in place of Hon Muriel Patterson.

HON GEORGE CASH (North Metropolitan - Leader of the House) [4.05 pm]: I nominate Hon Muriel Patterson.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [4.06 pm]: I nominate Hon Mark Nevill.

[Hon Muriel Patterson and Hon Mark Nevill having accepted nomination, a ballot was

taken with Hon R.G. Pike acting as scrutineer. Hon Muriel Patterson received a majority of votes]

The DEPUTY PRESIDENT: I declare Hon Muriel Patterson elected to vacancy three. I now call for nominations to fill vacancy four.

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [4.10 pm]: I nominate Hon Mark Nevill to fill vacancy four.

Hon MARK NEVILL: I accept the nomination.

The DEPUTY PRESIDENT: As there are no further nominations, I declare Hon Mark Nevill elected to the fourth vacancy.

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [4.11 pm]: I nominate Hon Bob Thomas to fill vacancy five.

Hon BOB THOMAS: I accept the nomination.

The DEPUTY PRESIDENT: There being no further nominations, I declare Hon Bob Thomas elected to vacancy five.

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [4.12 pm]: It is not the intention of the Opposition to seek a ballot for the remaining four committees.

Hon George Cash: Is this a point of order or a motion?

Hon GRAHAM EDWARDS: I am attempting to assist the House.

## MOTION - STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS AND STATUTES REVISION

### *Appointment*

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [4.14 pm]: I move -

That the Constitutional Affairs and Statutes Revision Committee shall consist of the Hons M.D. Nixon and B.M. Scott.

The standing orders provide that this committee shall have a complement of three members. Had the Leader of the Opposition done what I have been asking him to do for a number of weeks - that is, supply the names of members that the Opposition wants to appoint to the committee - we could have appointed the members without the need for a ballot. The standing orders provide that there shall be a ballot in some cases, and the Government is not averse to going through that democratic process.

### *Point of Order*

Hon GRAHAM EDWARDS: I do not mind the Leader of the House having something to say regarding the appointment of the Estimates and Financial Operations Committee - and he is very defensive about this matter - but we are now dealing with another committee. I do not mind his commenting on the previous debate but I would like to have the same opportunity. What he is saying is wrong.

The DEPUTY PRESIDENT (Hon Barry House): I ask the Leader of the House to direct his remarks to the motion.

### *Debate Resumed*

Hon GEORGE CASH: I am happy to address the motion; but if the Leader of the Opposition wants a ballot on this matter the Government is more than happy to have a ballot.

Hon Graham Edwards: I am not surprised. You have the numbers.

Hon GEORGE CASH: We want the House to get on with the business of the day.

Several members interjected.

Hon Graham Edwards: You have no regard for the democracy of this House and its proper operations.

The DEPUTY PRESIDENT: Order! This is a simple matter to resolve, and I ask members to get on with it.

Hon GEORGE CASH: In getting on with it, I suggest to the Leader of the Opposition that he may care to give the House one name so that the person can be elected as a member of this committee.

Hon Tom Stephens: We have two names.

Hon GEORGE CASH: Then we will have a ballot. There is no problem; we will have a ballot for every position if we need it.

Several members interjected.

Hon GEORGE CASH: The Opposition does not understand that we have had an election in Western Australia -

Hon Tom Stephens: And a royal commission!

Hon GEORGE CASH: And this House will determine -

Several members interjected.

Hon GEORGE CASH: We need one name. If the Opposition nominates two members, we will have a ballot.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [4.16 pm]: The Opposition wishes to nominate an additional member to the committee. We will not be taking this matter or any other matter to ballot.

Hon George Cash: Hon Tom Stephens said that the Opposition had two names.

Hon GRAHAM EDWARDS: We almost had. Had the Leader of the House carried on any longer we would have had three or four names. We have witnessed a clear demonstration of how little regard the Government has for any semblance of recognition or respect for the democracy of this House.

Hon George Cash: Rubbish! You could not get the names because you have lost control.

Hon GRAHAM EDWARDS: It was obvious the Government had to get rid of Hon Ross Lightfoot from the Chamber because Hon Phil Lockyer refused to vote for him.

#### *Point of Order*

Hon GEORGE CASH: The Leader of the Opposition should withdraw his statement that the reason Hon Ross Lightfoot is not here is that Hon Phil Lockyer will not vote for him. The reason Hon Ross Lightfoot is not here is that he has been paired, as a live pair, with a member of the Opposition who is missing. The Leader of the Opposition can make these wild and stupid statements because it indicates -

Hon Graham Edwards: I will accommodate you!

Several members interjected.

The DEPUTY PRESIDENT: Order! The Leader of the House has the call and the Leader of the Opposition is out of order with his interjections.

Hon GEORGE CASH: The Leader of the Opposition's comments were out of order and unnecessary. It has been demonstrated to the House that the Leader of the Opposition has lost control. The only way he seems to be able to assert his position in this House is to yell and scream as much as he can.

The DEPUTY PRESIDENT: That is not a point of order. However, I point out that members need to be very careful about making accusations and referrals on a secret ballot.

#### *Debate Resumed*

Hon GRAHAM EDWARDS: I will move an amendment.

*Amendment to Motion*

Hon GRAHAM EDWARDS: I move -

That Hon Alannah MacTiernan be an additional member of the committee.

Amendment put and passed.

Question (motion, as amended) put and passed.

**MOTION - STANDING COMMITTEE ON GOVERNMENT AGENCIES***Appointment*

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [4.19 pm]: I move -

That the Standing Committee on Government Agencies shall consist of the Hons Barry House, M.J. Criddle and N.F. Moore.

*Amendment to Motion*

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [4.20 pm]: I move -

That Hon Doug Wenn, Hon Kim Chance and Hon Tom Stephens be added to the committee.

Those additional members will take the number on the committee to that prescribed in the committee system. In moving this amendment, I am most surprised and, indeed, quite amazed that the Government has seen fit to persevere with the appointment of Hon N.F. Moore to this committee. Hon N.F. Moore is a Minister. It seems to me that there is a major contradiction in having a Minister on a committee. One of the committee's primary aims is to oversee some of the agencies for which Hon N.F. Moore is responsible. Tonight this Government has displayed a total lack of regard for democracy in this House.

Hon George Cash: Rubbish!

Hon GRAHAM EDWARDS: The Government is showing a total lack of regard for the past practices of this House. For the life of me - I know that the Government is light on in talent -

Hon George Cash: We can match you one for one any day.

Hon GRAHAM EDWARDS: Hon George Cash is continually interjecting and continually being defensive about this situation. I am not surprised. A little while ago he said that he thought Hon John Halden was a candidate for my job. The next person who will have my job is Hon George Cash. The way in which he is going, he will be in this job quicker than he realises.

Hon George Cash: Don't get used to that seat; you will not be there for long.

Hon P.H. Lockyer: You will not see the four years out. You have a finger on your shoulder every day.

Hon George Cash: We will be voting for Mr Halden, too.

Hon GRAHAM EDWARDS: We have plenty of talent on this side. As has been the case in the few weeks that we have been here, Opposition members will make their presence felt. They are doing a good job to the degree that they have embarrassed Ministers opposite. I cannot understand why the Government would want to put a Minister on this committee.

Hon E.J. Charlton: We want to have more on the committee.

Hon GRAHAM EDWARDS: It is unfortunate that the Leader of the Government, in moving this motion, did not at least have the decency and the courtesy to explain to the House why the Government felt it necessary to put a Minister on this committee. We on this side have always taken the committees seriously. In my view members of the

Opposition who served on those committees did so diligently and conscientiously to the extent that one of the Estimates and Financial Operations Committees was chaired by a member of the Opposition. The Government is neither prepared to pay some attention to the need for there to be some demonstration of democracy in this House nor to give its own backbenchers positions on this committee. It is no wonder Hon Phil Pandal wanted to get out of this place. I have never seen anything like it. Is there not a backbencher over there capable of -

Hon N.F. Moore: Yes there are; dozens of them.

Hon GRAHAM EDWARDS: Why then is the Minister trying to fill the position?

Hon N.F. Moore: I will tell you when you stop talking.

Hon GRAHAM EDWARDS: This afternoon we are seeing a demonstration of a farce, of just how little regard this Government has for the democracy of this House, and of a further break with convention in this place with a Minister being appointed to a committee, a committee whose role is to oversee all Government agencies. I simply pose the question: How can the Government expect a Minister to do that adequately and properly? In putting forward the three names, while we will not take this matter to a ballot, I want to register our opposition to the appointment of Hon Norman Moore to this committee.

**HON N.F. MOORE** (Mining and Pastoral - Minister for Education) [4.26 pm]: I want to explain to the House why my name is on the list of committee appointees and to make quite clear what I have in mind. In general I agree with everything the Leader of the Opposition has said. As a general rule, Ministers should not be on parliamentary committees. There is no rule and convention to say that they cannot do so. I agree with Hon Graham Edwards that, in principle, Ministers should not be on committees.

Hon J.A. Cowdell: Is this when you are going to run for the committee chairmanship?

Hon N.F. MOORE: Not at all. I have no desire to pursue a committee chairmanship; I give an absolute assurance about that. I have been a member of the Standing Committee on Government Agencies since 1982. In fact, to date I am the only member on the committee who has been there since its inception and I have a rough idea of what it does, of its processes and what it seeks to do.

A couple of years ago the committee commenced a very significant inquiry into the establishment and scrutiny of Government agencies. I was very pleased when that inquiry began - I might add, at my instigation - that the then Government members supported that inquiry. It was a major inquiry of great significance into the way in which we operate the non-department Government agency sector in Western Australia. It is an area that the royal commission commented on quite extensively. It said that it is important to get the relationships between Ministers, Government and Government agencies right. This committee has spent a considerable amount of time and has travelled to a number of jurisdictions looking at the way in which other countries operate in their relationships between Government and agencies. It is my great desire to see this matter finished.

Regrettably, when the House was prorogued before the last election we were not in a position to finish the inquiry. Because of my significant interest in this inquiry and because I initiated it and because it is so important, I believe I have a worthwhile role to play for its duration. The moment that inquiry is finished, I will be off that committee so fast that members will not see me for dust. I do not need the work of a parliamentary committee on top of my present workload, fixing up the mess that I inherited. However, as a member of Parliament I want to make a contribution to this inquiry which I believe can be completed in the next couple of months. As soon as it is finished I will be quite happy to withdraw from the committee. That is my motivation. The work done so far is very worth while. It will be important to the Government and I want to see it finished.

[Resolved, that motions be continued.]

Hon N.F. MOORE: I would like to be part of the committee to see this inquiry finished

and hopefully to make significant recommendations to the Government for the improvement in the way in which the Government sector operates. I make that by way of explanation and hope that the House agrees to my being on the committee.

**HON J.A. COWDELL** (South West) [4.30 pm]: I oppose the constitution of a committee including a Minister of the Crown. I note the comments made by the Minister for Education, but I am also aware of comments attributed, correctly or incorrectly, to the Minister in the Press over the past week in which he pointed out that he would be willing not to serve on the committee if significant parliamentary opposition was expressed to his serving. I indicate that opposition does exist.

Hon Derrick Tomlinson: But in your case, it is not significant.

**HON J.A. COWDELL**: I realise from Hon Derrick Tomlinson's interjection that it is only significant if he says it, and that no other speaker can be significant; however, I record my opposition. The Minister stated that precedents existed for Ministers serving on committees; however, on this occasion, the first time the House has met to constitute its committees in the light of the royal commission report, it sends all the wrong signals. The royal commission questioned the desirability of Ministers of the Crown in the upper House - five Ministers of the Crown - one of whom is now to serve on a committee in addition to Cabinet. That situation sends completely the wrong message to the commissioners and to the electorate, even if the Minister were to serve only briefly on the committee. Someone of the Minister's ability should be able to convey his contribution to the committee either in written form or through other members of the committee and have the committee take account of his points of view. The Minister has given the House an assurance that his service on the committee will be temporary; however, it would be preferable with respect to the royal commission if the Minister did not serve on the committee at all.

**HON TOM STEPHENS** (Mining and Pastoral) [4.32 pm]: The Leader of the Opposition and Hon John Cowdell have outlined their opposition to the inclusion of a Minister in the composition of the Standing Committee on Government Agencies. They speak for the entire Opposition. We are opposed to the inclusion of a serving Minister on a committee of this House. The Minister has correctly pointed out that the committee has conducted significant work and has work to continue with. However, as the Leader of the Opposition stated, in the absence of the Minister the Standing Committee on Government Agencies would include three former members who served during its deliberations over the matters to which the Minister referred. Therefore, at least three of the six members of the previous committee would be included and would be capable of taking this matter to its natural conclusion; that is, to the presentation of a report on important and significant matters dealing with the question of the formation and accountability of Government agencies in this State.

Hon Graham Edwards and Hon John Cowdell have correctly identified the importance of committees of this place being part of the structure whereby the Executive is placed in check as a body that is responsible to this House. When we were in Government we established the royal commission which has brought down recommendations of which we are proud.

Government members interjected: Proud?

**HON TOM STEPHENS**: In the period that members opposite have been in Government we have seen a systematic destruction of the royal commission recommendations which have been shredded, torn up and ignored one after the other. Here we see another rejection of an important recommendation of the royal commission; that is, that this House should not be a plaything for imbeciles on the other side of the House who carry on like buffoons, and who go into the party room and say to their colleagues, "Remember what we said while in Opposition." They are then spurred on with comments such as, "But remember, we are now in Government" and fall about in laughter. Members opposite should be ashamed of the behaviour which has occurred inside their party room.

Hon Peter Foss: What are you talking about?



Hon TOM STEPHENS: Some of their colleagues are disgusted by the performance in the Liberal Party room on questions such as this. Members opposite have been reminded in their party room by some of the Government members with principle about what they said while in Opposition.

Hon George Cash: Name them.

The DEPUTY PRESIDENT: Order! I ask that the interjections cease to allow the debate to reach a conclusion. I also ask that Hon Tom Stephens keep his comments relevant to the motion before the House.

Hon TOM STEPHENS: It is relevant for this motion to be considered in the context of the royal commission's recommendations on the operation of this House. One of the recommendations made dealt with the role of committees of this House and of this House's being a check on the Executive. The proposal for a Minister of the Crown to be part of a committee of the Legislative Council is unacceptable. The Opposition opposes that move. I call on the Minister to stand by the comments he made in reports in the Press that he would stand down if significant opposition was expressed in this place. Significant opposition exists in the Opposition; we indicate that we are strongly opposed to the formation of committees in this State which include Ministers of the Crown.

HON PETER FOSS (East Metropolitan - Minister for Health) [4.37 pm]: I was shocked to hear Hon Tom Stephens say that the Labor Party was proud of the recommendations of the royal commission. Every single member of the Labor Party should hang his head in shame at those recommendations.

Hon Graham Edwards: Deal with them. Don't lecture us on them; have the guts to deal with them.

Hon Tom Stephens: Stand by the royal commission report, Mr Foss.

The DEPUTY PRESIDENT: Order! The interjections are well and truly out of order, as every member knows. The member on his feet should keep his comments relevant to the motion before the House. All interjections should cease.

Hon PETER FOSS: I respond to the point made by Hon Tom Stephens that we need to learn from part of the recommendations -

*Point of Order*

Hon MARK NEVILL: The member is openly defying your ruling, Mr Deputy President, and you should take appropriate action. He should be speaking about how the royal commission's recommendations relate to the committee system of this House, not the broader scope of the royal commission.

The DEPUTY PRESIDENT (Hon Barry House): There is no point of order. The member is entitled to respond to remarks made by another member; however, I ask Hon Peter Foss to keep his comments brief and to the point.

*Debate Resumed*

Hon PETER FOSS: Every member opposite should be ashamed of the Labor Party's behaviour and that is the reason I find their supposed indignation hypocritical.

Hon Graham Edwards: Talk to your own colleagues.

Hon PETER FOSS: Members opposite talk about principle, but it was shown over the last four years that they had no principle whatsoever.

*Point of Order*

Hon MARK NEVILL: Hon Tom Stephens' remarks were related to the royal commission's recommendation on the committee system in this House. Hon Peter Foss' comments are not related to that. He is canvassing the broader issues of the royal commission which are unrelated to this debate. He should not be allowed to range so broadly in this debate. He is clearly in breach of standing orders.

The DEPUTY PRESIDENT (Hon Barry House): The Minister is straying from

responding to Hon Tom Stephens' comments and I ask him to relate his remarks to the motion before the Chair.

*Debate Resumed*

Hon PETER FOSS: Mr Deputy President, I am trying to do that. Members opposite are saying that it is a question of principle that Ministers should not be appointed to this committee. They are the last people in the world who should be discussing anything relating to parliamentary principle because they have shown themselves to be totally incompetent to talk about principle. In the 10 years they were in Government the question of principle so far as the Parliament is concerned was ignored by them.

Last year the then Leader of the House, Hon Joe Berinson, moved for the appointment of a privilege committee on which he and the then Leader of the Opposition, the present Leader of the House, were members. Obviously, there are times when it is appropriate for a Minister to be appointed to a committee, otherwise I am sure Hon Joe Berinson would not have moved in that way. Members opposite have said that we cannot have a Minister appointed to a committee of this House.

Hon Tom Stephens: A standing committee of this House.

Hon PETER FOSS: I am glad to see that the member has minor reservations about it: He did not say that in his speech. Obviously there are circumstances where it is appropriate. One of the important issues we should remember is why this committee was not able to complete its work. Does any Opposition member remember the principle that was not observed that prevented this committee from finishing its work? Do members not recall that the beloved Premier of members opposite prorogued Parliament early because she was not very happy with the findings of the standing committees of this House? Do members opposite remember that, or have they forgotten?

Hon Graham Edwards: What a pathetic speech.

Hon PETER FOSS: Members opposite have short memories.

The DEPUTY PRESIDENT: Order! If this debate continues in a disorderly fashion it is within my power to suspend the sitting until the ringing of the bells. That is precisely what I will do if the debate is not brought to an orderly conclusion. I ask members who intend to speak to be brief and to relate their remarks to the matter before the Chair so that it can be disposed of quickly.

Hon PETER FOSS: It was not the first time the beloved Premier of members opposite did that. Every time the committees of this House got near to disclosing the involvement of that Government in nefarious deals she was quick to use her power to prorogue the Parliament. The worthwhile work of committees was lost as a result of her action.

One of the things I commend Hon Norman Moore for is raising the question. If he had not, it would not have occurred to members opposite. They do not have the moral knowledge to have thought of it; it is far too delicate a matter for them to consider. They have not been sensitive about these issues before. Hon Norman Moore knows there is a large amount of work for the committee to finish.

Hon Graham Edwards: He said there is a small amount of work to be finished.

Hon PETER FOSS: There is a large amount of work to be done in a small amount of time. I know Hon Norman Moore will work extremely hard to dispose of this large amount of work in a small amount of time. I know how hard he works on these issues. The important issue is not the taking of evidence - that has already been done - but the deliberations. The members of the previous committee are the only people who can participate in these deliberations. The only way Hon Norman Moore can give the valuable contribution of his years of work is to be appointed to that committee. I am sure the people of Western Australia will say, "Thank goodness we have someone prepared to put in extra work so that the work undertaken in the past few years will not be lost." It is an enormous load for Hon Norman Moore to take on in addition to his ministerial portfolios, but he realises that the people of Western Australia must come first; members opposite should remember that. Hon Norman Moore will not receive any political

advantage from serving on this committee and it will present him with additional work. He can see that there may be some political disadvantage to him. Members should remember the oath they took a short time ago. We are here to serve the people of Western Australia and Hon Norman Moore is one of the few people who, notwithstanding there may be some political disadvantage to him, is prepared to put the work into it because he knows that the State of Western Australia must come first.

I commend Hon Norman Moore for his actions and condemn members opposite for their cowardly and small minded political attack. They should thank Hon Norman Moore for his preparedness to put in the work which will take a month or so in order to get the report completed. They should congratulate him and recognise that, at long last, we have a Government which is constituted of people who are prepared to put the State first, not their own political advantage.

**HON MARK NEVILL** (Mining and Pastoral) [4.48 pm]: I strongly protest against Ministers being appointed to the Standing Committee on Government Agencies. A number of points have been canvassed in this debate, particularly by Hon Tom Stephens when he referred to the findings of the Royal Commission into Commercial Activities of Government and Other Matters relating to the Executive dominating the Parliament. It is wrong for a Minister to be appointed to this committee. This committee is very different from the privilege committee to which Hon Peter Foss referred. Privilege committees investigate the rules of this House and have nothing to do with the Executive.

Hon Peter Foss: I accept it is a different committee.

Hon MARK NEVILL: There is no problem with the Leader of the Government, the Leader of the Opposition or a Minister serving on a privilege committee; that is a different question. However, having Ministers of the Crown serving on standing committees creates a real problem. I notice that the great defenders of the parliamentary institution are silent in this debate; I will not point my finger at them.

Hon Peter Foss: I thought I was one of them.

Hon MARK NEVILL: There are members opposite who, by their silence, have serious misgivings about this motion. Hon Norman Moore said that he did not want to be chairman of this committee. If I remember correctly, he and Hon Tom Stephens were going from one corner to another in the last four years struggling over the chairmanship of this committee. I understand they contested that position on a number of occasions. Someone said that the committee is only at the deliberation stage. It may wish to call more witnesses. The Education portfolio is responsible for numerous Government agencies such as the Country High School Hostels Authority and the universities. Therefore, it would be possible, if the chairman of that committee were Hon Norman Moore, for him to call for the Minister to give evidence, ask a question, and then change hats, move to the other side of the table and answer his own question. That happened in the early 1980s in Victoria when the chairman of the Water Board in some areas was also the managing director and would write to himself in each capacity signing the letters involved.

Hon Tom Stephens has made some uncharitable comments about members opposite. If we are to indulge in these practices, Government members should all be made life members of the kindergarten for the terminally incompetent because such an approach makes no sense. Three members of the previous committee will be on the new Government Agencies Committee. Therefore, Hon Norman Moore will be able to receive a copy of the committee's draft report on which to comment. He does not need to be a member of that committee. It would set a bad precedent. The real problem here is that with five Ministers in this House the Government is having trouble servicing the committee system. That makes the work of this House of Review extremely difficult to handle. Ministers will be subjected to extra pressure when they should be busily looking after their portfolios. Hon Norman Moore, Hon Peter Foss, and probably Hon Eric Charlton have massive workloads, so it is absolutely ridiculous for Hon Norman Moore to put himself forward to be a member of this committee when three members of the previous committee have been nominated and he will be able to comment on the report

and sit in on deliberations without voting. If he so desires he will also be able to comment.

Hon Peter Foss: Standing orders prevent him from sitting in on deliberations. That is the problem.

Hon MARK NEVILL: I am unsure whether that applies to the Standing Committee on Government Agencies. It certainly applies to some other committees. I was chairman of this committee for three years and thoroughly enjoyed the experience. During that time members sat in on different occasions. If I am wrong, so be it; I am merely expressing my abhorrence of a Minister of the Crown serving on a standing committee of this House. I believe the Minister should withdraw from this committee and be replaced by another Government member.

Amendment put and passed.

Question (motion, as amended) put and passed.

### **MOTION - STANDING COMMITTEE ON LEGISLATION**

#### *Appointment of Members*

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [4.56 pm]: I move -

That the Standing Committee on Legislation shall consist of the Hons Derrick Tomlinson, W.N. Stretch and P.R. Lightfoot.

#### *Amendment to Motion*

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [4.57 pm]: I move -

That the Hons Cheryl Davenport and J.A. Cowdell be added to the committee.

Amendment put and passed.

Question (motion, as amended) put and passed.

### **MOTION - STANDING COMMITTEE ON DELEGATED LEGISLATION**

#### *Appointment*

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [4.58 pm]: I move -

That the Standing Committee on Delegated Legislation shall consist of the Hons B.K. Donaldson and Reg Davies.

#### *Amendment to Motion*

**HON GRAHAM EDWARDS** (North Metropolitan - Leader of the Opposition) [4.59 pm]: I move -

That the Hons Tom Helm and Doug Wenn be added to the committee.

Amendment put and passed.

Question (motion, as amended) put and passed.

### **POISONS AMENDMENT BILL**

#### *Introduction and First Reading*

Bill introduced, on motion by Hon Peter Foss (Minister for Health), and read a first time.

#### *Second Reading*

**HON PETER FOSS** (East Metropolitan - Minister for Health) [5.00 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to amend the Poisons Act to provide a defence from criminal prosecution for workers participating in needle and syringe exchange and distribution programs approved by the Commissioner of Health. A national program for providing intravenous drug users with sterile needles and syringes was introduced in 1987 to reduce the spread of the human immunodeficiency virus (HIV) infection through the sharing of injection equipment. This measure has been one of the most successful strategies of the public health program to control the spread of the acquired immune deficiency syndrome (AIDS) in Australia. In Western Australia this action has enabled us to limit the spread of HIV among intravenous drug users. Less than one per cent of all intravenous drug users in Western Australia are HIV infected compared with up to 50 per cent in most large cities in the United States of America where the supply of needles and syringes is prohibited.

It is important to control the spread of HIV infection among intravenous drug users because it correlates to the wider risk to heterosexuals in Western Australia. At present the majority of HIV infected individuals in this State are homosexual or bisexual men. Although bisexual men may infect heterosexual women it has been shown in western countries that the most serious risk to the heterosexual community is through infected intravenous drug users. If the spread of HIV infection among intravenous drug users can be contained in Western Australia the risk to the heterosexual community can be minimised. Other significant outcomes of controlling spread among intravenous drug users are that HIV in the prison population can be contained and that the number of HIV infected babies born to infected mothers will remain small in this State.

Although the long term aim of all health authorities is to promote abstinence from illegal drug use, there is a vital short term necessity to minimise the harm that could result from HIV spread among intravenous drug users through the use of strategies other than abstinence. These strategies include the promotion of programs which eliminate the injection of illegal drugs, such as the methadone program and programs to ensure that if drugs are injected the risk of infection is minimised. The risk of infection can be minimised through the supply of sterile injection equipment, or to a lesser extent by promotion of the use of bleach for cleaning injection equipment. This does not mean that Government programs to reduce the magnitude of the problem of illegal drug use should be discontinued or scaled down. These long term programs should be supported in parallel with short term pragmatic attempts to minimise the harm that would result from spread of infection through the sharing of injection equipment.

Since early 1987 intravenous drug users in Western Australia have had increased access to sterile needles and syringes. This has been primarily addressed through the Pharmaceutical Society program which involves the sale of kits containing five needles and syringes per unit.

The DEPUTY PRESIDENT (Hon Barry House): Order! I am sorry to interrupt the Minister for Health, but it is five o'clock and therefore it is time to take questions without notice. However, if leave were granted it would be possible for me to allow the Minister to finish his second reading speech and then take questions. Do members want to do that?

Hon GEORGE CASH: I seek leave of the House to enable the Minister for Health to continue his second reading speech. If it cuts into question time, that will be taken into account.

Leave denied.

[Questions without notice taken.]

Hon PETER FOSS: There are other blood borne infectious diseases, the spread of which can be controlled in part by an effective needle and syringe exchange program. Hepatitis B has a prevalence rate of 50 per cent in injecting drug users and up to five per cent remain carriers of the infection for the remainder of their lives. One way the virus is passed to others is through the sharing of contaminated needles and syringes. Studies have now shown that hepatitis C is very prevalent in all injecting drug users. The

Western Australian rate of hepatitis C infected drug users who are currently attending at the methadone program is 90 per cent. Of those persons infected with hepatitis C, just over 50 per cent will remain carriers throughout their lives. The total estimated number of persons infected with hepatitis C in Western Australia is between 5 000 and 10 000 people. With the large prevalent pool of infected sources in this group the needle and syringe exchange programs are imperative.

After discussions between the Police Department and the Health Department at the inception of the Pharmaceutical Society programs, an unwritten policy of non-prosecution has been adopted by the police and to date no health care worker has been charged for breaching the laws relating to the distribution of needles and syringes. However, the lack of a defence from prosecution for health care workers distributing needles and syringes is a major barrier to the continued development of this prevention strategy. Health care workers, particularly pharmacists, who perceive that they may be acting illegally have expressed unwillingness to continue to be involved in those programs. In order then for public health measures to continue to be responsive and control the AIDS and other blood borne disease epidemics in Western Australia, provision of a defence for workers is vital. It is also important that the exemption only be to supply which takes place in accordance with a program approved by the Commissioner of Health so that it can be directed toward an appropriate health result.

The parliamentary select committee inquiring into the Commonwealth national HIV/AIDS strategy White Paper recommended in June 1990 that "the State Government, after consultation with relevant community groups, should immediately proceed to enact exemptions to provisions in the Criminal Code 1913, the Misuse of Drugs Act 1981 and the Poisons Act 1969 to exempt workers and intravenous drug users from criminal liability if the main purpose of their activity is the sale, supply, distribution or exchange of injecting equipment to prevent the transmission of HIV". At present the exchanges constitute an offence under State law by section 6(2) of the Misuse of Drugs Act, which provides that a person who uses a prohibited drug commits an offence. Section 7 of the Criminal Code provides that a person who aids or enables another person to commit an offence is deemed to have taken part in that offence and is guilty of it.

The proposed amendments will provide a defence from prosecution for workers in approved needle and syringe exchange and distribution programs. Approval for these programs must be given by the Commissioner of Health. These programs include the distribution of sterile needles and syringes and of Fitpacks, which contain the sterile needles and syringes and provide for the facilitation of safe disposal of used needles and syringes by allowing them to be redeposited into the rigid containers that originally contained the sterile needles and syringes. The used Fitpack can be safely placed in normal rubbish bins. It is a needle which is intended for insulin users. After it has been used it can either be recapped or not recapped. When it is replaced in the Fitpack and pushed down the needle cannot be removed. However, the smaller part which goes into the needle can be removed. That ensures it cannot be reused. This rigid container can then be disposed of in the normal rubbish bin without hazard to the public.

Hon Graham Edwards: Can you leave that Fitpack in the House so we can see it later?

Hon PETER FOSS: I am very happy to allow members access provided they give me an undertaking they will not use it illegally!

These amendments seek to allow workers to participate in programs which are already well established without fear of prosecution. Legal and policing issues raised by the Bill have been well tested over the last four years, here and in other States, and have been found to be sound. No new and untried initiatives are proposed. There is no evidence here or overseas that the availability of sterile needles and syringes increases drug use. A study conducted by the Drug Research Centre at Curtin University has demonstrated that intravenous drug users in Western Australia are aware of the dangers of HIV infection and will use sterile needles and syringes if they are available. However, exchanges and distribution centres must be, as far as possible, anonymous for the user and free from police surveillance or users, especially non-dependent, occasional drug users, will not use

them due to fear of being identified and prosecuted. Therefore these users will continue to share used needles and syringes. Western Australia is now the last State in Australia to exempt needle and syringe exchange and distribution workers from criminal prosecution. Exemptions are needed to remove workers from legal jeopardy and to encourage the expansion of the programs to areas where they are needed throughout the State.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Tom Helm.

### ADDRESS-IN-REPLY

#### *Amendment to Motion*

Debate resumed from 8 July.

**HON MURIEL PATTERSON** (South West) [5.40 pm]: In speaking to the amendment, I speak for all members of the Government and support the kind words spoken about Bill Grayden by members opposite. People have been puzzled by the omission of Bill Grayden's name from the Governor's recent speech. However, I believe that this uncharacteristic lapse on our part is evidence of the awe and affection in which Bill has been held by his parliamentary colleagues on both sides of the House. For many of us, it was quite literally unimaginable that, after 46 years of political life at both Federal and State level, a day would come when he would not take his accustomed place as the member for South Perth. Very few people are given the honour to become legends in their own lifetime - and who in this Parliament has not heard the stories of Bill Grayden? - and, as we all know, legends never expire or retire; they continue growing in respect and stature as Bill has done since he first entered the Western Australian Parliament less than two years after the end of the Second World War and indeed five months before our present State Premier, Richard Court, was born. The Western Australia he returned home to, after service overseas, was still to experience the great migration from postwar Europe which was to transform and revitalise Australian life, industry and commerce; that era still lay several years ahead when Bill entered public life. From our viewpoint 46 years into his future, we can see how the composition and complexion of Western Australia has changed in ways quite unimaginable to the men and women of Bill's generation. It is a measure of his achievements, as both a member and a Minister under no fewer than nine State Premiers, that Hon William Leonard Grayden was able to contribute so much to this peaceful revolution in public taste and private attitude.

During his time as a Minister, Bill introduced into the education system the teaching of nutrition to every child from kindergarten to year 10 so that no child was disadvantaged by ignorance about what foods were necessary for a healthy body. I believe it was also significant that Bill's peacetime careers included freelance journalism and boxing with all comers in George Stewart's boxing tent at the Royal Show. They call boxing a sport - for the life of me I do not know why when even the winner gets knocked about. However, this seems to have endowed Bill with the emotional toughness to speak out for what he believed. It certainly required exceptional strength of character for an aspiring politician and journalist to "take on" Rupert Murdoch after the brash young Chairman of News Ltd claimed there were no grounds for concern about the health and welfare of Western Australia's inland Aborigines. That was in 1957, long before Aboriginal Australia was discovered by the media in general and a sizeable bureaucratic industry in particular. Bill's practical concern for the plight of the natives at the Laverton-Warburton Range area, following the establishment of a weather station to monitor the atomic bomb tests downwind at Maralinga, led to the establishment of a parliamentary select committee whose pioneering recommendations can be read in Bill's account of his journeys to the interior - *Adam & Atoms* - a copy of which was given to me by Bill when I chaired the Select Committee on the Achievements of Indigenous Peoples of Australia. Bill rather apologetically presented me with this book and was a bit embarrassed at giving it to me in this condition. However, he assured me it was the last copy as no more

were being printed. I took it as a great honour and was very touched that he gave it to me. I value it highly.

It should be noted that the impact of this book was not confined to Western Australia alone. The American son of a slave, all American gridiron footballer, lawyer, civil rights activist and arguably the greatest bass singer of our century, Paul Robeson, read *Adam & Atoms* during his tour of Western Australia in the early 1960s and returned home with a renewed determination to struggle for the dispossessed and underprivileged in his own country. But then, Bill always had such a telling way with words! I clearly remember the advice given to me as a new member by Premier Richard Court, who said that I should always find time to read Bill Grayden's speeches. He said they were well researched and I would find them informative and interesting.

Thus, when we consider the length and breadth of this man's many experiences and the depth of his compassion for those unable to speak for themselves, is it any wonder that nobody noticed Bill Grayden's name was absent from the roll call of retiring members? In a real sense, men of his calibre can never retire from public life while their accumulated wisdom and knowledge continue to inspire those of us who follow in their footsteps. I support the amendment.

**HON GEORGE CASH** (North Metropolitan - Leader of the House) [5.47 pm]: I also support the amendment. This gives me the opportunity to record our appreciation of the contribution made by Hon Bill Grayden to the people of Western Australia throughout his long and distinguished careers in this Parliament and in the Federal Parliament. Bill Grayden's career as a politician, as Hon Muriel Patterson pointed out, began some 46 years ago in 1947. The record books will reveal that he was only 26 years of age when he was elected to the Legislative Assembly as the member for Middle Swan. He held that seat until October 1949 when he resigned to contest the Federal seat of Swan which he won in September of that year. He was re-elected in 1951 and held the seat for a further three years.

All of us here will have known Bill Grayden the man. It was his passion for politics that saw him return to the State parliamentary scene in 1956 when he was elected as the State member for South Perth. Bill Grayden undoubtedly forged a reputation as a tireless and committed member for both Middle Swan and South Perth very early in his parliamentary career. As a true man of the people, Bill would most often answer his constituents' calls not by telephoning them back, but by going to see them to find out how he could assist them. There is no greater testimony to Bill's commitment to his constituents than the fact that after 1956 he was returned as the member for South Perth in the Legislative Assembly at the next 11 elections. I have no doubt that had he stood again at the State election in 1993 he would have made it 12 re-elections to the seat of South Perth.

Members will also be aware that during his career Bill served as a Minister in the former Court Government. He held a number of ministerial positions including Minister for Labour and Industry, Consumer Affairs, and Immigration and Tourism. In the last two years of the former Court Government, he was Minister for Education, Cultural Affairs and Recreation. As a Minister and a member of Parliament, Bill was one of the true characters of the Parliament. His comments on the importance of street meetings in the early 1950s go some way to illustrating the candidness, resourcefulness and honesty which made up his character.

Bill Grayden was reported in *Hansard* as saying that street meetings in the early 1950s served as a talking point in the area, that prior to each meeting 1 000 or 2 000 pamphlets would be distributed which immediately gave everybody the impression that the candidate was prepared to meet anyone and answer any questions, and that it was beside the point whether or not they attended the meeting. The candidates would then go out of their way to have terribly powerful amplifiers which would carry a mile or so. Therefore, whether or not the people came to the meeting, they could hear what was said. That is typical of Bill Grayden as we knew him in this Parliament. In the 1950s when members of Parliament did not have the opportunity of television coverage, they went out and met



the people on the streets. I regret that the opportunity does not present itself as often today as it did in the 1950s.

As Hon John Halden said in this House on 8 July, Bill Grayden was more than just a character. His efforts for the people of Western Australia were both tireless and fearless. He chaired a select committee looking into native welfare conditions in the Laverton-Warburton Range area in 1956, and was a member of a select committee which inquired into the effects of alcohol and drugs in Western Australia in 1983. Bill's work on these committees displayed his tremendous social consciousness and his genuine understanding of the social problems faced by so many people in Western Australia. In 1986 the length and quality of Bill's service to the Parliament were rewarded with his appointment as Father of the House in the Legislative Assembly. After such a long career serving others, one might have expected Bill to take time out for himself upon his retirement, yet those who know him well recognise that he continues to work for and with others within the community for many of the groups and organisations of which he was either a patron or a member for years. This demonstrates Bill's truly benevolent nature.

On behalf of the coalition Government I take this opportunity to acknowledge and congratulate Bill Grayden on his very distinguished career in both this Parliament and the Parliament of the Commonwealth of Australia. More than this, on behalf of the coalition Government I extend to Bill Grayden and his family our best wishes in his retirement.

Amendment put and passed.

*Motion, as Amended*

**HON TOM STEPHENS** (Mining and Pastoral) [5.54 pm]: I congratulate you, Mr Deputy President (Hon Barry House) on your election to that position.

*Point of Order*

**Hon GEORGE CASH:** As I recall, Hon Tom Stephens has already spoken with respect to matters pertaining to the substantive motion. I understand he spoke on an amendment to the motion at an earlier stage. According to our standing orders, a member who has spoken on an amendment to the motion does not have an opportunity to speak to the substantive motion. You, Mr Deputy President, will have a final say on this matter having regard to the standing orders, and I invite your consideration and ruling with respect to this matter.

**The DEPUTY PRESIDENT** (Hon Barry House): The matter needs to be clarified and I will leave the Chair until the ringing of the bells at 7.30 pm.

*Sitting suspended from 5.55 to 7.30 pm*

*Ruling by the Deputy President*

**The DEPUTY PRESIDENT** (Hon Barry House): Immediately before the dinner break, I was asked to rule whether Hon Tom Stephens had the right to speak to the question now before the House. I rule that he does have that right, on the basis that the question under consideration is different from that moved originally. The question now is that the Address-in-Reply, as amended, be agreed to. That is a new question and the member is entitled to speak to it.

*Debate Resumed*

**Hon TOM STEPHENS:** Thank you, Mr Deputy President. I was in the middle of congratulating you on your election as Chairman of Committees in this place, and the ruling that you have just made makes it clear why you deserve those congratulations. It is clear that the frivolous points of order being made by the Leader of the Government in this House will get short shrift from the presidential skills which you bring to this Chair, Mr Deputy President, and for that reason alone I restate my congratulations. I take this opportunity of saying to the House and to the Leader of the Government that since this Parliament has been reassembled I have risen on only a small number of occasions in this place, and on each occasion I seem to have found myself being gagged -

Hon Reg Davies: Tossed out!

Hon TOM STEPHENS: - yes - on motions of the Leader of the Government in this place. I am not one prone to fits of paranoia, but I tell the Leader of the Government that I am grossly offended by his behaviour, because each time I rise to my feet he finds some new tactic to rise to his feet to try to prevent me from speaking.

Hon Derrick Tomlinson: He is protecting members on this side!

Hon TOM STEPHENS: All members on this side of the House could have told the Leader of the Government that he had only to read standing orders to know, as we knew, that we had the opportunity to speak at length on this new question now before the House, and we will take great delight in dealing with this second phase of the life of the motion that is before the Legislative Council.

Hon W.N. Stretch: May God forgive them, for they know not what they do.

Hon TOM STEPHENS: I did not hear that interjection, Mr Deputy President.

The DEPUTY PRESIDENT: Order! You are not required to take any notice of the interjection.

Hon TOM STEPHENS: So long as the Hansard reporter did not take any notice of it, I will not need to take any notice of it.

Hon Bob Thomas: I thought it was quite pithy.

Hon TOM STEPHENS: I am operating at a disadvantage. I am the only one who seems not to have heard it.

In the period in which the Court-Cowan coalition Government has been in office in Western Australia, we have seen an extraordinary calendar of events unfold. We on this side of the House have been literally flabbergasted by the process of a weekly unfolding of blunders, broken promises and backward steps on the part of the Court-Cowan coalition Government of Western Australia.

Hon W.N. Stretch: The best business figures in Australia, incidentally.

Hon TOM STEPHENS: Indeed. The Government has been extremely fortunate to arrive on the Treasury benches after the former Government had set in place sound economic reform measures that have allowed this Government to capture the benefits of being in Government at a time when that sound economic reform is coming to the assistance of the economy of Western Australia. The Government has also been extremely fortunate in recent days to inherit a balanced Budget, despite what the \$23m man said in the other place, when he seemed to be momentarily under the delusion that there was a deficit. Fortunately, at the end of the day the \$23m man had to accept that Treasury was advising him that there was a balanced Budget. The Government has been fortunate also to see in Western Australia a resurgence in the economy because of the benefits now flowing through to the gold industry as a result of the strengthening price of gold on the international markets. That will be of enormous assistance.

Hon Derrick Tomlinson: I suppose you are responsible for that also?

Hon TOM STEPHENS: We are alchemists, but we cannot claim responsibility for that. Nonetheless, the Government is the lucky beneficiary of that resurgence and strengthening of the gold industry. That does not provide the Government with any justification to proceed as it has to announce increases in Government taxes and charges. As was outlined to the House by the shadow Minister for Finance, my esteemed colleague Hon Mark Nevill, the reason for the extraordinary imposts that the Government is endeavouring to apply across Western Australia in a range of areas is to establish a war chest in Treasury that is not justified on any basis. Hon Mark Nevill characterised it as a war chest where the Government will, in its first three years, through the process of -

Hon Mark Nevill: Ripping off the taxpayers.

Hon TOM STEPHENS: Yes. In the face of circumstances which are only rosy for the people of Western Australia, the Government is endeavouring in its first three years in

office to make hay while the sun is shining, with a view, no doubt, to trying to lull the people of Western Australia, presumably with the effective sedative of a substantial Budget in the final year - which will be the last year of a Liberal Government in Western Australia - into forgetting the first three years when the Government was ripping off the taxpayers of Western Australia.

Hon Reg Davies interjected.

Hon TOM STEPHENS: I can well imagine that. I would not mind if that tobacco tax were imposed, but I would like to see people like Hon Reg Davies assisted with programs to get them off that dreadful substance, rather than the funds from this program simply being diverted into the State's coffers to establish what Hon Mark Nevill has correctly characterised as a war chest for the Court-Cowan coalition Government.

In the first week after the election of this pathetic Government, we saw the Premier-elect, Mr Court, go to Sydney to sign away State revenue to Federal Opposition leader Hewson. That was on 10 February, and members will appreciate that was done in the lead up to the Federal election where he complied willingly with the Fightback strategies of Dr Hewson. Willingly, he signed away State revenue as part of the Federal Opposition strategy for Government were it elected as the Federal Government in the weeks following the election of the Court Government in this State. We also saw a Government paralysed by internal wrangling over the new Ministry. I had the good fortune of being appointed a Minister in the last days of the Lawrence Government for what I thought originally was to be for nine and a half weeks. It turned out to be ten and a half weeks as a result of the internal wranglings of the Court-Cowan coalition. I sat in my ministerial office in the Terrace waiting to hand over the keys to someone but no-one came. I endeavoured to clean up the office and get the files in order, as well as deal with ministerial correspondence, hoping to see a successor take over the responsibilities of the Minister for Services. I waited in vain. No-one turned up because there were difficulties associated with the Court-Cowan so-called coalition.

Hon Mark Nevill: They were in bed with their heads under the pillows.

Hon TOM STEPHENS: They were not able to pick up the keys during the first week in Government. Midway through the second week we received notice that they had finally organised themselves to some extent. We discovered that the coalition had unveiled a Cabinet with the spoils having gone to the National Party. By any stretch of the imagination, it was a most extraordinary gift to sectional interests on the part of the conservative parties in this State. We have seen the arrival of a substantial number of people who have the support at the ballot box of something less than that available to the Greens at the Senate elections, and yet it has produced in Western Australia significant players in the Court-Cowan coalition. I refer to the Deputy Premier and the deputy Leader of the House in this place. They are most significant portfolios.

One matter which puzzled us was that the new National Party Ministers, with very significant portfolios, not only would have shadows on the Opposition side of the House but also shadow Liberal Ministers keeping an eye on them. We have Ministers such as the Minister assisting the Minister for Commerce and Trade.

Hon N.F. Moore: Of course you never had that!

Hon TOM STEPHENS: We did not have someone in our own party keeping an eye on any Minister. In this House we have Hon Norman Moore responsible for keeping an eye on a National Party Minister in the other House - in this case, the Deputy Premier, who has the Commerce and Trade portfolio. We also have the deputy Leader of the Government who has a shadow Minister in his own coalition in the other place; that is, a Liberal Party member keeps an eye on the Transport portfolio.

When I took the opportunity to ask a question of the Minister for Education to discover his responsibilities in assisting the Minister for Commerce and Trade he said the arrangement simply covers the time when a Minister is away on holidays or out of the State, so that someone can act in the Minister's place. Over the past period of responsible government in this State the practice was that if a Minister were out of the

State another Minister was not appointed as an assisting Minister. The previous Government simply appointed another member of Cabinet in an acting capacity while the Minister was away.

Hon N.F. Moore: So that is how you did it.

Hon TOM STEPHENS: On the front bench of the Legislative Council we have a Minister who is responsible for keeping an eye on a National Party member in the Legislative Assembly - in this case, it is the Deputy Premier - to see what he is getting up to in the Commerce and Trade portfolio. I do not suppose Hon Norman Moore would mind my saying that one of my responsibilities was as Minister for the Gascoyne in the last days of the Labor Government. I took pride in taking the recommendations of my colleague, the member for Northern Rivers, in proceeding to establish the Gascoyne Development Commission. We had announced the establishment of the commission. I announced the creation of an interim board of the commission. I appointed the interim board and indicated that the Government would call for expressions of interests from the relevant people in the Gascoyne to take up permanent positions on the commission at the earliest opportunity. The unfortunate result of the State election was that we narrowly lost re-election by only 2 000 votes over five seats. We took the opportunity to consult with the newly elected Government regarding who would have responsibility for the appointment of the development commission. I rang Hon Norman Moore and he said that as he had been appointed the Minister assisting the Minister for Commerce and Trade he had responsibility for the regional development portfolio. He asked that I send the files relating to the Gascoyne Development Commission to his office, and I was told a few minutes later that I had sent them to the wrong place. I was told the National Party leader, the Deputy Premier, wanted the files in his office. He did not want a Liberal Party Minister handling his files. I was told that I had sent them to the wrong place.

Hon N.F. Moore: Who told you that?

Hon TOM STEPHENS: We received advice from the Minister's staff that the files had been sent to the wrong place. One of the Minister's colleagues was running up and down the electorate saying that Hon Norman Moore would have nothing to do with the Gascoyne Development Commission or anything to do with the pastoral area. The matter would be left in the hands of the National Party Leader and Deputy Premier. One person called Hon Norman Moore "Norman who, from where?". I was told that the issue was in the hands of the Deputy Premier and that Hon Norman Moore would not be interfering in the important issues of regional development. He was pleased to see that the Deputy Premier was wresting the files back from my office so that the Deputy Premier could get on with the task of accepting responsibility for commerce and trade and regional development. I was told that the Minister assisting the Minister for Commerce and Trade has nothing to do with the matter. Therefore I can well imagine the difficulties that the Minister faced in this House when I asked what he would be doing in his capacity as Minister assisting the Minister for Commerce and Trade.

Hon N.F. Moore: Ask a substantive question.

Hon TOM STEPHENS: I was told that when the Deputy Premier is away the Minister might have something to do. That is extraordinary. Normally a Government does not need an assistant Minister. An acting Minister can play the part.

We have here a coalition, the parties of which do not trust one another. They share only one thing in common: They hate us more than they hate each other.

Hon Kim Chance: And not always that.

Hon TOM STEPHENS: This is a match not of love but of hatred. It has brought them together and produced a child, which is the Court-Cowan coalition Government - a Government which has been brought to birth in Western Australia. We witnessed week one of the birth of this Government. Week two went on to produce not only the unveiling of the coalition Cabinet where the sectional interests represented by the National Party were positioned with extraordinary roles, but also the appointment as Parliamentary Secretaries of the Barry MacKinnon supporters. We saw the arrival of the

people who were not blessed with Cabinet postings. They were blessed with Parliamentary Secretary postings in the other House. They were not appointed in the Legislative Council where we, in Government, had positioned the Parliamentary Secretaries to represent the many Ministers in the other place. We have seen the arrival of one Parliamentary Secretary in the Legislative Council and two in the other place. In this place we have five Ministers.

I have borne with good grace the jocular insults of Hon John Cowdell, who in his maiden speech referred to the arrival of a fourth Minister on the front bench of the Labor Government in this place. However, that was in circumstances where we knew that Hon Joe Berinson was retiring and that in the normal course of events we would return to the normal situation of three Ministers in this House.

I had hoped that I would serve in that Cabinet after the last State election. We have never advocated a process where the Ministry would be expanded to have five Ministers in the Legislative Council, certainly not in the face of the recommendations of the royal commission, which constructed a very well reasoned case for ensuring that this place constitutes a House of Review where an opportunity exists for a large number of members on the back benches on both sides of the House to participate in that review process. That would ensure that this Government and Governments of all persuasions both now and in the future were appropriately kept in check by the House of Review. Hopefully in a process of accepting eventual recommendations for the reform of this place, this Chamber can adopt its correct and appropriate role as a House of Review.

In week two we saw the unfolding of yet another blunder - the sidelining of our esteemed former colleague in this place, Hon Phillip Pandal. One of the great highlights of the conservatives while they were in Opposition was the skill with which Hon Phillip Pandal used to put us on our mettle. What was his reward for the efforts he put into the strategies of the Opposition?

An Opposition member: A tour of Europe.

Hon TOM STEPHENS: I did not realise that. Whatever the reward, it was not one of being put on the front bench. As he pointed out to the media and to all who would listen at the time, his great regret was that he had been sidelined, not rewarded with the ministerial career that he and so many others recognised that he deserved after his efforts in developing so much of this current Government's policy while it was in Opposition.

Hon Mark Nevill: He is in the wrong faction.

Hon TOM STEPHENS: Yes. He was in the wrong something or other. He has ended up on the sideline in the Legislative Assembly. It is extraordinary when we see that the House he vacated has moved from having three Ministers to having five Ministers. It seems to be a career move that he will regret in many ways.

Hon N.F. Moore: You forget yourself.

Hon TOM STEPHENS: As I already explained, that was an interim measure. I knew Hon Joe Berinson was retiring and in the normal course I would have had the good fortune of serving in the second Lawrence Government. In the face of recommendations of the royal commission to the contrary, we would never have considered a situation whereby five Ministers in the Legislative Council would be countenanced.

Hon W.N. Stretch: Very important members of the Government, they were.

Hon TOM STEPHENS: It is staggering that Hon Bill Stretch should say that. We have not just one-half of the Budget represented by Ministers in the Legislative Council, but about three-quarters.

Hon Mark Nevill: In the House of Review.

Hon TOM STEPHENS: It is unbelievable. It is an unprecedented situation. This place cannot even initiate money Bills. What will the Ministers have to do when they want to introduce legislation in the portfolio areas that require expenditure? They will find -

An Opposition member: It was a recommendation of the royal commission.

Hon TOM STEPHENS: I can see that that recommendation would have merit which would need to be evaluated by Government. It certainly would not want to be overturned to the extent that this Government has overturned the recommendations of the royal commission and introduced five Ministers to the Legislative Council.

Hon Reg Davies: At least the electors listened and elected a couple of minorities.

Hon T.G. Butler: I do not look upon you as a minority.

Hon TOM STEPHENS: I understand that after the decision of the Court of Disputed Returns for the North Metropolitan Region result we might have yet another Green join us on this side of the House. I would be happy if it were either a Labor Party member or an Independent Liberal Party member.

Hon Reg Davies: Don't hold your breath.

Hon TOM STEPHENS: It would give Hon Reg Davies a lot more work to do if another Green were to get into the Legislative Council. Of course, I will be working hard to get a Labor Party member elected.

Hon Reg Davies: You might have the opportunity.

Hon TOM STEPHENS: I will wait for the decision of the Court of Disputed Returns. We can safely leave that in its hands. Hopefully it will bring down a determination that all sides will recognise. Further, we hope that court will not be attacked as other courts in this nation are being attacked by our conservative colleagues who have proceeded to attack the very fundamental structures of democracy.

Hon Reg Davies: You have been attacking a Court all evening.

Hon TOM STEPHENS: I have never seen the Premiers Court as being fundamental to the democratic structures and the fabric of democracy in Western Australia, whereas I do see the courts, both in this State and in our nation, as institutions that should not be willy-nilly assaulted by any political party for its own ends and to bolster the flagging images of weak-kneed leaders of Government at either a State or national level.

I have made remarks about only week one of the Government's performance, but I hope I will have the opportunity to continue to proceed to week 23 if Hon George Cash will make sure that my time is extended to proceed. There has been a litany of sins in the process of which this Government has been in -

Hon Mark Nevill: Sins of incompetence.

Hon TOM STEPHENS: They are sins of omission and commission as they used to say in the old Latin texts. We have seen the omission of Hon Phil Pental from the Cabinet and we have seen the commission of five Ministers in this House. We have seen the most extraordinary intemperate outbursts from our colleague representing the Mining and Pastoral Region, Hon Norman Moore, Minister for Education, who on 17 February told the Equal Opportunity Commissioner to keep her nose out of the employment practices of the Ministry of Education, as reported in *The West Australian* on that date.

Hon N.F. Moore: And you believe that implicitly?

Hon TOM STEPHENS: It is the most amazing statement.

Hon N.F. Moore: Do you believe that is what I said?

Hon TOM STEPHENS: Does the Minister know what I have come to believe since I have known him? No-one is more capable of audacious statements of conservative rhetoric than he is. He is the most conservative member whom I have ever met in my life.

Hon N.F. Moore: Let me give you an absolute assurance that I did not say that.

Hon TOM STEPHENS: I know that the Minister frightens his own colleagues. They are scared stiff as to what he might do in his portfolio areas. They live in fear of what he might get up to, of how unpopular he will make his Government as he proceeds to turn this State back - not just back to the days of the former Court Government in which he

served very briefly as the Cabinet Secretary but back to the 1880s. The Minister should make sure that he does not embarrass his colleagues with his conservative outbursts; his outbursts should be tempered by the wisdom that resides with some of the members on the Government bench. He should recognise that his penchant for conservative assaults on what has now come to represent the fabric of the community as we have grown to know it, will get him nowhere. I refer to features like the Equal Opportunity Commission and the role it plays in the structure of Western Australia. The Minister cannot hope to rapidly turn around these things and go back to the days of 1880 and 1890 that he might hanker after.

The opportunity for people no matter what their race, colour, creed and sex to have a chance for advancement in this community is something that should not be overturned by any Minister, especially by the Minister for Education in such an important portfolio with substantial amounts of the State Budget, as he would advocate and as he did on 17 February -

Hon N.F. Moore: I was asking her to continue the policies of your Government.

Hon TOM STEPHENS: The Minister was asking the Equal Opportunity Commissioner to butt out, as it was reported. I did not see any denials by the Minister reported in any of the electronic media at the time.

Hon N.F. Moore: Because you didn't listen.

Hon TOM STEPHENS: A new question is before the House; the Minister will have the opportunity of contributing to the debate.

The DEPUTY PRESIDENT: Order! I ask the member to address the Chair, not one particular member on the opposite side of the House, and I ask that other members cease their interjections.

Hon TOM STEPHENS: In that same week we saw on 18 February the most astonishing, breathtaking and extraordinary directive from the new Premier which forbade all State Government departments and officers from having any contact with any Federal Government officers or the Federal Government without prior ministerial approval.

Hon N.F. Moore: Didn't you see the directive?

Hon TOM STEPHENS: It is difficult to ascertain whether the directive is still in place.

Hon N.F. Moore: You wouldn't know because you never saw it. You have relied on newspaper articles as usual.

Hon TOM STEPHENS: The matter was well reported at that time. Can the Minister now assure me that officers of the State Government have the freedom to deal with the Federal Government as they had under previous administrations?

Hon N.F. Moore: Of course they have. Officers from my own department deal with them.

Hon TOM STEPHENS: Do they need ministerial approval?

Hon N.F. Moore: Of course not. That directive was never issued.

Hon TOM STEPHENS: It was never issued?

Hon N.F. Moore: Do you always believe what is written in the newspapers? That is why you always get it wrong.

Hon TOM STEPHENS: Does the Minister deny that the Premier ever gave a directive of that sort?

Hon N.F. Moore: There was a directive of a sort, but not the sort that was described in the newspaper article.

Hon TOM STEPHENS: Did the directive from the Premier forbid State Government public servants having contact with Federal Government officers?

Hon N.F. Moore: No, not in those terms.

Hon TOM STEPHENS: In some terms, but not in those terms?

Hon N.F. Moore: I told you that a directive was issued saying that the policies of the former Government were no longer Government policy, and that they should not have been in place because the Government had changed, in case you hadn't noticed.

Hon TOM STEPHENS: That is interesting. We seem to have half an admission. It was not the same policy, but nonetheless they were forbidden to talk to officers.

Hon N.F. Moore: They were told that they weren't to continue with the policies of the last Government.

The DEPUTY PRESIDENT: Order! Hon Tom Stephens fought hard and long to get the right to speak to this motion; he should move along while speaking to the Chair.

Hon TOM STEPHENS: I now move to week three when we saw the arrival of the first bungle of the Minister for the Environment, Kevin Minson. He said on 23 February that he saw no reason to split the roles of Chairman and Chief Executive Officer of the Environmental Protection Authority, contrary to coalition policy. The announcement of the so-called independent audit of State finances was then made. Dr Carmen Lawrence was able to identify the people associated with that commission and reveal the backgrounds of the people who formed it. True to form, many weeks later we saw the results of that stacked commission's work; it produced a stacked report which already has had more holes in it than Swiss cheese. The Leader of the Opposition in the Legislative Assembly and my esteemed colleague, Hon Mark Nevill, as shadow Minister for Finance, have pointed out time and time again the deficiencies of the McCarrey report which came out of the so-called independent audit of State finances.

Members on the Opposition benches had an interesting visit to New South Wales under the leadership of Carmen Lawrence. The Carr Opposition went through a few steps that we expected the conservative Government in Western Australia would no doubt undertake once it got into office. True to form, a small pattern has emerged underneath the chaos which has been very much the pattern of conservative Governments as they have arrived in office in other States of the Commonwealth of Australia. We have seen the appointment, firstly in New South Wales, subsequently in Victoria, and now in Western Australia, of so-called independent commissions of audit which have the sole objective of trying to destroy the record of economic management of previous Labor Governments in the States in which the commissions have been appointed. Unlike the pattern which has been adopted at least in Victoria and New South Wales, where conservative Governments have been able to show some restraint and wait for the appropriate cues before announcing draconian imposts upon the people as a result of the findings of those independent commissions, the Government in Western Australia broke all the cues, jumped ahead of the commission of audit's findings and began announcing increases in various Government taxes and charges and the slashing of Government activities. It did all this well in advance of any report arriving from the independent commission - even when the independent commission was shown to be demonstrating in some of its findings that the circumstances in which this Government found itself when it took up the Treasury bench were by no means as bad as it portrayed when in Opposition. Even when the commission tries to construct a case for an ideologically driven type of management in Western Australia, the Government cannot sustain its argument in the face of the scrutiny under which that report has been placed since it was made public.

If the McCarrey report mark I is anything to go by, the people of Western Australia certainly have something to fear in McCarrey report mark II. They are seeing a flimsy attempt to disguise the ideological motives of the Government and its conservative allies in Western Australia who like to see the slashing of public expenditure and Government services to the people of Western Australia.

Hon N.F. Moore: Have you read the bit about expenditure on Government schools?

Hon TOM STEPHENS: I thought that was interesting. The McCarrey report seems to be at odds with the Vickery report.

Hon N.F. Moore: Not at all; they are exactly the same. If you look, you will find that



Government expenditure on schools markedly declined in recent years under your stewardship.

Hon TOM STEPHENS: That is a most extraordinary claim by the Minister for Education. He has not even got his facts right.

Hon N.F. Moore: Read the Grants Commission report.

Hon TOM STEPHENS: Hon Norman Moore knows damn well that in the period -

Hon N.F. Moore interjected.

Hon TOM STEPHENS: The Minister should listen to me. He will learn something as Minister for Education if he listens. I am sure that the Deputy President will make him listen to me, because I will speak through the Chair. I tell the Minister for Education that if he examines closely his figures and the fallacious claims he has made, not only in public but also now in this House, he will recognise that in the 10 years the former Government was in office expenditure on education continued to grow and there was never in dollar terms or real terms in the period in which we were in office any decline in expenditure on education in this State. At the same time, other areas of the State Budget grew in overall allocation. Although the funding for education may not represent the same proportion of the Budget -

Hon N.F. Moore: What a joke you are.

Hon TOM STEPHENS: The Minister should not laugh. He might learn something from this. Is the failed Minister for Education daring -

Hon N.F. Moore: I am still the Minister for Education; you were a Minister for about three seconds.

Hon TOM STEPHENS: Yes, but the Minister has failed. He failed on day one and he is failing again tonight, and he would be telling untruths in this House if he dared to suggest that in the 10 years in which we were in Government there was ever a reduction in real terms of expenditure on education.

Hon N.F. Moore: In Government school education there has been. The Grants Commission says you were \$112m below the State average.

Hon TOM STEPHENS: The Minister is wrong.

The DEPUTY PRESIDENT: Order! Let us return the debate to rational grounds without the interjections and with the member's comments being directed to the Chair.

Hon TOM STEPHENS: I recognise that without the interjections from the Minister for Education the debate would be rational. The Minister is wrong. He also does not seem to have picked up that if he studied the Vickery report, as fortunately my colleagues on this side of the House have done, he would see that conflict exists between the recommendations of the Vickery report and the McCarrey report.

Hon N.F. Moore: Tell us about it.

Hon TOM STEPHENS: It will be fascinating to see how the Minister resolves that.

Hon N.F. Moore: It is quoted directly from it.

Hon TOM STEPHENS: The Minister should read his two reports.

Hon Mark Nevill: What changes did you make to it?

Hon N.F. Moore: None at all.

Hon TOM STEPHENS: For how many changes did the Minister ask?

Hon N.F. Moore: I have already answered that question in the House. I said you need to seek a decision of the Parliament in light of the royal commission's findings.

Hon Graham Edwards: Why didn't you do something about it this afternoon?

The DEPUTY PRESIDENT (Hon Barry House): Order! Earlier today we had an unusual debate and, under the circumstances, it was appropriate to allow some latitude. However,

we are dealing with normal business and in the absence of the President his rulings on the conduct of debate still apply. I ask members to abide by those rulings.

Hon TOM STEPHENS: I do not know how many times the Minister for Education directed Dr Vickery to change the report or to instruct his officers to change it.

Hon N.F. Moore: Ask him and he will tell you. Unlike you he is a man of substance.

The DEPUTY PRESIDENT: Order! I ask the Minister for Education to cease his interjections.

Hon TOM STEPHENS: I hope the Minister for Education received the letter I faxed to him earlier today requesting an opportunity to be briefed by Dr Vickery on his report.

Hon N.F. Moore: I have not seen it, but he will be available to talk to you any time. You can ask him whether I directed him.

Hon TOM STEPHENS: Is the Minister giving me permission to speak to Dr Vickery?

Hon N.F. Moore: He is a private human being and he can do what he likes.

Hon TOM STEPHENS: I will fax Dr Vickery a copy of the comments the Minister has made tonight.

Hon N.F. Moore: Ask him whether I directed him.

Hon TOM STEPHENS: Were any of his staff directed?

Hon N.F. Moore: Certainly not, and I resent that remark. I do not operate on the same basis as you or your mates on the front bench.

Hon TOM STEPHENS: It is interesting to hear about the independent reports which have been commissioned by the Government. We understand that several approaches were made to the independent committees and that the phones ran hot between the Minister and the review committees as they examined the various issues to tailor make the reports to reflect the image and aspirations of the Government.

Hon N.F. Moore: I sent the conditions to your union mates. It is not a secret. I am evenhanded.

Hon TOM STEPHENS: Mr Deputy President, if the Minister interjects on me again, will you extend my time?

After I have revealed this Government's litany of sins I will refer to the issues of secrecy and accountability on which this Government has failed its test.

In the third week this Government was in power we witnessed an extraordinary event in which the Minister for Labour Relations flagged the Government's intention to scrap the bicycle helmet laws for adults. On 25 February there was deafening silence on this issue from the Minister for Police. On 27 February the Minister for Transport caved in to transport operators and allowed road trains to travel through suburbs without any regard to residents, local government or the coalition's Swan Valley policy. In the fourth week this Government was in office, on 2 March, the Minister for Education was sparking industrial threats by saying that teachers do not need an award to protect their conditions.

Hon N.F. Moore: I did not say that.

Hon TOM STEPHENS: That was the impact on the education work force.

Hon N.F. Moore: That was the journalists' interpretation.

Hon TOM STEPHENS: It appears that the Minister for Education is having problems expressing himself in plain English. He cannot get anyone to understand what he says and when someone interprets his statements he says that is not what he meant. He needs an assistant Minister to keep an eye on him and to explain what he really means. People may then understand what he is trying to say.

Hon N.F. Moore: It is a good idea. I have so much work to do to fix up the mess you left.

Hon TOM STEPHENS: In exhibiting his usual tolerance and sensitivity Hon Norman

Moore claimed on 2 March that Aboriginal demands for education and Government services in remote areas is some sort of ploy to bolster land claims. On 5 March it was stated in the Press that Premier Court had left the door open on imperial honours despite every other conservative leader closing off the option. We have seen the playing out of that debate. It was also reported, on 6 March, that Premier Court broke another promise by flagging an increase in taxes and charges without waiting for the report of the independent commission of audit. On the same day it was reported that the Minister for Community Development claimed that destitute families are using emergency relief funding and are becoming dependent on handouts. He displayed an extraordinary ignorance of the conditions facing communities in this State. Also on the same day the slow bleeding of working conditions began with the Minister for Labour Relations lifting regulations on noise and manual handling designed to prevent worker injury in this State. Hopefully, the other place will disallow this change to the regulations.

On 4 March it was reported that the Minister for Planning was flying in the face of efforts to slow the urban sprawl by advocating a return to the quarter acre block mentality and the Minister for Lands scrapped the first home buyers' component at Hepburn Heights and turned it into an exclusive housing estate.

In the fifth week this Government was in office the Premier projected a \$233m shortfall in the forthcoming Budget which justified an increase in taxes and charges. The Minister for Energy threatened the Collie power station project by proposing to halve it on 9 March. Two days later, the Deputy Premier and the Minister for Energy demonstrated a split in the coalition over the proposed Collie power station, sending confused signals to the investment community. Only this week an extraordinary Cabinet decision was made which resulted in a reversal of the previously adopted position of the Labor Government when it was in office to proceed with this project.

Hon N.F. Moore: You did not make a decision to proceed.

Hon TOM STEPHENS: We indeed did.

Hon N.F. Moore: You did not.

Hon TOM STEPHENS: The Minister for Education was not in the Cabinet room at that time.

Hon N.F. Moore: I know, but I have seen the Cabinet minutes.

Hon TOM STEPHENS: One of the extraordinary things that has happened since this Government has been in office is a complete breach of the arrangements which pertained to the question -

Hon N.F. Moore: It did not pertain when you were in Government.

Hon TOM STEPHENS: We did not wave around Cabinet minutes like this Government.

Hon N.F. Moore: I have not done that.

Hon TOM STEPHENS: The Government has been doing that. The Minister for the Environment was waving around Cabinet minutes. Historically, Cabinet minutes of the previous Government remained in its domain. The permission of the previous Government had to be sought before they could be made public. That was the code of ethics adopted in this State until now. We now see the new process of displaying Cabinet minutes. I have not seen it happen before. The Minister for the Environment did it and the Government has the gall to misconstrue a decision taken by the previous Government.

Several members interjected.

Hon TOM STEPHENS: I know the Minister for Education is wrong because that was my first Cabinet meeting.

Hon N.F. Moore: What did you decide to do?

Hon TOM STEPHENS: We were under no misapprehension whatsoever. We knew what we were deciding that day.

Hon N.F. Moore: Tell us what you decided.

Hon TOM STEPHENS: The then Government was of the opinion that an incoming Government could not withdraw from the strategy it adopted at that time.

Hon N.F. Moore: What did you decide?

Hon TOM STEPHENS: We believed that decision left any Government which tried to reverse the decision open to the prospect of litigation on the part of the successful proponents.

Hon N.F. Moore: What was the decision?

Hon TOM STEPHENS: It was to leave the State Energy Commission of Western Australia with the authority to complete the negotiations on behalf of the State.

Hon N.F. Moore: Did you make a decision to support it?

Hon TOM STEPHENS: We made a decision to leave SECWA to complete the negotiations with Asea Brown Boveri to proceed with the construction of a power house in Collie of a particular size. This Government has left the State exposed -

Hon W.N. Stretch: You were wrong then and you are wrong again.

Hon TOM STEPHENS: Hon Bill Stretch was not in the Cabinet room then and he will never be in the Cabinet room. The life of this Government will be so short lived that very few of his colleagues will have the opportunity to be in the Cabinet room when one considers the litany of sins I have outlined. I have outlined only one quarter of them so far.

In that same week, on 11 March, Finance Minister Max Evans put the future of the Beatty Park Aquatic Centre upgrade in doubt, and on 12 March the Government withdrew support for the State Theatre Company and it subsequently collapsed. We then saw the fortuitous win of the Federal Government on 13 March causing Premier Court's economic policies to be in tatters and go up in smoke. This litany of sins continues into week six when Community Development Minister Roger Nicholls removed public servant Mike Daube from his position as Acting Director of the Department for Community Development despite Mr Court's promises that public servants had nothing to fear from a change in Government. The Minister for Mines, Mr Cash, then sent bulldozers into Rudall River national park with an announcement on 18 March. The Government also signalled on 18 March that Mt Lesueur national park was up for grabs.

In week seven on 22 March we saw Premier Court and Environment Minister Kevin Minson at odds over duck shooting, with Mr Court wanting a review and Mr Minson and South Perth MLA Phil Pandal wanting to honour their pre-election promises. After initial denials Housing Minister Doug Shave admitted on 24 March he had scrapped the Fremantle Woolstores public housing project. Another non-decision by Mr Shave on 24 March was that a \$3m public housing project was axed. On 27 March Transport Minister Eric Charlton flagged increases in public transport fares for city commuters only, of course. Showing that he was a great tower of strength, on 26 March Premier Court refused to give a commitment on the Collie power station - Hendy Cowan must have been away. In week eight Premier Court reached a decision of which, no doubt, the founder of the Liberal Party would have been proud when he said the Royals were terrific at a time when most Australians, including other Liberals, were taking the opposite view.

I have been impressed by my friend, the Mayor of Port Hedland, who went out into the rank and file of the Liberal Party and at the State conference in Kalgoorlie strongly advocated that his colleagues show commonsense and indicate that they were up with the thought patterns of the community in Western Australia. He told them not to dismiss out of hand the approach of the community of Western Australia and the Federal Government in wanting to consider the question of a republic and necessary changes to our Constitution. He said that they should examine the role of the monarchy and similar issues. I am speaking here of Dr Alan Eggleston, president of the Kalgoorlie North division of the Liberal Party, who went to the State conference of the Liberal Party in Kalgoorlie as a voice of reason strongly advocating these ideas in their midst before

being flung from the State conference as though he were a viper in the den or showing some kind of disloyalty to the fundamentals of liberalism as it has come to express itself in this State; that is, as a bastion of supporters of the monarchy who will sing "Rule Britannia" until the cows come home presumably rather than taking note of the sensible counsel delivered to the party by people like Alan Eggleston, the Mayor of Port Hedland, who seems to be more in step with the wishes of the people of Western Australia than do the rest of his colleagues in the Liberal Party in this State.

We also saw the Liberal Party squirm when the Deputy Premier offered a cash bale out to Southern Processors Ltd on 31 March. We saw the way in which that issue played itself out in the Press. It is not yet finished as we see the various twists and turns of the Government over that matter. We have seen a most extraordinary twist in the way the Government approaches these matters now as opposed to the way it approached them while in Opposition. We had to sit here day in and day out hearing the views of this party which it will not now implement because it is in Government. It merely presses on with a completely new strategy and in Government finds itself involved in processes it strongly criticised while in Opposition.

Hon W.N. Stretch: I imagine that the member's colleague and neighbour, Hon Bob Thomas, would support the Albany decision.

Hon TOM STEPHENS: During my comments I will point out the hypocrisy of the approach of this Government as opposed to its approach when in Opposition. It now has a totally different strategy. It is galling to hear that in its party room members of the Government have dared to use expressions such as, "You have to remember what we said while we were in Opposition", and that members of the Government have had to be reminded by their colleagues of what was said while they were in Opposition. It is galling that people are saying, "We said that while in Opposition, but we are in Government now", and then are laughing; there is not one member of the Government to hold people up to those promises.

Hon George Cash: In order that the member can get matters straight I will invite him to one of our party meetings because he would clearly be better off being there and listening to what was being said rather than inventing the things he is saying or surmising that these things might have been said.

Hon TOM STEPHENS: I have my diary here. If the Leader of the Government can tell me the date of the meeting, I will be there.

Hon George Cash: I can only make the suggestion.

Hon TOM STEPHENS: I have my diary ready.

Hon W.N. Stretch: I think the member would do better in fairyland.

Hon TOM STEPHENS: Did Hon Bill Stretch not hear the Leader of the Government invite me to his party room?

Hon Peter Foss: The member will be welcome.

Hon TOM STEPHENS: Hon Phillip Pandal will probably be shocked to hear that I have been invited to his party room.

Hon George Cash: The member will have to leave matters to me and I will let him know about this.

Hon TOM STEPHENS: I have come to understand the lack of value of assurances given by the Leader of the Government in this House. He would realise that I no longer set great store by what he says.

Hon George Cash: I think the member came down in the last shower.

Hon TOM STEPHENS: The Leader of the Government invited me to his party room. I look forward to going so long as there are no strings attached, so that I can get back to my own party room to tell my colleagues of the shambles and what the Government has been up to; and more importantly, to see the hypocritical approach the Government now

takes when compared with its approach while in Opposition. Government members are saying to each other in the party room, "We must remember what we said in Opposition." Government members then say, "Don't worry about that, we are in Government now."

Those are the flippant and humorous comments that members opposite have made in their party room, which are the seeds of their destruction. Perhaps members opposite cannot recognise that as fundamental to bringing down the integrity of this Government, but those members of the Government who are more reflective and who have higher standards than those displayed in the leadership of the Government in this House would recognise that loss of standards as something that will bring down the Government, if the Government cannot see the value of maintaining a commitment to a principle. Members opposite cannot overturn all the arguments and shibboleths they presented while in Opposition, including the role of this place and its committees. The standing committees of this place used to be championed as great places for placing Government on its mettle, under review, and under close scrutiny to keep it honest. However, members opposite say they are in Government now and, "We don't have to worry about anything said in this place prior to our election to Government."

I have reached week eight. On 3 April John Osborn was sacked from the Western Australian Tourism Commission by the Minister for Tourism, Doug Shave, without explanation. In another blunder, on 31 March, Environment Minister Kevin Minson appointed crab expert Dr Tim Meagher to review logging levels in State forests, thereby outraging Green groups. No doubt Hon Phillip Pental, former shadow Minister for the Environment, was flabbergasted and embarrassed by the decision his Government made without the skilful direction he would have provided to it had he been a Minister. He would have no doubt been completely embarrassed by this decision and certainly enraged because he was not present to urge wiser counsel upon Cabinet than that pursued by Kevin Minson in relation to Dr Tim Meagher.

In week nine on 5 April Liberal and National Party member shareholdings in Southern Processors were exposed causing more red faces. Premier Court made his first backflip on the royal commission on 5 April rejecting recommendations on the establishment of a powerful anti-corruption body. The Director of the Institute of Public Affairs, Mike Nahan, bit the hand that fed him on 10 April by warning that Premier Court's increases in taxes and charges might not be necessary.

I would be very interested to hear about that because we have heard much debate about whether the Liberal Party in Opposition contributed to the finances of the Institute of Public Affairs. While Hon Bill Stretch is present in the House perhaps he could indicate whether that is so. I understand that he was secretary of his party while in Opposition and would be privy to information whether his party made substantial donations to the institute. Perhaps the member could indicate whether he made a donation as Secretary of the Parliamentary Liberal Party? Silence! I suspect that under the silence a real tale could be told. Despite the denial of various people at the other end of this Parliament, Hon Bill Stretch knows, as we all know, that a substantial transfer of funds was made from the Parliamentary Liberal Party to the Institute of Public Affairs.

Hon W.N. Stretch: At the risk of offending the Deputy President I can say that we subscribed to magazines. We did not make a donation.

Hon TOM STEPHENS: Was it \$25?

Hon W.N. Stretch: At the risk of offending the member, he should mind his own business.

Hon TOM STEPHENS: Perhaps it was \$500. Would that be a subscription? Would Hon Bill Stretch call a \$500 cheque a subscription? I call it a donation.

Hon W.N. Stretch: You are in fairyland. You are an idiot, and you are wrong.

Hon TOM STEPHENS: It was disguised not as something that came from the State Parliamentary Liberal Party -

Hon W.N. Stretch: You are wrong. You are in fairyland. You are a joke.

Hon TOM STEPHENS: - but recorded as a cheque which came across from Hon Bill Stretch to the Institute of Public Affairs rather than from the Liberal Party despite the fact that it came from Liberal Party funds.

Hon W.N. Stretch: You are not even clever. I told the truth. You do not recognise that, for very good reason.

Hon TOM STEPHENS: Perhaps I will probe further.

Hon W.N. Stretch: No, you cannot. You are totally out of order.

Hon TOM STEPHENS: I suspect we are close to touching something that is very fundamental.

Hon W.N. Stretch: I have told you the truth. You probably do not recognise it.

The DEPUTY PRESIDENT: Order!

[Leave granted for member's time to be extended.]

Hon TOM STEPHENS: A tale is yet to be told about this question. I will wait to hear Hon Bill Stretch speak on this question before the House.

Hon W.N. Stretch: I will not.

The DEPUTY PRESIDENT: Order! The speaker is obliged to speak through the Chair, as always.

Hon TOM STEPHENS: I thank you, Mr Deputy President. Perhaps you will be able to extract the information that I have not been able to extract; that is, whether the State Parliamentary Liberal Party made a donation disguised as a subscription and transferred by Hon Bill Stretch to the Institute of Public Affairs, rather than a donation from the State Parliamentary Liberal Party. I suspect it probably was.

Hon W.N. Stretch: Again, you suspect wrongly. Are you such a stranger to the truth that you cannot recognise it?

Hon George Cash: Did Hon Tom Stephens have magic mushrooms for tea tonight?

Hon TOM STEPHENS: I have had the advantage of seeing things that make me distrust the advice not only of Hon Bill Stretch but also of the Leader of the House in this place. Hon Bill Stretch should be very careful when he responds.

Hon W.N. Stretch: I am always very careful, as the member knows.

Hon TOM STEPHENS: Hon Bill Stretch might regret his comments because I have seen things that I find very interesting. We are not associated with magic mushrooms.

Hon George Cash: You have been eating them; I can tell.

Hon TOM STEPHENS: We are associated with very good information made available to us.

Hon W.N. Stretch: You are totally wrong.

Hon TOM STEPHENS: The *Leader* publication continues -

#### WEEK 10

. Attorney General Cheryl Edwardes delays introduction of Freedom of Information laws while the position of Freedom of Information Commissioner is readvertised without good reason (April 12).

. Premier Court shuns Royal Commission advice on independent public sector watchdog - wants an 'independent' watchdog firmly under his control! (Apr 15).

. In a characteristic display of double standards, Government Media Office, once described by Premier Court as a huge and sleazy propaganda machine, is expanded - despite promises to reduce its size. (Apr 17).

That was a most amazing turn of events. When in Opposition, the Liberal Party attacked the Government for establishing a process whereby information was made available to

the community. We were told we should abandon the media office; we should throw it out. However, when members opposite attained Government they increased the number of press secretaries available to Ministers. At least while in Government we gave responsibility to our press secretaries to pass on information to the public. Hon Norman Moore gives instructions to his press secretary that it is the press secretary's responsibility to keep the Minister out of the Press. He is told to make sure that the Minister never appears in the Press; the Minister does not want to have a public profile.

Hon N.F. Moore: He is not doing a very good job. Maybe he should get a new job.

Hon TOM STEPHENS: If the press secretary had responsibility for passing information to the community I could understand that the Government might need to expand the numbers. At least one Minister, the Minister for Education, passes on instructions in the hearing of others -

Hon N.F. Moore: It was meant to be a joke. The member's sense of humour is so limited that he does not know what is a joke.

Hon TOM STEPHENS: Here it is! The Minister is either being misunderstood or he is only joking. How does his head of department know the difference between when he is misunderstanding the Minister and when the Minister is only joking?

Hon N.F. Moore: Ask him!

Hon TOM STEPHENS: Perhaps we will need to ask him. I cannot understand whether the Minister is only joking or I am misunderstanding him. The Government has expanded the number of press secretaries.

Hon Kim Chance: It was a joke!

Hon TOM STEPHENS: Yes, that is right. When in Opposition, members opposite said that the Government Media Office should be shut down. After being elected to Government, they decided the media office must be expanded. As the process continued, they discovered that the Government Media Office and its director had standards that they were not prepared to breach. Therefore the Government sacked the head of the media office. He is scuttling out of the State without a job. The Government has now presumably employed someone who is more willing to utilise the Government Media Office for something that it was never established to do. Apparently now it has become a perpetrator of Liberal Party propaganda rather than passing on information from the Government to the community. The Government Media Office was not set up to allow Ministers such as the Minister for Education to hide behind a press secretary and never be available for the scrutiny of the Press. In this House today the Minister for Education has ensured that he will not have to face the scrutiny of Parliament; this has been the result of a strategy whereby standing committees have been established and stacked with Government members. They will be controlled by the Government, and this place will no longer be a House of Review. It will become a rubber stamp. The Minister will do as he likes. The Government is going down the path about which the royal commission warned Governments of all political persuasions. The Government has been warned.

Hon W.N. Stretch interjected.

Hon TOM STEPHENS: The antidote, Hon Bill Stretch, is to listen and learn.

Hon W.N. Stretch: I have not heard a thing.

Hon TOM STEPHENS: The member will learn from history. Mistakes have been made but we are prepared to commit ourselves to solid reforms of the processes of government and democracy in this State. That includes listening to the recommendations of the royal commission, rather than shredding them as the Government has been prepared to do. The Government should accept the recommendations of the royal commission.

Hon N.F. Moore: Why is Mr Grill on the front bench? What did the royal commission say about him?

Hon TOM STEPHENS: The people of Western Australia made their judgment on him.



Hon N.F. Moore: The report referred to improper conduct.

Hon TOM STEPHENS: Hon Norman Moore has never received more than a handful of votes.

Hon N.F. Moore: I am still here. The bottom line is that I do not have a royal commission recommendation reference like his, yet he is on your front bench ahead of you!

Hon TOM STEPHENS: The judgment of a member of Parliament is to face the electorate, and in that context Mr Julian Grill has faced his electorate and has been returned to Parliament.

Hon N.F. Moore: You are ignoring the findings of the royal commission.

Hon TOM STEPHENS: Nothing in the royal commission findings says that Mr Grill should never hold public office again.

Hon N.F. Moore: It said that his behaviour was disgraceful.

Hon TOM STEPHENS: I am sure that members on this side have learnt an enormous amount from the recommendations of the royal commission; however, members opposite have learnt nothing. They should not get into the groove so early in their term in office of repeating the mistakes of the past.

A mistake we made when we got into Government was that, because we knew this Parliament was always weighted against the Labor Party at the ballot box, regrettably we did not have the respect for Parliament it deserves. I know better than most exactly how important it is to ensure that every process of the democratic system is in place. We must have a strongly functioning party room. I have committed these days in Opposition to ensuring that our party room functions well and keeps a check on the shadow Cabinet to ensure it reflects the party room's wishes and those of the wider community and has learnt from the mistakes of the past.

Eventually we will see democratic reform in this State, even though it will probably be over the dead bodies of some members opposite. Unfortunately, we may have to wait for natural attrition through the passage of time - I am certainly not advocating any other action! The electoral laws of this State will be reformed with democracy in full flower in both Houses of Parliament, and Parliament will assume its rightful place as part of the checks and balances in this State. Nothing could be a greater tragedy or travesty than what we have seen today with the stacking of the standing committees of the Legislative Council. With such stacking the Government will never face the scrutiny under which it should be properly placed through the operation of standing committees.

Hon W.N. Stretch: Look at the committees in the other place when you had the numbers - wash your mouth out.

Hon TOM STEPHENS: We have had a royal commission which recommended that Parliament take notice of its findings.

Hon W.N. Stretch: Your party debauched the system.

Hon TOM STEPHENS: I realise the member is thick, but is he deaf?

Hon W.N. Stretch: You cannot hear.

Hon TOM STEPHENS: I know the member has difficulty in hearing, so I will say this slowly: A royal commission has made recommendations asking us to mend our ways - this includes Mr Stretch.

Hon W.N. Stretch: I did not see my name mentioned in the royal commission report.

Hon TOM STEPHENS: Hon Bill Stretch is one of the worst examples, as he champions the cause of this place. He says to his colleagues, and those in the National Party, that such reform would tie the hands of the coalition. No longer would the conservatives have the hegemony they have had in this place for 160 years controlling the legislative making process in this State. Despite the royal commission recommendations to the contrary, members opposite will not even listen to suggestions of reform. We can see the

corrupt laws that the conservative parties have put in place through this effectively corrupt place as it does not accurately reflect the wishes of the community of Western Australia -

*Withdrawal of Remark*

Hon W.N. STRETCH: Mr Deputy President -

Hon TOM STEPHENS: The member would be insulted by the truth!

Hon W.N. STRETCH: Sit the clown down, Mr Deputy President! I question the right of the member to reflect on this place by calling it a "corrupt place". I strongly object.

The DEPUTY PRESIDENT (Hon Barry House): I share the member's concern.

Hon TOM STEPHENS: I withdraw the suggestion.

*Debate Resumed*

Hon TOM STEPHENS: However, it is clear that members opposite must recognise that this Chamber does not accurately reflect the wishes of Western Australians. To that extent the royal commission recommended reform.

Hon George Cash: You put the amendment into the legislation.

Hon TOM STEPHENS: This place should not operate as a rubber stamp as this Government runs from catastrophe to catastrophe. I have referred to only the first nine weeks of the life of this Government, and I will need an extension of time to refer to all its mistakes. This Government has only 183 weeks left in office. In an hour and a half I cannot outline the first quarter of the mistakes this Government has made in its first 25 weeks in office. That indicates the commissions and omissions which have taken place, and I was about to refer to the matters of secrecy.

Hon George Cash: The Supply Bill will reach this House in a couple of days. You can have your supply of magic mushrooms and continue your speech.

Hon TOM STEPHENS: No doubt we will see another amendment to the Address-in-Reply.

Hon George Cash: Against standing orders.

Hon TOM STEPHENS: I will have the opportunity to speak at length on these questions and get it over and done with in one burst.

Members opposite must learn from history. They must ensure that this House is not just a rubber stamp for this Government. Some Ministers have a problem with truthfulness; checks and balances are needed. In the short period of this Government the record indicates inconsistencies separated by only a few paragraphs within a speech. Ministers have told what are called porky pies and their actions require scrutiny, and Government backbenchers require protection from this tendency. The Government backbench contains some honourable men and women who do not want to be embarrassed by the frontbench telling porky pies. However, more important than that, this place requires review to ensure that the Government is placed on its mettle so that it does not repeat the mistakes made when the conservatives were last in Government riding roughshod over the community -

Hon T.G. Butler: And the workers. Don't forget the workers!

Hon TOM STEPHENS: - and the workers. This Government should not make the mistakes which were made when we were in Government. I look forward to explaining to the House this full litany of sins of this Government and I will then move to the other important issues which bedevil this State as a result of this Government's election.

HON N.F. MOORE (Mining and Pastoral - Minister for Education) [8.48 pm]: I must respond to some of Hon Tom Stephens' comments, as it is important that the House understand the facts; it should not rely on the tripe we just heard from the member. He went through the so-called litany of sins which would indicate somehow or other that the Government has a bad odour in the community and was making mistakes. Nevertheless,

this morning's *The West Australian* contained a Westpoll indicating a 45 per cent approval for the Government and a figure of 38 per cent for the Opposition.

Hon Tom Stephens: Tell us about *The Bulletin* poll.

Hon N.F. MOORE: I do not always put a lot of faith in the Westpoll, but if we were seen by the public in the same light as that referred to by Hon Tom Stephens we would not have reached double figures. We are well ahead of the Opposition in one poll and are level in another. Regardless of Hon Tom Stephens' rubbish we are still considered to be doing the right thing by the majority of the community, and are certainly preferable to the Labor Party.

I reject totally the suggestion by Mr Stephens that I in any way directed the Vickery inquiry. Dr Vickery has a long and honourable history in Western Australian education. He was the Director General of Education in Governments of both persuasions. He is highly regarded by the community. He was appointed by a Labor Government to head the Academy of Performing Arts, which he did with distinction. He is regarded as beyond reproach in the education industry. Therefore, Dr Vickery would not take direction from me in any report to which he put his name. I regret any suggestion otherwise. Had I directed him, he would have told me to go and get lost.

Hon Tom Stephens: Did he do that when you tried?

Hon N.F. MOORE: The member opposite has the mentality of a three-year-old, although that is an insult to three-year-olds.

Hon Tom Stephens: Is that a joke? Did I misunderstand that you have just insulted me?

Hon N.F. MOORE: The member would never know; he lives in a strange world of persecution. The member believes he has been persecuted since birth, and he must get rid of that tension. The member is hyperactive. If a good schoolteacher had got to him years ago, he could have been sorted out.

Also, Dr Vickery makes no suggestion in his report about anything to do with my views. The report represents his and his colleagues' views - they wrote the report as they saw it. However, I spoke to them about one matter raised by the royal commission; namely, whether one should have statutory authorities handling large sums of taxpayers' funds. I said to Dr Vickery that if he is considering having a State training authority as a statutory authority instead of a Government department, he would need to consider the royal commission and McCarrey reports. I asked him to reconsider his position on that matter. I admitted that in this House, you clod. I told the House what happened.

Hon Tom Stephens: Did you direct them to rethink or not?

The DEPUTY PRESIDENT (Hon Derrick Tomlinson): Order!

Hon N.F. MOORE: I do not know how many times I need to say this, but I will say it now slowly: I advised Dr Vickery of the findings of the Royal Commission into Commercial Activities of Government and Other Matters on the question of statutory authorities versus Government departments. That is an issue that even Hon Tom Stephens would know about; he has been on the Government Agencies Committee. He is aware of the inquiry recently conducted into the reasons for statutory authorities. I explained to Dr Vickery that the royal commission stated that it was important, from the point of view of accountability, for Ministers to have direct control over large amounts of Government funding. The organisation that Dr Vickery was considering establishing was a replacement for the Department of Employment, Vocational Education and Training, which is a Government department, and the State Employment and Skills Development Authority, which is a statutory authority. I told Dr Vickery that when making his recommendations he should take into account the recommendations of the royal commission, which said that a statutory authority should not handle that sort of money or make those sorts of decisions. Dr Vickery considered that, and came up with a recommendation for a board to have an advisory role and to make decisions on the State training profile. He recommended there be a State training department to carry out the Government's policies on training matters.

Hon Tom Stephens: Did any of your officers on your behalf or on their own make any other attempt to get the draft report changed before it became a final report?

Hon N.F. MOORE: For the benefit of the gentleman opposite, I will repeat that Dr Vickery would not have tolerated that. It did not happen as the member suggested. Although that is probably the way in which his Government operated, it did not happen on this occasion; Dr Vickery would not have tolerated it. I suggest that Hon Tom Stephens apologise to this House as soon as he can - as he has done in the past.

Hon Tom Stephens: When have I had to apologise?

Hon N.F. MOORE: I remember an apology vividly, because I asked for it. Hon Tom Stephens claimed that Sir Charles Court had travelled in an aeroplane paid for by the Government.

Hon Tom Stephens: I have never made an allegation about Sir Charles Court. Hon Norman Moore has made an allegation which is wrong; his memory is failing.

Hon N.F. MOORE: I remember it vividly.

Hon Tom Stephens: When Hon Norman Moore checks the *Hansard* he will have to apologise to me.

Hon N.F. MOORE: I will be happy to if I am wrong, but I can assure Hon Tom Stephens that I am not. Under no circumstances has Dr Vickery been directed to do anything by either me or my officers. He would not have accepted that. If Hon Tom Stephens were to ask him, he would discover that.

For the edification of Hon Tom Stephens I will refer to Dr Vickery's report. It highlights something which I find quite strange considering the policies of the Labor Party, a party which is supposed to look after Government institutions and the poor and disadvantaged in our community. The amount of money allocated to Government schools has diminished and the amount of money going to non-government schools has increased dramatically. The big winners under the previous Government were the rich non-government schools. The big losers were the poor Government schools. That is what we are told by Dr Vickery, Les McCarrey and the Commonwealth Grants Commission. Page 13 of Dr Vickery's report states -

*The Report of the Independent Commission to Review Public Sector Finances* (McCarrey Report, Volume 1, June 1993) quotes expenditure figures for Western Australia relative to other States, as published in the Commonwealth Grants Commission 1992-93 Report. The Grants Commission assessed Western Australia as spending below the 'all-States standard expenditure' in government education by \$112.5 million or 11.4 per cent in 1991-92. An early estimate for 1992-93 -

This is the Lawrence Government's last Budget. To continue -

indicates that the funding gap has become significantly wider. . . . Although there are qualifications to interpreting this data . . . the analysis appears to corroborate the widely held view put to the Committee that Education has not enjoyed the same priority in the State Budget as it had in previous years.

This was from a Government which purported to look after Government education. It is an absolute disgrace. Page 14 of Dr Vickery's report states -

The change in priority for Education has resulted in a scaling back of the expenditure in real terms on government schooling.

That was the people the Labor Party claimed to be looking after. The report continues -

Partly as a consequence, the contribution of parents to the education of their children in government schools through the purchase of textbooks and consumables, including payment of school amenity fees, has increased.

That document was produced by Dr Robert Vickery a leading educational expert in Western Australia who has gone through all the evidence available to him. He says -

The shift of resources between sectors discussed in the preceding paragraphs appears to have been undertaken without analysis of its impact.

The Labor Government did no work; it did not know what it was doing. In 10 years successive Labor Education Ministers let down the whole system. When I became the Minister for Education I found a real mess. The former Minister for Education, Hon Kay Hallahan, who obtained a leaked version of this report, which I gave to hundreds of people in the community, has made some pedantic, silly little comment about two or three piddly issues in this report. Hon Kay Hallahan is a good example of why former Ministers should not become shadow Ministers. Dr Vickery's report is an indictment of the stewardship of Kay Hallahan, of the previous Minister, Dr Gallop, of the Minister previous to Dr Gallop, Labor Party leader Dr Carmen Lawrence, and of the Minister previous to her, Bob Pearce, that great stalwart of the Labor Party.

Hon T.G. Butler: I heard Hon Norman Moore make that comment on radio and he was done like a Sunday dinner.

Hon N.F. MOORE: Hon Tom Butler has made a poor assessment of who does well in these things, because Kay Hallahan should never raise her head again on any education issue of substance. The Vickery report states categorically that she made a total mess of the Education portfolio; but most importantly, Mr Butler, former President of the State Labor Party, she let down Government schools at the expense of rich private schools. That was done by a party that is supposed to look after the poor and underprivileged in our community. That is what this report says in black and white.

Hon Kim Chance: Where does it say that?

Hon N.F. MOORE: On pages 13 and 14; read it.

Hon Kim Chance: I am.

Hon N.F. MOORE: The member should read the report and then talk to the people who prepared it. He will then find that what I am saying is absolutely true.

Hon Kim Chance: I see what the report says, but it is not saying what you say it says.

Hon N.F. MOORE: It says that.

Training has been on the agenda in Australia for the last four or five years and is a very important issue in view of the terrible unemployment rate that exists in Australia. Thirty per cent of our youth cannot get jobs. That is what we inherited in Western Australia. We have a national unemployment rate of 11 per cent brought about by the Federal colleagues of members opposite who have admitted that we have to tolerate a long term unemployment rate of 10 per cent. Does Hon Tom Helm accept that? He is a so-called representative of the workers. Is he prepared to go along with that? I have not heard him say anything against Mr Keating or Mr Beazley. I have not heard him say that that is not acceptable but we have a terrible state of affairs in Australia with this massive unemployment problem which has been brought about by the Labor Party.

There is a problem with training. When I became the Minister for Employment and Training I inherited a very strange organisation of agencies. Kay Hallahan decided, when she was the Minister, that she had to do something about training so she set up what is called SESDA, the State Employment and Skills Development Authority. We all listened to the debate on the SESDA legislation. Because the unions controlled that which Kay Hallahan was attempting to do, the authority had to be a tripartite body. We told the former Government ad nauseam in this House that that tripartite body would never work and it did not work because it could not make a decision. The members of that committee would be the first to tell members opposite that they could not make a decision. Mrs Hallahan also said that there was this technical and further education system that was somehow mixed up with education and it had better be shifted somewhere else. She decided, therefore, that she would combine TAFE and the Department of Employment and Training and form DEVET, the Department of Employment, Vocational Education and Training. She did not ask anybody whether she should do that or hold a public inquiry to see whether that was the best way to go. She

made a decision and told a bureaucrat to put it together. I ask people in the community whether they have ever heard of DEVET and they say, "What do you mean? I have never heard of it." Nobody knows about DEVET because nobody had a chance to say anything about its setting up in the first place. Therefore, we finished up with DEVET and SESDA, both of which were doing the same thing from a different perspective.

When I became Minister, I told the chief executive officers under my portfolio to inform me what their agencies did. They did that and it became very apparent after about three days that several agencies were doing the same thing, but had a different view about how it should be done. When the previous Minister found that out she set up another agency, the Office of Education and Training, which was an overarching organisation whose job was to stop all of the other agencies fighting each other and to give her independent advice because she could not get advice from the other agencies because they all had different views. Instead of banging their heads together and telling them to get their acts together, she set up a new agency, the Office of Education and Training. However, that meant that there was another agency to fight with the existing agencies. It was an absolute shemozzle.

One of the reasons for the Vickery inquiry was to straighten out training. Page 46 of the report says that early in the review it became evident that the structure of the Western Australian training system required a significant rethink. It then says on page 47 that the unanimous view expressed by the key training stakeholders including the CEOs of both the State Employment and Skills Development Authority and the Department of Employment, Vocational Education and Training was that there was a need for major changes in the structure of the training system in Western Australia. Everybody agreed that the thing was a mess. Who created the mess? The former Minister who did not bother to ask anybody whether she should make the changes that she made. She criticised me today and said that I should now put this document out for public consultation for as long as it takes for everybody to have a say yet she did not give one person in Western Australia the opportunity to have an input into the creation of DEVET! She created a monster by having two organisations doing the same things, one a statutory authority and the other a Government department, who could never agree.

In Western Australia, we have a training system which is totally inadequate for our needs. We need a good training system because of the devastating situation we have with unemployment. We have to fix up the training system. That is the reason the Vickery report was prepared and that is why Dr Vickery made recommendations on the future directions that we should take. However, instead of getting some sensible responses from Opposition members, all we have had is this carping, miserable, mean, nasty criticism at a juvenile level because they have not even bothered to look at the main issues raised in the report. They have looked at a few small areas where Dr Vickery has said that if we are going to make a few hard decisions about educational funding, we must look at such things as school buses and class sizes instead of constantly cutting educational services, as did the last Government, in a way which no-one really noticed. The former Government, according to Dr Vickery, was never prepared to make a hard decision about the politically unpalatable areas of cost cutting but was prepared to cut educational support in areas where people could not see it happening. Therefore, we have an educational system that has been short changed at the chalk face, not in the area of buses, and that is apparent by the figures that have been quoted on education. The former Government did not have the guts to make the tough decisions.

Hon Tom Stephens: Will you consider increasing class sizes?

Hon N.F. MOORE: Mr Stephens being a person with some education, I expect that he will understand that not every class needs to have the same number of students in it and not every lesson needs to have the same number of students in attendance. As at university, some classes could have 300 people and some classes would be better off with one or two students in them. In Western Australia, we have set up a system which says that there must be a set number of students in a class no matter what is being done in the classroom. If Mr Stephens took notice of what educators say - I am sure he does - he will know that the question of class sizes is essentially irrelevant in the educational debate

because every situation is different. For every educator who says there should be 20 kids, there is another who says there should be 30; there are some who say that 50 is good in some situations but two is better in other situations. I will continue to argue for some flexibility in the way the system works. That is what devolution is all about. I give some credit to the former Government for beginning the devolution process. However, the problem was that it did not consult on that issue either. The better schools report came out via the previous Government without one iota of consultation with anybody. It was a fait accompli. In continuing the devolution debate, I have set up an inquiry which will allow people to have an input.

Hon Tom Stephens: Are you considering stopping school buses as well?

Hon N.F. MOORE: Not at all. What a dope Hon Tom Stephens is. The member should read the report because Dr Vickery did not recommend that.

Hon Tom Stephens: I have not seen the report.

Hon N.F. MOORE: I will offer the member a copy as soon as I sit down so that he can read it.

The report demonstrates clearly the need for a fundamental and significant rearrangement of the agencies involved in training. I suspect that members such as Hon Tom Helm who are interested in training because they come from a union background will be the first to applaud this. It says that this is a more focused way of proceeding and a better way of ensuring that industry and the unions will have a better opportunity to provide their views.

SESDA does not work. It has not made a decision since it was put in place because it cannot. Even the Opposition's Federal colleagues had enough sense in setting up the Australian National Training Authority - ANTA - to make it a body which is not representative of organisations. It picked a handful of people it believed could do a good job, not representing any interest, and that body is capable of making decisions. The problem with SESDA is that because of its tripartite nature its members could never agree.

Hon T.G. Butler: I congratulate you on your consistency. You took this line in Europe and you have not deviated from it one little bit, with any foresight at all. You did not look into SESDA deeply enough to appreciate what it is capable of doing.

Hon N.F. MOORE: Hon Tom Butler is absolutely right in saying I have not deviated from my argument that tripartite bodies do not work. When I became Minister I could have abolished SESDA and got rid of all tripartite organisations by Executive decision. However, I did not do so because people such as Hon Tom Butler would have said it was ideological claptrap.

Hon T.G. Butler: It is ideological claptrap.

Hon N.F. MOORE: Dr Vickery has been asked to do something different. Those who have read the report will know that the unanimous view of the key training stakeholders, including SESDA and DEVET, as indicated on page 47 of the report, is that -

there was a need for major change to the structure of the training system in Western Australia.

It continues -

The Review Committee concurs strongly with this view and considers that the State Employment and Skills Development Authority/Department of Employment, Vocational Education and Training overlap has to be resolved. It believes that there is a pressing urgency for this issue to be addressed as important national developments currently taking place will have implications for the future management and direction of State TAFE systems.

Dr Vickery and others who have looked at these matters are saying that I have inherited a mess which needs to be fixed up, and Dr Vickery has made recommendations which will fix it up. Last week I gave a number of people who are main players in this matter an

opportunity to give their views on the final draft report. I did not want a report to be released which contained a major flaw, and neither did Dr Vickery. The report was sent to a range of organisations, including the agencies, for their final comments and they were received by Dr Vickery prior to his final presentation of the report to me this morning. Dr Mossenson, the Chairman of the Secondary Education Authority, wrote -

The recommendations should be implemented without delay . . .

Without detracting from its high quality, the Report contains two or three ambiguities:

He commented on those and also said -

For this reason, I would support the Report's proposal that the Statute should be amended this year to enable the reformed Authority to function from early 1994.

The Catholic Education Office wrote -

I am supportive of the main thrusts of the report and believe it sets out a comprehensive plan for the structure of the agencies and functions of the education, employment and training portfolio.

It goes on to explain its views about particular matters. With respect to implementation, Therese Temby, who heads that organisation, wrote as follows -

The implementation process provides a way forward to move into the new arrangements with minimum disruption to current operations. I would welcome involvement by the Catholic Education Office in the Implementation Task Force, particularly in relation to the Office of Non-Government Education.

The Association of Independent Schools stated -

The Association of Independent Schools of Western Australia (AISWA) welcomes the main thrusts of the Report as they apply to the independent school sector. In our view, it does not contain any major difficulties or anomalies in regard to independent schools.

Given the short timeline and the diversity of your portfolio, the Review Committee has produced a remarkably thoughtful and comprehensive report which not only makes recommendations that should lead to improvements in the delivery of education and training, but also provides a realistic plan for implementation.

The Anglican Schools Commission wrote -

Members of the Review Committee have undertaken a demanding task in a professional and thoughtful manner.

It explains concerns about certain aspects of the report. I do not suggest that everybody thinks the report is right in every detail but the general view across the board is that the thrust of the report is correct. The Chamber of Commerce and Industry states -

In general, the initiatives contained in the report are supported and the Committee is to be congratulated on bringing such varied and complex deliberations to an articulate conclusion.

Hon Tom Stephens: Would you be prepared to table the file from which you are quoting?

Hon N.F. MOORE: Yes, I am happy to do so. I said a while ago that I would table it.

Hon Tom Stephens: To table this report? To table that file?

Hon N.F. MOORE: Yes, everything. I would like the member to read it. There is nothing secret about this. It is the most open inquiry into education conducted in the past 10 years. If Hon Tom Stephens has a view, I would like to hear it. I suspect it will be different from the view of his shadow Minister because I am sure she cannot understand the implications of it. Perhaps Hon Tom Stephens with his superior knowledge can. The Chamber of Mines and Energy wrote -



The report recommendations will, I believe, be largely supported by industry. It is how they are implemented, however, which will determine the success of the new system, not the structures which are put in place.

A response was received from the Trades and Labor Council but I must emphasise that it states -

This document is not an official or endorsed Trades and Labor Council response to the review of Employment and Training.

It is a view of the officers, who wrote -

Council Officers consider that the review into the Employment, Education and Training portfolio has given valuable input to some of the challenges facing the education and training sectors and are largely supportive of the report.

Hon Tom Helm: How will you set up these training councils?

Hon N.F. MOORE: That must be discussed. I have not said that I agree with it. I have a report which has not been agreed to yet.

Hon Tom Helm: You are opposed to the tripartite nature of the councils so you want to change them.

Hon N.F. MOORE: Do not put Dr Vickery's words into my mouth. This is his report and I have not yet accepted it.

Hon Tom Helm: You do not know what you are talking about. You said consultative councils do not work but Dr Vickery has said we must have training councils. He does not say how they will be set out.

Hon N.F. MOORE: I will make a decision on this after I have looked at the recommendations and considered how the system must be changed. There are difficulties because we are dealing with incorporated bodies and they may not wish to change. We are not in the business of telling people how to change because the bottom line is that we are looking for a system whereby we can find out from industry what its training needs are. If Hon Tom Helm thinks that the IETC network in its present form is the best way to go, he is the only person who thinks so. A wide variety of views indicate that it is not the best way to go. At the national level there is a significant reduction in the number of training councils because it is believed the system can be improved with some amalgamations. Dr Vickery has taken on board the national approach and has made recommendations.

Hon Tom Helm: He does not say that he objects to the tripartite nature of these councils.

Hon John Halden: Are you going to allow Dr Vickery to speak to members about this report?

Hon N.F. MOORE: Dr Vickery is a free agent. This is an open inquiry. If members opposite want to speak to him, they should call him and I am sure he will talk to them. However, if he does not want to do so, that is his business. I am trying to explain that this is an open inquiry. People are entitled to have their say. I sent copies of the report to people who would not normally have received a copy for their input into the original drafting and the final drafting, and they can now have a say with respect to the final version. I recognise that this is a fairly novel approach in Western Australia and that many people have not yet become used to the idea. Members opposite can actually talk to the people who wrote the report.

The members of the State School Teachers Union obviously did not read the report because a limited response was received from Mr Harken. He said that the critical proposal is that which creates a Western Australian council. In fact, it is not called a Western Australian council but an education council. His letter stated -

The SSTU has considerable reservations about the value of such a proposal. A number of the specifics are, in fact, incompatible one to the other. In particular the reference to a curriculum development function. . .

The proposal to amalgamate DEVET and SESDA is strongly opposed by the SSTU as is the proposal to privatize TAFE Colleges.

Everybody other than the former Minister and the Teachers Union thinks that DEVET and SESDA cannot continue in their current form. There is no suggestion that TAFE colleges be privatised. Dr Vickery suggests that the TAFE colleges be operated in the same way as the colleges set up under the Colleges Act, such as those at Port Hedland, Karratha and Kalgoorlie which were set up by the previous coalition Government. I have recently established the Pundulmurra College, and there is also the Customised Training College which was set up by the previous Government and made an independent college under the Colleges Act. Dr Vickery has recommended that all TAFE colleges be set up under the same proposal. I do not know about that. I would be interested to know what members opposite think about that proposition. He argues that that would provide an opportunity for local communities to have greater input into the training that is provided at the local level. It is argued that in places like Kalgoorlie, Port Hedland and Karratha, the needs of local industry are well and truly looked after and met by the activities of the independent colleges. For some reason, the State School Teachers Union does not support that proposition.

The Civil Service Association wrote me a long letter which went into quite a lot of detail. I regret that I have not read it in detail. It asked for my assurances that it would be consulted about the implementation of many of the recommendations. I have sought to provide to the House a rough indication of the views of a variety of organisations in the community about the Vickery report and to indicate that it is disappointing that the Opposition spokesperson on education has adopted such a carping approach to the general thrust of the report. I would have preferred that rather than the Opposition spokesperson's trying to be the first person to reach the media with the report and to somehow beat the Government to the punch, she had spent a little more time reading the report and talking to Dr Vickery, bearing in mind that I had provided the report to a range of people. Perhaps I should have given her a copy of it; that might have saved a lot of mucking around. I guess I was still labouring under the previous Government's way of doing things, where one was not told or asked about anything under any circumstances. I did give that report to her colleagues in the union movement.

Dr Vickery was prepared to accept evidence and advice from anyone who was prepared to give it to him. We have had an open inquiry. I made copies of the report available to members today so that they could read it. No decisions have been made on the inquiry's findings. I make it very clear that the system that I inherited as Minister for Education needed this review. I was faced with a situation which needed to be fixed up. Therefore, instead of making the decisions myself, which I could easily have done, and instead of doing what I wanted to do, I decided to go through the process of the Vickery review. I am delighted at the quality of that report. It is excellent, and I believe that when members read it, they will agree that it is excellent. Members may find things with which they do not agree, or some minor inconsistencies, but the bottom line is that it is an excellent review by a competent group. I again make the point to Hon Tom Stephens that I resent any suggestion that I directed that review. I believe that when Hon Tom Stephens talks to Dr Vickery, as I hope he will, he will find that the suggestions he made earlier are not correct.

Hon John Halden: What time frame do you envisage in regard to the content of the report? I am not saying that you will accept it - I understand what you are saying - but what time frame do you see for its implementation?

Hon N.F. MOORE: I mentioned this matter today in questions without notice. I said that if we do go down the path of any major changes in respect of the agencies that are involved, the best time to do that would be during the Christmas vacation period when the colleges and schools are not operating and when one can go from one year to the next and go through the changes in that situation. It is not helpful in the education and training system to make changes during the term or during the school year. I would hope to have in place most of the major changes that this report recommends, if we agree to them, by the beginning of the next school year. The report makes 50-odd

recommendations, and some could be implemented tomorrow, and some might be implemented in two years' time. The independent colleges idea, for example, will take a fair while to work out and to determine whether that is the way we want to go, and whether we will have multi campus colleges or lots of independent colleges. All of those decisions need to be made. If we went down that path, I would not anticipate that to come into effect until perhaps the year after next.

I am not about rapid change. I am not another Bob Pearce. Bob Pearce had such an effect on the education system that the system is still reverberating from it. People are still shell shocked from Bob Pearce. I have discovered as I have gone around schools that they have said, "For goodness' sake, do not do to our system what Bob Pearce did." Bob Pearce came in like a Sherman tank and said, "I am going to change the system, tip it upside down." He certainly did tip it upside down. He shook out all the good people and put in his own people. He said, "We will have the Beazley inquiry and unit curriculum." The system just could not cope. I have given an assurance to the education people that I will not do that. I am about redirecting and refocusing the system. I am not about significant amounts of change. What Dr Vickery has recommended is in line with that view; namely, that one can rearrange things and can do that slowly and by focusing one's attention on the aims of the exercise. To answer the question, some of these things may happen in the short term and others may happen over a number of years, but they will happen at a pace which people can handle and feel comfortable about. That means particularly children and the people who are being taught, because the education system is for children, and some people forget that.

My final point is about a headline which I managed to acquire, if one can acquire a headline, when I first became Minister for Education in respect of a comment that I am alleged to have made about June Williams. This matter was raised by Hon Tom Stephens. On the first day that I was Minister for Education, I received a telephone call to advise me that in the Equal Opportunity Tribunal there was a case involving the Ministry of Education and June Williams. The case concerned deputy principals of secondary schools. Members will know that there are male and female deputy principals in secondary schools. For many years, the Ministry of Education has believed that those positions should be filled on the basis of gender and not simply of merit. June Williams was suggesting to the tribunal that the Ministry of Education should change its policy on that matter.

I said in answer to a question from the journalist that I did not believe it was June Williams' job to tell me as the Minister for Education what should be the employment practices of the Ministry of Education. I have a large organisation - about 25 000 people are employed in the education system - and I believe that the responsibility for determining the employment practices of that organisation should lie with the organisation itself, and not with an independent, outside body. I was actually arguing for a continuation of the process for which the previous Minister for Education had been arguing; namely, the process which allows for male and female deputy principals in secondary schools. June Williams was putting the argument that people should be appointed on the basis of merit and not of gender. She was saying to me as the Minister and to the education system that she knew better about the educational benefits of having either two male or two female deputy principals in a school and that there was no need to have a male and a female deputy principal in each school. I happen to be of the view, as are many educators, that there is some merit in having a male and a female deputy principal in a school. They provide role models and opportunities for students who want to see a person of a particular sex for a variety of reasons.

Therefore, I said that I did not believe that June Williams should make those sorts of decisions on behalf of an organisation like the Ministry of Education. Unfortunately, that comment was interpreted by the newspaper as my telling her to keep her nose out of my business. That was a significant exaggeration. It was claimed in that report that I was angry. I phoned the journalist and said, "If you thought I was angry then, you really do not know me very well, because I was simply telling you how I believe the situation was and how it should be, in a very level tone." I was as surprised as anyone by the headline.

However, I did not receive any adverse criticism regarding it, although I received many phone calls indicating that it was about time somebody told him where to get off. I do not necessarily agree with that response, but the point is that nobody rang me and said that I had done the wrong thing. The community has a view, which members opposite must understand, that such organisations should not be controlling large organisations such as the Ministry of Education regarding its employment process. The commissioner's job is about discrimination and ruling on such matters. However, we have come to an amicable arrangement and the system supported by the member opposite, and which I support, is still in place for a certain time. I hope it will remain in place because as a former schoolteacher I feel it is the proper way to operate schools.

I indicate to Hon Tom Stephens that the matter to which he referred was not a deliberate attempt by me to be rude to June Williams or to promote an argument. I simply made a comment to a journalist that was misinterpreted.

Hon Tom Stephens: You were only joking.

Hon N.F. MOORE: Regarding only joking, I said to my press secretary that it would be helpful if I were not in the media because of its reporting of the activities of the Government. Some newspapers of this country gave the previous Government a hard time - some articles were a little over the top - but now the boot is on the other foot.

Hon Tom Stephens: I never heard you defending us from any of the assaults.

Hon N.F. MOORE: I am not saying that. We are now having an unfairly rough time from the media. I said to my press secretary that, as a result of the way we were being reported, keeping me out of the media was the best approach. If it is a joke, it is a joke to me and not the member.

Having listened to Hon Tom Stephens' diatribe, it appears that once a year he jumps out of his box, shudders and lets out his diatribe and then returns from where he came. I am not prepared to accept his comments regarding Dr Vickery. I support the motion.

Hon Tom Stephens: The Minister kindly offered to table the documents to which he referred during his speech. It is appropriate that I request at the first opportunity that the documents be tabled.

The DEPUTY PRESIDENT (Hon Barry House): It is within the Minister's discretion to table the document.

Hon N.F. MOORE: I am happy to table the document.

[See paper No 476.]

HON TOM HELM (Mining and Pastoral) [9.34 pm]: I congratulate you, Mr Deputy President (Mr Barry House), on your election to the office of Chairman of Committees. I am sure you will handle the position with great skill and precision, as was demonstrated when deciding whether Hon Tom Stephens could address the House on this amended motion.

Firstly, I draw the House's attention to the warnings given by the Labor Party before the election on what to expect if the coalition were elected to office in this State. A major part of the warning was to inform people that at the first chance the coalition would take us back to where we were before 1983. Since then the coalition has demonstrated how it is wanting to take us back to the future. It is not for me to speak derogatively of any officer of the Parliament, but this approach was startlingly obvious on Parliament's opening in the attire of the Speaker and Clerks of the Legislative Assembly when compared with that at the time of the previous Government. Not even I thought we would go back to the days of the Cavaliers and George II.

Hon N.F. Moore: Then why are you growing your hair like that?

Hon TOM HELM: That is a good question!

Hon N.F. Moore: I thought you were Charles I!

Hon Peter Foss: Did you like the gold braid the previous Speaker added to his gown?

Hon TOM HELM: Maybe we learnt different history but I do not recall anybody wearing a ponytail, although I have seen the gown, the wig and the dress - and that was just on the fellows! I am sure it was very pretty gold braid.

Hon George Cash: When the previous Speaker assumed office he became a little extravagant and added the gold braid to the previously plain gown.

Hon Tom Stephens: But never a wig.

Hon TOM HELM: I am not being derogatory. However, it is indicative of our experience of this Government's returning to the future in an unprecedented way. In the time between the election and the opening of Parliament it seemed that the coalition Government was not sure of what it was doing in Government. It took members opposite a length of time to find their way, although the speech we just heard from Hon Norman Moore regarding education and training indicates that they are still looking! The actions of this Government have reinforced the back to the future approach.

I shall highlight the things the Labor Party indicated would happen if a coalition Government were elected, and that these things have eventuated.

[Quorum formed.]

Hon TOM HELM: That is another indication of this coalition Government's not being sure of why it was elected, what it is supposed to do when it is here and what direction it will take. It is nice to see that of the five Ministers, only two are in the Chamber. That is a very responsible attitude by this Government. As I used to say in the olden days - last year - those opposite did not know what Opposition was about and they know even less about Government, about the responsibility they have when in Government. It would do Government members well to look to the *Hansard* to see the things that they cited that we should have done when we were in Government. They should realise that they have to accept certain responsibilities in Government. One is that Government members have to be in the Chamber.

It is not our fault that the Government has five Ministers who are not sure of what they are supposed to do. One of the most important responsibilities of Government members is to show some leadership and be in the Chamber and listen to what this institution has to say. If Government members do not listen, they will never learn. Hon Norman Moore has just spoken about tripartism, about consultation, about how boring it is and about there being no need for it. When asked a question he was not sure of what he would do to replace the system that he does not like. He may consult with people. He may go into a tripartite system. That is the way in which this Government seems to work. We have the evidence that this coalition, having won Government, is not sure of what it is supposed to do.

Nothing could demonstrate it better than the actions of our own Premier, of whom we are supposed to be proud, who represents this State outside its boundaries, and who was elected because he was able to represent our interests so well. The Premier went to his first Heads of Government meeting in Melbourne and the first words he said on our behalf on television were, "Mr Keating is very rude and arrogant and not a nice man at all." It occurred to me that as Mr Keating is a member of the Labor Party we might ask him whether the Premier can take Dr Lawrence to the next meeting to show the Premier what he is supposed to do. When the Premier went to the Heads of Government meeting all he did was to complain about the rough treatment he gets from the Prime Minister. I suggest that if it is not acceptable that Dr Lawrence should attend the meeting to assist the Premier in talking to other heads of Government, including the Prime Minister, maybe the Premier could take his father. However, I am not sure whether that would be a good idea because we have had enough of the Courts in the State. The Liberal Party is working towards getting rid of the last Court as Premier of this State. From what I hear around the traps that will happen soon. The Liberal Party is not all that comfortable with our Premier and some changes may occur in that regard.

Hon George Cash: What absolute rubbish! That is as bad as the theory of Hon Tom Stephens.

Hon TOM HELM: Only time will tell.

Hon Derrick Tomlinson interjected.

Hon TOM HELM: Jim McGinty could replace the Premier easily, even with one hand tied behind his back. Gems of wisdom always fall from the lips of Hon Derrick Tomlinson. If he is telling me that anyone on this side of the Chamber can take the place of the Premier, he is right.

I do not want to be involved in the internal politics of the Liberal Party. As reported in the Press concerning the Liberal Party State conference, the other failed leader, the one with the scars on his back, Mr Hassell, told the Premier how he should behave in the republican debate and the decision of the High Court of Australia concerning Mabo. In both instances all Liberal members can do is to think about what went on in the good old days when Sir Charles was the Premier. All they can think about is the activities they carried out then which were demonstrated as being old hat, having no place in the twentieth century and no place in modern society. The Liberal Party was told by some delegates in Kalgoorlie that the conference did not get into the republican debate because the Liberal Party would be left at the post and Australia would be seen for what it was: The only nation left in the Commonwealth to have a foreign monarch, the monarch of the United Kingdom, as its head. That is what the Liberal Party has to grapple with and that is what it cannot do.

It would be wise to talk about some of the things that have taken place in the little while since this coalition has come to office and point out some of the matters that have been part of the coalition parties' approach to Government. Members will recall that certain financial transactions took place for which the Labor Government was severely criticised by members opposite. In the short time that this Government has been in place we have heard about a loan of \$500 000 offered to Southern Processors Ltd, a loan that was the subject of a lot of questions to the Deputy Leader of the Government in another place. When questions were asked by the Opposition of the Government, lo and behold we were given the same answers that appear in *Hansard* as being given by the previous Government to the previous Opposition; that is, that some of the facts could not be given because of commercial confidentiality but that it was wise to give this loan to Southern Processors to keep it on its feet, to keep farmers going and all the other reasons that were given by other Premiers and other Ministers at another time in the last Labor Government. Although those answers were not satisfactory to the then Opposition, the same answers are being given to the Labor Opposition now. The answers given now include that no details can be provided; that the Government will use taxpayers' money to do what it sees as being a right and proper job.

During the election campaign we were told that a coalition Government would deliver better management and more jobs; that was the theme and thrust of its campaign. If elected, Government members would do things better, do things differently and provide better management and more jobs. What was the first thing that the Government came up with? It cut more than 1 500 public sector jobs with another 8 000 being put in jeopardy. We are talking about an unemployment rate that is unacceptable to every member in this Chamber. But what happened? In the usual way the conservatives decided that they would cure unemployment by sacking people, by closing the Midland Workshops, by closing the Robb Jetty abattoir. Government members say that it is better for the State and the economy to add to the unemployment lists. In the meantime they fiddle around with training programs and with some programs to find some people employment. While Government members are fiddling around, they just sack people - without any warning. Then the Attorney General announced on 2 June that she would appoint a Queen's Counsel to assess claims of new evidence in the Mickelberg case. As far as I am aware she has still not answered questions asked in Parliament about who may be the Queen's Counsel or the costs associated with appointing that QC. Does that not sound familiar? It is as if all the things for which the Labor Party was criticised are being practised by the Liberal Party. The Government's attitude seems to be, what was good for the goose is good for the gander! Is that better management? Is that the difference between the two parties? Of course not. Everyone knows it cannot be and that it is not.

Members opposite do not have the ability to do that because they do not know what government is about. They just want a bit of power to sway around.

Hon N.F. Moore interjected.

Hon TOM HELM: Hon Norman Moore referred to money being spent to compile a report which found that the State Employment and Skills Development Authority and the Department of Employment, Vocational Education and Training were doing the same things. The people who prepared the report - I am not talking about public servants, the shiny tails from whom Hon Norman Moore would seek advice - and who are part of the chain of programs in which SESDA was involved saw nothing wrong with its function, except that it had only about 18 months to run during which any sort of standards could be achieved to ascertain who would be consulted and what sort of training program it would deliver. As it was something new which was provided by the Labor Party we were being consulted and advised by the Trades and Labor Council, my own union, the metal workers unions and other unions about SESDA's ability to put together proper training programs. Our history indicates that people, like the Minister, on the conservative benches thought they knew best. I refer to people who, for the most part, have been either on the delivery end of education or involved in university training and that sort of thing. However, they do not know what training means to someone whose skills are no longer required in the work force and are not relevant to the directions they want to take or to the improvement of their skills. It is evident from the diatribe we heard from the Minister for Education about the Vickery report that there is no way those on the conservative benches could have brought forward people with the knowledge relevant to the work force which they were trying to help. I apologise for having had only a brief look at the report; nonetheless the little I have seen recommends that the industry training councils in place under SESDA should no longer exist, and that training councils be established.

Hon N.F. Moore: Instead of the industry employment training councils we will have training councils.

Hon TOM HELM: Therefore, will the "I" be taken out of the ITC?

Hon N.F. Moore: What's in a name?

Hon TOM HELM: Exactly! So why change it?

Hon N.F. Moore: I am not saying I am changing it.

Hon TOM HELM: The Minister has used taxpayers' money - I am not deriding Dr Vickery for that, although I would deride the Minister - so that a consultant could prepare a report, based on the Minister's terms of reference, which says that he does not like or understand certain matters, therefore Dr Vickery should advise how best to change the situation. Is the Minister happy that that has resulted in the word "industry" being dropped, certain responsibilities being amalgamated and some titles being changed?

Hon N.F. Moore: No.

Hon TOM HELM: I am pleased to hear that; that is an acknowledgment. I am sure the Minister did not mean it when he said that he was not in favour of tripartite councils, but he did not have a hard and fast view on the matter.

Hon N.F. Moore: I do not support tripartisan bodies generally. However, as the ITCs are representative of industry groups, it made sense for people from different parts of industry to be involved in them. Half the trouble is they had hard and fast voting rules.

Hon TOM HELM: The Minister suggested that the Vickery report would recommend something different from what was in place because DEVET and SESDA provided the same service. My point is that they did not; the major difference is that an ITC would not be involved in DEVET. Industry input would come through - I am not too sure of the TAFE structure - the college council and its subcommittees. Industry may be part of that, but SESDA must include the industry, trade union movement and government.

Hon N.F. Moore: It does not work.

Hon TOM HELM: They were the only part of SESDA that one could relate to directly because it gave tradespeople, trainers, industry and people who hired people an opportunity to have input on what appropriate training should be given to people they wished to employ. I am sure the conservatives on the other side of the House will think they know better than the people who have been doing it for years, whether they be farmers or manufacturers or people in any field of commerce or industry. If people involved were not asked, unless they were very lucky, inevitably inappropriate training would be provided for them. In connection with the devolution document the Minister said that he was consulting those at the chalk face. I am saying he should think laterally - I know it is difficult for a teacher to do that - and take the next step and involve the chalk face, the coal face, the mine face and all the other appropriate people. It must be a natural progression to talk to people applying those skills and to the people who can supply those skills.

Hon N.F. Moore: That is why we will have training councils. They have been amalgamated and given a new name.

Hon TOM HELM: What is the change?

Hon N.F. Moore: Read the report. Dr Vickery says they will be run more efficiently and effectively after some amalgamation.

Hon TOM HELM: The structure is still the same and the Minister has not demonstrated where the previous organisations did not work.

Hon N.F. Moore: SESDA could never make any decisions because it needed 100 per cent agreement by all three representatives to get anything through. The training board will do the same as SESDA on training policy.

Hon TOM HELM: Is the Minister suggesting the training board will not require consensus? Does the Minister think it will work?

Hon N.F. Moore: It will make decisions.

Hon TOM HELM: If one of the tripartite representatives votes against a proposition because he thinks it will not work, how does the Minister think it will work?

Hon N.F. Moore: I suspect at least they will make a decision. Things will happen whereas they don't happen now.

Hon TOM HELM: I will give the Minister some advice - I have read about training councils. If the Minister wants to make statements that SESDA did not work, he should, firstly, demonstrate where it did not work and, secondly, where it will work. In response to questions about the one part of the report that I have had a chance to read in any depth, the Minister has not indicated that the proposals justify a change from the present system to one which simply amalgamates some existing ITCs and drops the word "industry".

Hon N.F. Moore: I am suggesting there is a significant change across the board which involves refocusing on the direction in which it is heading. It is part of that restructuring. That is not to say that is the total problem; it was part of the problem.

Hon TOM HELM: Having quickly chosen that section, I am suggesting that it is an example of what is in the report and that, despite suggesting the whole scheme did not work, the Minister did not significantly change what was already in place.

Hon N.F. Moore: Why don't you read the report and come back tomorrow and make your speech?

Hon TOM HELM: I do not need to do that. The Minister has hit the nail on the head: He believes that because he is the Minister he does not need me to convince him what is right or wrong. He forgets that he has the responsibility to convince not only the Opposition, but the people of this State.

Hon N.F. Moore: I am happy to listen to you.

Hon TOM HELM: I am pleased to hear that. As long as the Minister will listen to me and learn from what I am saying, he will get on. The Opposition is trying to do what is



best for the State. The coalition Government assumes that it was elected to govern because the people of this State considered that it would do what was best for the State.

I refer again to the Opposition's document which refers to the Government's top secrets. I will demonstrate to the House why this Government has reverted to the situation which prevailed in the 1960s, 1970s and early 1980s. Reference is made in the Opposition's document to the Government's inability to reveal the salary package of Mr Ian Fletcher, the newly appointed head of the Premier's office. We were advised that he was the former head of the Tasmanian Community Health Services Department. Mr Fletcher told the *Launceston Examiner* on 13 July 1993 that he had been offered a generous package by the Western Australian Government. A senior Government head of department in Tasmania earns \$110 000 per annum. During the election campaign the Liberal and National Parties said a coalition Government would provide better management and more jobs. It said it would do things in a different way from the Labor Government.

The Attorney General consistently refused calls to release the task force report into the restructuring of the Justice portfolio. The report resulted in the formation of the Ministry of Justice. The Minister for Transport could not make up his mind whether he had a report on the proposed closure of the Midland Workshops. Finally, on 20 July, he said there was no report. Obviously, he just thought it was a good idea. The difference between the Labor and conservative Governments is that the Labor Government did its best to explain why it was making decisions.

Hon T.G. Butler: We did not say we were not going to do it and then do it.

Hon TOM HELM: We did not do that. The document I have states that the Premier refused to reveal whether the Liberal Party made any financial contribution to the right wing think tank called the Institute of Public Affairs, which regularly comments favourably on Government decisions. Les McCarrey, the independent audit commissioner, is closely associated with this institute. On 23 June the Premier told the Parliament that the business of the State Parliamentary Liberal Party was its business. The Premier's refusal to say whether the Liberal Party did make a donation to the Institute of Public Affairs indicates the path this State is going down. The Premier would not reveal the cost of the McCarrey report or the identity of the consultants. I wonder whether they have been promised future work from this Government. Reference is also made in the Opposition's document to the fiasco concerning Barry Carbon and the Environmental Protection Authority. The document contains 25 different issues, the contents of which remain secret. As I said earlier, it demonstrates that this Government is not taking us into the twenty-first century. Instead, it is taking this State back to the situation which prevailed in the eighteenth, nineteenth, and twentieth centuries.

I refer to the advice about the republican debate given to the Liberal Party at its State Conference which was held in Kalgoorlie recently. Hon Tom Stephens pointed out that the Mayor of Port Hedland, the President of the Kalgoorlie North Division of the Liberal Party, told the conference that the Liberal Party must become involved in the republican debate. This man is not a militant person or a loudmouth. He said that the party must accept that the issue must be discussed. Members opposite, including the Premier, must stop listening to Bill Hassell because he is taking them down the wrong track. Bill Hassell was once the Leader of the Parliamentary Liberal Party, but he was not good enough and was sacked. In spite of that, he is advising the Liberal Party how it should react to discussions on the republican debate and the High Court ruling on native title.

We must consider what direction this State should take. It is about time Western Australians recognised that they have a role to play in having this nation attract overseas investment. This State is heading down the track of becoming the milch cow and it will be irrelevant as a political force. It will not be able to make any useful contribution in a debate which affects the nation. This State will be seen as comprising people who do not want to remove their blinkers and widen their views.

How can people mix up support for the monarchy and the institution of the royal family in Great Britain and the things it stands for and, in the same breath, attack the High Court, which is one of the mainstays of a monarchical system? We cannot say that the

High Court is irrelevant in matters that we do not agree with. I never heard any of the right wingers who occupy the Government benches talk about the High Court in derogatory terms when it passed down its decision about election advertising. We did not hear one peep from members opposite. We do not hear very much from them now and I wonder whether they have been warned to keep quiet. Perhaps they have been told that if they say something which their leader does not like their aspirations of gaining a ministerial position or any other job will be at risk. They are allowing the president of the party, who was not good enough to be a leader in this Parliament, to make their decisions. They should not listen to him. Worse than being right wingers or troglodytes, they will be irrelevant. They are close to being irrelevant now because they do not know how to behave as a Government and they certainly do not know how to behave as a political party, which says something about the future of this nation. This nation's future depends on this State's view on issues like the republican debate. We must outline what sort of nation we want as we go into the next century. In 1893 this nation made a decision to become a federation and in 1993 we must consider that the time for this country to be beholden to a foreign country must come to an end. It is not a matter of this country cutting its ties with Britain; it is a matter of that country cutting its ties with Australia. Britain is going down the gurgler and is becoming the laughing stock of the world. It has been demonstrated tonight that Britain, through the Maastricht Treaty, wants to be part of Europe. The currency in Europe has just been blown out of the water because of the speculators.

Do we really want to maintain our link with Britain, which does not have anything to offer Australia? It has decided that its future lies with Europe. Britain cut its trading links with Australia; Australia did not cut them with Britain. Britain is one of the few nations in this world which cannot afford the resources which Australia sells so cheaply. As a result, it is irrelevant on the world scene, yet the head of Britain is the head of this nation. We must study where we are coming from. If we do not, the next generation of Australians may take a more radical step than what is being proposed now; that is, that Australia cut its ties with the monarchy. Some of us would like to go further, but we must crawl before we walk. We must make a statement about Australia's place in the southern hemisphere, which countries it should trade with and which countries it should have ties with; it is certainly not the United Kingdom.

It seems strange that those who criticise the decision of the High Court in the land title case are the ones who are saying we need to maintain the link we have with the institutions that support the High Court. However, prior to that decision they never criticised the High Court when it was making decisions which could be described as political. If it was a political decision one must remember that four of the judges who reached that decision were appointed by a Federal Liberal Government and three by a Federal Labor Government. One must consider that. The acceptance of terra nullius is something we as ordinary human beings cannot accept as a demonstrable truth. The decision of terra nullius as it was explained after Cook came here and Parliament discussed it in the United Kingdom was a nonsense. The whole world knows that this nation of ours was not uninhabited. All the High Court has done is say that that decision was wrong, therefore, in the many years between 1788 and June last year, people accepted a demonstrable untruth. It cannot be denied that there were people here before Cook and the First Fleet arrived here. All the decisions taken since that happened cannot be overturned. They cannot be argued with.

Hon M.D. Nixon: The member knows that is not true. It was never said Australia was uninhabited.

Hon TOM HELM: It belonged to no-one.

Hon M.D. Nixon: That is slightly different.

Hon TOM HELM: That is why I use the term terra nullius. It was incorrect to say that there was nobody here. The High Court declared that terra nullius was not true and that somebody was here.

Hon Derrick Tomlinson: That is not what terra nullius is about. It means that people

lived here but did not have a system of ownership. The member should read the judgment before he blabs nonsense.

Hon TOM HELM: If it is in the member's words, that is fine. That was wrong, was it?

Hon Derrick Tomlinson: What was wrong?

Hon TOM HELM: That terra nullius means this land belonged to no-one.

Hon Mark Nevill: Terra nullius means a land without people.

Hon Derrick Tomlinson: No.

Hon George Cash: It means a land without specific ownership. That was the decision of the High Court.

Hon TOM HELM: Does the Leader of the House think it was true there was no sense of ownership?

Hon E.J. Charlton: Was there?

Hon TOM HELM: You tell me.

Several members interjected.

Hon Graham Edwards: The High Court made a ruling on that.

Hon TOM HELM: It made a ruling regarding the Murray Islands. If people on the other side of the House do not accept the fact that there was a sense of ownership and belonging and that people had some organised ability before the First Fleet came - if people want to take the Bill Hassell line - that is up to them. However, they will be laughed out of court and be seen as irrelevant. That is what I am saying about the republican debate and this debate.

I turn to a statement made by Hugh Morgan. He does not say much about the savage resource decision and the fact he sold something he should not have sold because he never told the truth about it. I have an extract from the *Australian Mining Monthly* of 1992 written by a person called Dry Blower. I believe this involves one of the first remarks Hugh Morgan made on the High Court decision. Basically he is saying Hugh Morgan cannot be serious, that he is really a joker with a straight face. The article states -

You be the judge. Consider his argument, as reported in journals like the *Australian Financial Review*. Remember, Hugh was querying the High Court ruling that the doctrine of law known as "*terra nullius*" had been overturned in the Mabo decision. The judges had found that the concept of Australia not being inhabited (*terra nullius*) -

and this is his interpretation -

at the time of Captain James Cook and the first fleet which followed him in 1788 was wrong in the case of the Murray Islands. The judges found that Aboriginal sovereignty had existed and because it remained in place then modern, mainly white, Australia had to recognise this earlier form of law.

That compresses some of what the High Court decision was about -

It was pretty heavy stuff which, if followed through, would yield to Australia's Aborigines the land rights and ownership of Australia which they claim was stolen from them when Cook claimed the whole place for the king back in London.

From the perspective of people like Hugh the Mabo decision was terrible and a threat to the nation, not just the mining industry. There are many who agree with him.

Bill Hassell, for instance. The quote continues -

But why, oh why, did he let fly in the way he did? Did he really have to sink the slipper into Aborigines by saying (according to press reports) that the *terra*

*nullius* doctrine "did not apply to a country that was uninhabited" and that "it could also mean that if the inhabitants of a newly discovered country were at such a primitive state of development that no treaty with them was possible." This criterion, he said, applied to Aborigines, who had no agriculture, no written language, no sense of time or history, no common spoken language and no political institutions beyond the life and boundaries of their clans.

There . . . that is Hugh's case. He argued that the Aborigines were so backward in 1778 that from the perspective of British law they did not even exist and Captain Cook was right in claiming the whole lot for Britain.

Well, Dryblower has considered this argument and must admit that at first glance it looks good. Using Hugh's measurement of a civilised man, agriculture, written language, sense of time and history, common spoken language and political institutions there does appear to be good reason to say that the original inhabitants were a bit backward - by his standards.

The problem, however, is two-fold. Judging one race of people by the standards of another will always throw up huge differences. Are the Arabs, Chinese and most of the races of Asia primitive because they spit in the street, eat the sex organs of crocodiles and monkeys or pay and accept bribes when doing business?

Should we apply *terra nullius* to Indonesia because we do not understand that country's system of greasing the wheels of commerce?

Then there is the question of just how "civilised" was the mob in the first fleet in 1788. Hugh might have got a surprise if he tried to test the written language skills of that motley crew.

That is the tenor of the article in the *Australian Mining Monthly*. It is not a left wing rag; it is not an article by the Aboriginal Legal Service or anything to do with forward thinking magazines. It is asking us to consider what will happen if we follow the arguments by the Hugh Morgans and the Hassells of this world, the people who do not understand what it is all about and do not know that the High Court decision is a conservative decision. The High Court decision really does not say very much about people's backyards being at risk. It does not refer to that at all. If members read the High Court decision they will discover that people will have a hard job to prove that their connection with the land has been unbroken for the length of time that will classify them as being of that country. Western Australia is probably the State which has the largest area of land being described as under beneficial ownership of Aboriginal people because there could be some areas that are of unbroken ownership, and that includes Crown land. That is, the ability to use the land has not been broken or the title undermined because it is freehold, or pastoral or mining leasehold land. Those sorts of situations must be met even if people can prove an unbroken link.

I never thought I would say this but perhaps the conservative coalition should pay more attention to Colin Barnett on this matter because he has already said that the people who think that backyards are at risk are really not adding anything positive to the debate; people's ability to prove a connection with the land is really a very difficult row to hoe and the conservative decision of the conservative High Court does not give anyone any rights to any territory willy nilly.

It is fair to assume because I live in Port Hedland that I am perhaps exposed to this more than most, but all of this State has had some form of survey done on it and the indications are that almost all of the State has some mineral prospectivity. Therefore, if there were any prospectivity the mining companies would have pegged the area; applications for leases would have been given and the opportunity for anyone, Aboriginal or non-Aboriginal, to claim that land would most certainly be undermined.

I turn now to a few of the items referred to by Robert Tickner, the Federal Minister for Aboriginal Affairs, when he talked about rebutting the myths put about by conservative elements in society and in the Parliament of this State -

**Myth 1.** The Mabo decision means my backyard isn't safe from an Aboriginal land claim.

Wrong. The High Court said that "native title" has been extinguished on all freehold and certainly the vast majority of leasehold land.

Media reports of so-called "Mabo-style" claims such as those over the Brisbane Central Business District, the Australian Capital Territory and vast areas of New South Wales have no legal foundation whatsoever.

The High Court set down in the Mabo decision the broad conditions on which land could be claimed under Mabo principles. Aboriginal people cannot successfully claim land over which a freehold or leasehold interest has been granted. Further, to be successful, the native title claimants must have continuously maintained their traditional association with the land claimed.

Clearly, those conditions rule out any possibility that private land could be successfully claimed under Mabo.

Hon Peter Foss: Why do you think people are making claims?

Hon TOM HELM: It is funny that the Minister should ask that question. One must talk to a teacher about how best to provide education and training. We have a Minister for Education who was a teacher and we must explain carefully to him how to provide education and training. One would need to talk to a lawyer about that question. What was the question?

Hon Peter Foss: Why do you think people are making claims if they are so useless?

Hon TOM HELM: The Minister can correct me if I am wrong -

Hon P.H. Lockyer interjected.

Hon TOM HELM: If I had enough money or willpower I could make a claim for virtually anything in the courts.

Hon Peter Foss: Someone will need to bankroll you because you could be in the courts for five years.

Hon TOM HELM: I could put Mabo in front of the claim; or Helm or Foss in front of the claim.

Hon Peter Foss: You would need to have something like Mabo.

Hon TOM HELM: Is there a law to stop me going before a court and making a Foss claim over the Pilbara?

Hon Peter Foss: Yes there is. One of the problems of Mabo is that the High Court has not said what is a native title. Until such time as a number of other cases have been heard no-one will know what it is.

Hon TOM HELM: So the High Court has not said what it is.

Hon Peter Foss: No.

Hon TOM HELM: So, the High Court did not say that a Mabo type claim would not be successful if a person did not demonstrate an association with the piece of land claimed.

Hon Peter Foss: That is the problem. It is a factual point, and that is the difficulty. The High Court has not said what it is.

Hon TOM HELM: The Minister is slow. My question is, did the High Court say a person can be successful in making a claim if the person can demonstrate an association with the land? It is a straightforward question.

Hon Peter Foss: It is a factual inquiry. Until it has been held you cannot tell whether that is so.

Hon TOM HELM: I will put the question in another way. In the decision regarding the Mabo native title -

Hon Peter Foss: That one is clear because in the Mabo decision it is clear for the Marshall Islands but not clear for Australia.

Hon TOM HELM: Did the judges say that a claim can be successful if the claimants can prove an association?

Hon Peter Foss: The court gave an opinion. The only part of the judgment which counts as a judgment is so far as it relates to the Marshall Islands. There are a number of variable opinions.

The DEPUTY PRESIDENT (Hon Derrick Tomlinson): Order! Hon Tom Helm is interjecting on Hon Peter Foss.

Hon TOM HELM: I apologise for that. The member would understand how difficult it is to tell a teacher how to teach and a lawyer how to practice law. It is virtually impossible. If we ask for yes or no answers, we will get anything but that. Some people on the Government side - not all, but certainly one who was rejected as its leader in this Parliament - talk all this waffle about backyards being at risk and a separate nation. Mr Hassell has never mentioned that for a claim to be successful in line with the decision of the High Court will require people to demonstrate certain things. He must know that there are Aborigines in the Pilbara who have no title over the places where they live: Jiggalong, Punmu and Cotton Creek. The Labor Government is as guilty as anybody in this matter. The Labor Government was asked to do something, but did nothing. If people accept that the High Court decision should be ignored, that we do not need to pursue it and that Aboriginal people have no right to claim land, if people want to be seen to have some of integrity, some comment should be made by the State Minister for Aboriginal Affairs to those people who are claiming some living areas in the western desert - the people of the Jiggalong, Punmu and Cotton Creek communities. He is not saying a word.

Hon Peter Foss: The Premier has been very receptive about these living areas.

Hon TOM HELM: Someone with a dinkum concern for Aborigines, particularly those who may have more of a possibility of a successful claim in the Pilbara for unalienated Crown land, would make a statement about giving them some place to live and some sense of ownership over the places where they are housed in the community.

Hon Peter Foss: The Premier has said that. He has been very supportive of that approach.

Hon TOM HELM: He must have done it quietly. He has noisily talked about the High Court decision. He wants to stick his fingers in his ears, close his eyes, and keep on counting, thinking that when he wakes up the High Court decision will have gone away.

Hon P.H. Lockyer: He went to the Kimberley.

Hon TOM HELM: I know he went to the Kimberley. I read about it in the newspaper. But he did not want to talk about land issues. In a television interview he said, "I do not want to talk to those guys about the Mabo issue; they want to talk only about land issues." I thought he was frustrated. Why should he not want to talk about a whole range of things?

Hon P.H. Lockyer: They wanted to talk about how bad ATSIC is; about how they had been ripped off by their own system.

Hon TOM HELM: Why should he not be angry? He said that he found it to be a negative meeting because the people only wanted to talk about land issues. He travelled all the way to the Kimberley and wanted to talk about education, health and, the Aboriginal and Torres Strait Islander Commission. If the Premier has taken over responsibility for Aboriginal affairs -

Hon Peter Foss: The fact that it is not on television proves nothing; he has just said that.

Hon TOM HELM: The Premier said on television that the people would not talk to him.

Hon Peter Foss: You weren't there; you don't know what he talked about.

Hon TOM HELM: Our Premier, who does not tell lies, said on television that the people did not want to talk about anything other than land issues. He was a bit angry about that.

There is nothing wrong with that. The Minister for Aboriginal Affairs, or the Premier, depending which hat he is wearing at any given time - I am not sure whether the Government has a Minister for Aboriginal Affairs - has never talked about the people who do not even have any rights over their living areas. He said nothing about such a small parcel of land in a vast expanse of desert. If the Premier cared about Aboriginal people and their needs, he would have said something about working towards giving them that.

[Leave granted for the member's time to be extended.]

Hon TOM HELM: That is one area in which something useful could be done. If we still have a Minister for Aboriginal Affairs, let him take some control of and responsibility for the matter. If there is no Minister, the Premier should take control of the matter and deal with the people in the western desert.

Let us talk about Mr Hassell's comment that Aboriginal people want to set up a sovereign nation, something separate, a different Australia. Mr Hassell has not made one mention of the Hutt River province. When we were in Government we did not do that either. At least one person in this State already thinks that he has a sovereign nation within this State. That does not seem to bother Government members at all. I wonder whether the difference is that his skin is the same colour as ours. I wonder whether that makes his case less offensive to members on the Government side. If it is not offensive, Government members ought to look at where they are going and consider what they believe the President of the State Liberal Party means. The coalition is losing its integrity by the minute. Its supporters must stop making these fanciful statements and start looking at some of the simple things that will allow the people who are entitled to live in Jiggalong, Punmu and Cotton Creek to do so. All Australians are entitled to live where they choose.

Hon Norman Moore has stated that if the outstation movement is demonstrated to be viable, he will support it. I applaud him for that. That is something that should be supported. When he was first elected he gave the wrong messages in relation to the outstation movement. This is a big State. It is not so small that we do not need to worry about sections of it. I worry about them. The Labor Government did not seem to understand the issue of populating the north west. It seemed to have other priorities.

Initial exploratory surveys show that there are no significant mineral deposits in this desert country. There is a lot of unalienated Crown land with which Aboriginal people can demonstrate an association over a long time. We do not hear members of the Government making any reference to that. All the Premier and the President of the Liberal Party say is that 80 per cent of the State is up for land grabs, that the Aboriginal people want to set up a separate nation, that our backyards are at risk. I cannot understand how people who make those sorts of statements can maintain their credibility.

Hon Peter Foss: You are assuming the Premier has not been saying these things. He has been saying them. The problem is that what gets reported in the newspapers and on television are the things that other people see as news. Obviously that is not regarded as making news.

Hon TOM HELM: The facts are that Bill Hassell said something and then the Premier said something yesterday. He has never said anything about this particular issue.

Hon Peter Foss: You cannot say he has never said it; you have just never heard it.

Hon TOM HELM: As much as I would like to, we cannot edit Sattler because his program goes live to air. I have listened to Richard Court on the "Sattler File" once or twice. I have never heard him say that he would think about giving Aborigines some land on which to live.

Hon Peter Foss: You have not heard him say it on the "Sattler File", I am terribly sorry.

Hon TOM HELM: I have not heard him say it on television either, and when one sees someone's mouth moving it is a pretty good assumption that he is saying something.

Hon E.J. Charlton: A lot of people who are moving their mouths are not saying anything.

Hon TOM HELM: The Minister for Transport should try it some time; he does not say anything. All the Minister for Transport needs to do is to put his brain into gear.

Hon Peter Foss: You have not said anything for the last hour and a quarter.

Hon TOM HELM: Hon Peter Foss is a lawyer and his colleagues are teachers and farmers who have had a fair degree of education, but they have no commonsense. It has taken Hon Peter Foss an hour and a quarter to understand that which my son understands. The decision of the High Court is not a problem, it is an opportunity. It gives the Aboriginal people in this State a right to exist on land in the same way as everybody else does. For whatever reasons, that opportunity has not existed before. The High Court is part of a system which members opposite support. Members opposite would not hear a word said against Her Majesty, Prince Charles and other members of the royal family.

Hon Peter Foss: The High Court is the main cause of all our rising legal costs.

Hon TOM HELM: The High Court has made decisions about which members opposite were comfortable and they did not argue about them. However, the High Court makes one decision that members opposite do not like and they jump up and down.

Hon Peter Foss: If I did not hear it, he did not say it.

Hon T.G. Butler: Hon Peter Foss is not listening.

Hon TOM HELM: Hon Peter Foss said that if he is not listening, reading or understanding, it did not happen. Richard Court is saying the High Court decision did not happen. This land has only one court; it is the court of Charles and Richard.

Hon Peter Foss: If you have not heard it, it did not happen.

Hon TOM HELM: Hon Peter Foss is a marvel. Only he could explain so clearly something which I did not understand.

Hon Peter Foss: I have been trying to understand you during the last hour and a quarter.

Hon TOM HELM: There are none so blind as those who will not see. Members opposite will be forced to see reason by the rest of the world.

Hon Peter Foss: Richard Court has been saying things; you have not had your television turned on.

Hon TOM HELM: Because of Richard Court's scare tactic about people's backyards the public have been unable to grasp this problem. Hon Peter Foss knows that backyards are not at risk, that 80 per cent of this State is not at risk, and that mining leases will not be exploited. Members opposite leave it to their leader to speak for them. They do not understand that they must come to grips with the problem to sort it out.

Hon Peter Foss: Are you suggesting that Keating is coming to grips with the problem?

Hon TOM HELM: I am not suggesting he has come to grips with it, I can guarantee that he has.

Hon E.J. Charlton: Keating said the mining industry can pay Aborigines compensation.

Hon Peter Foss: That it can pay compensation at freehold rates.

Hon TOM HELM: Compensation is another question. Members opposite jump from the concept of giving people an area of land in which to live, to compensation.

Hon E.J. Charlton: Hon Tom Helm gave Strelley pastoral station to the Aborigines.

Hon T.G. Butler: What has Strelley got to do with it?

Hon E.J. Charlton: Ask Hon Tom Helm.

Hon TOM HELM: What does the Minister want to know about Strelley?

Hon E.J. Charlton: I said that you gave Strelley to the Aborigines.

Hon TOM HELM: I go there quite often and nobody is there. The Minister for Transport will have a problem with Strelley. He had better start talking about what he knows. The Minister knows nothing about transport or Aboriginal affairs and should not



open his mouth. The Minister should shut his mouth, open his ears and pay attention. He should listen to Peter.

The DEPUTY PRESIDENT (Hon Barry House): Order! It is customary to refer to members by their title.

Hon TOM HELM: If the Minister for Transport would listen to the Minister for Health and try to understand what he is saying he might understand.

Hon Peter Foss: If you know so much why was nothing done in the past 10 years?

Hon T.G. Butler: We tried.

Hon TOM HELM: Does Hon Peter Foss think it is amusing to those people whose ownership of their land is in doubt? It may please members opposite that people, particularly those in the Pilbara and Kimberley, are concerned about their homes. It is a problem.

Hon Peter Foss: We are doing something about it.

Hon TOM HELM: The Government is telling people their backyards are at risk. The Government must do something.

Hon Peter Foss: We saw what you did in the past.

Hon TOM HELM: The Government won the election; that gives it the responsibility to do something about the problem. Hon Peter Foss does himself a disservice by listening to a failed leader and not making some statement within his own caucus room about an issue of major importance to our future as a nation.

Hon Peter Foss: We do not have a caucus room.

Hon TOM HELM: The republican debate and how we address that is one problem, and the Mabo decision of the High Court is another. We have an obligation to our indigenous people to address that problem. Hon Peter Foss should not feel defensive or feel that I am picking on him.

Hon Peter Foss: You should be ashamed of what you did. We made some very good moves.

Hon TOM HELM: There is not much time left for members to grapple with this problem, but members opposite should be obliged to give those people who live in the desert some attention rather than using the scare tactic of looking for Aboriginal people under the bed.

Hon Peter Foss: Who is saying we are not?

Hon TOM HELM: I am.

Hon E.J. Charlton: They are all Government funded. The Federal Government does not allow the State to do anything. Hon Tom Helm will have to tell his mates in Canberra if he wants them to do something.

Hon TOM HELM: The Minister for Transport does not know that land management is the State's responsibility. Does he not understand anything?

Hon Peter Foss: Why didn't you do anything in the 10 years you were in Government?

Hon TOM HELM: I am glad that the Minister for Transport does not reflect the talents on the conservative benches. *Hansard* shows that the speeches of the Minister for Transport are the ravings of a lunatic. If he is a reflection of the talent on the conservative benches we are definitely doomed. I know there is more talent and deeper talent than that. The Minister should be ashamed because he does not understand the State Government's responsibility in this matter. I advise the conservatives that they are in Government and they have responsibility. They should not keep looking back or taking advice from failed leaders. If they use their heads, bring out their talent and look forward, they will do well.

#### *Points of Order*

Hon TOM STEPHENS: I have a document which is identified as Legislative Council

document 476, tabled in this House on 3 August 1993 at 9.30 pm by the Minister for Education. The document contains a cover sheet which identifies its contents at the time the Minister volunteered to table it. That cover sheet identifies 15 separate items contained within the folder. I watched the movement of this document around the Chamber with great interest and noticed that it got to a point, having been tabled, when the Minister for Education took the document from the Chamber, walked out to the corridor, and moments later returned. He had carried one document out of the Chamber but returned carrying a reduced folder from which six separate items were missing, and was holding in his other hand papers which I understand may still be in his possession. Under Standing Order No 43 it is not permissible for a member, without the written permission of the President, to remove from the precincts of the House or tamper with a tabled document. I ask you, Mr Deputy President, to direct the Minister for Education to return to the folder the six missing sections of the document.

The DEPUTY PRESIDENT (Hon Barry House): I invite the Minister for Education to make a comment if he wishes.

Hon N.F. MOORE: As I understand it, I am required to table documents which I wish to table. A Minister has discretion in such a matter. I tabled the documents from which I had quoted. I said in my speech that I had quoted advice provided to me by organisations - I specified businesses and unions - and that is what I have tabled. I am not required to do that, but I offered to do so.

Hon TOM STEPHENS: The Minister is operating under the misapprehension that the document was not a tabled document at the time he removed six items from it.

Hon Mark Nevill: And left the rest jumbled.

Hon TOM STEPHENS: The folder is now in a jumbled order.

Hon N.F. Moore: With respect, I gave the document to the Clerks.

Hon TOM STEPHENS: I do not want to reflect on the Clerks. I appreciate that the Clerks were in a particularly difficult situation and I make no reflection on them.

Hon N.F. Moore: I don't think they were at all. I tabled the documents which I said I would table.

Hon TOM STEPHENS: The document was tabled, it went around the back of the Chamber, and I indicated to an attendant that I would like a copy of the document. The document was then passed to the Clerks' table, at which point it was a thick document. Hon Norman Moore removed the document from that point, after it had been identified by the assistant Clerk as tabled paper 476. The document was then taken outside. The Minister is working on the misapprehension that a tabled document becomes a tabled document only at the point he returns it to the Chamber with reduced sections. However, it was a tabled document at the point at which he tabled it here. It is not within his power to tamper with a tabled document. In your role, Mr Deputy President, I put it to you that you should direct the Minister to return to the tabled document those papers which were within that document when it was tabled.

The DEPUTY PRESIDENT: I do not feel that I am in a position to rule on that point of order; however, I will undertake to rule on the point of order at the next day's sitting, which will be tomorrow.

Hon TOM STEPHENS: Mr Deputy President, with due respect, within the precinct of the House at the moment are documents which are clearly identified. I ask you to consider leaving the Chair until the ringing of the bells so that the Minister has the opportunity of explaining to you whether he has removed papers that were tabled from this document. I put it to you, Sir, that this is an extremely serious matter. It is most appropriate that it be settled by you at the earliest opportunity, and that an opportunity not be provided for tabled documents to be removed from the precinct of the House or tampered with.

Hon N.F. Moore: Don't be such a twit! I tabled what I was required to table and what I chose to table.

Hon Cheryl Davenport: You said you'd table the whole file.

Hon TOM STEPHENS: He did table the whole file, but the file is no longer whole. It was taken from the Chamber and six documents have been removed. I can identify the six documents which have been removed: The submission of Harvey McLeod of the State Employment and Skills Development Authority; the submission of Mrs Anne Spencer of the Western Australian Council of State School Organisations Inc; the submission of Mr Greg Black, the Chief Executive Officer of the Ministry of Education; the submission of Mr Peter Gorden of SESDA; the submission of Mr Ian Hill from the Department of Employment, Vocational Education and Training; and the submission of Mr Colin Philpott of the Country High School Hostels Authority. All of those documents were within this folder when it was tabled, as is clearly marked by the cover sheet of the document.

The DEPUTY PRESIDENT: It is not necessary for me to leave the Chair until the ringing of the bells. I will make a ruling on this matter at tomorrow's sitting. I inform the Minister that the documents as identified by the member must be available for tabling if the ruling is along those lines.

Hon P.H. LOCKYER: With the greatest respect, Mr Deputy President, you made a ruling which allowed the member to continue to contest that ruling.

Hon Tom Stephens: Are you contesting another ruling?

Hon P.H. LOCKYER: I am indicating what the member was doing.

Hon Mark Nevill: Whose side are you on?

Hon P.H. LOCKYER: I am on the Deputy President's side. It is not a difficult matter to be on his side when dealing with dills such as Hon Mark Nevill and Hon Tom Stephens. Mr Deputy President, the honourable member whom you allowed to speak after you gave your ruling was reflecting badly on the Chair by not accepting your decision. You, Mr Deputy President, have just repeated that. With the greatest respect, I point out that you have said you will give your ruling on the next sitting day. If it is to become a debatable subject - which the standing orders do not allow for - the honourable member is out of order.

The DEPUTY PRESIDENT (Hon Barry House): I allowed some discussion to clarify the original point of order. I have now made a ruling on that point of order and I will inform the House of my deliberations tomorrow.

Question (motion, as amended) put and passed; the Address-in-Reply, as amended, thus adopted.

#### ADJOURNMENT OF THE HOUSE - ORDINARY

HON GEORGE CASH (North Metropolitan - Leader of the House) [11.00 pm]: I move -

That the House do now adjourn.

#### *Adjournment Debate - Terry, Mr Paul, Death*

HON MURIEL PATTERSON (South West) [11.01 pm]: I ask that the House not adjourn until I say a few words about the tragic death of Paul Terry on 7 July in a helicopter crash during a training flight in Honolulu. Paul Terry touched the lives of so many people from all walks of life. I attended the memorial service on Wednesday, and the member for Albany, Mr Kevin Prince, and I represented the Premier and the Government. Approximately 500 people from all walks of life mourned the death of a friend. The family's grief must remain private but their loss is being shared by the entire community of Albany. Paul and Joan Terry have become more like old friends than comparatively recent newcomers.

Although I was aware of Paul's reputation as a shrewd, but ethical, financier, I began to really know him as a person only in the mid-1980s during my chairmanship of the Albany financial symposium. So impressed was I by his breadth of vision and boundless

energy that I suggested to the committee that he be asked to become our patron - an invitation Paul was delighted to accept and which played some part in his eventual decision to relocate with his family to Albany. We should remember those were still the champagne days of the mid to late 1980s when Western Australia's more exuberant millionaires were living up their brief moments of glory on the social pages; but not Paul Terry, whose personal values were incompatible with those of heady entrepreneurship. Country born and bred, he remained a country man with both feet firmly on the ground. I remember Paul saying during a training program that if it was easy everybody would be doing it. He urged people to look beyond the easy life and to extend their abilities for their own benefit as well as for society. Although he had a strong visionary streak, Paul remained a financial realist, which is why he was one of the few major Western Australian businessmen to anticipate the market crash in October 1987. Prior to this time when talking at the symposium he urged business people to tidy up their finances and get ready because he believed there was a very strong downturn coming in the financial market. He said that we would shortly be entering into a period when cash would be king.

Even assuming he had not weathered that storm, I believe his real wealth and source of strength would have remained intact; I refer of course to the love of his wife and children and the respect of his friends. Indeed, Paul often said that a person's true value and success could be measured only by his adherence to family values and commitment to community service. Viewed in this light, Paul Terry was indeed one of Australia's wealthiest men. I remember him saying that he got more pleasure from giving than receiving, and the Genevieve Foundation is but one of the many examples of his practical concern for others less fortunate than himself. Paul Terry International owned a house and land on the Albany foreshore which he offered on a long term lease to the hospice committee. The tradesmen, business people and many others gave of their skills, money and time to adapt and upgrade this house to something special that was suitable for the terminally ill. He was so moved by the community spirit of these people that he said on the day of the opening that the land and building were no longer his, and he gave the freehold title to the people of Albany and the hospice committee. The reasons for his generosity are not hard to find. Paul had to leave school when his invalid father finally died.

At this point I feel it appropriate that we also extend our deepest sympathy to the elder Mrs Terry, who has tragically lost two other sons around the age of 50 years. Such a life as Paul's cannot be measured just by dates on a calendar. Truly here was a man who not only created great wealth but also used that wealth with compassionate creativity. The ancient Greeks believed that no man was ever dead while his friends could still remember him with love and affection. By this reckoning, Paul Terry's life and achievements have surely won him a place of honour among the immortals of our time, and we in Albany will certainly remember him.

**HON BOB THOMAS** (South West) [11.07 pm]: I associate myself with the comments of Hon Muriel Patterson with regard to the late Paul Terry. It is safe to say that the death of Paul Terry was a tragic loss for Albany and the great southern region. I had a number of conversations with him and have applauded him in this House for the work he has done in our region. I had some philosophical differences with him on a number of issues but I admired him because he put a lot more into our community than he took from it. I often referred to him as not being a typical millionaire because he did not look at how to make more money out of Albany but rather at how he could make the town better. Paul and Joan put a lot of their time and money into the hospice venture and eventually donated the house and land on the Albany foreshore to provide a secure place from which the hospice could operate. Paul Terry will also be remembered for his Genevieve Foundation. Many of my constituents would not have heated lounge rooms at the moment if it were not for the funds provided by the Genevieve Foundation. Young Samantha Clements would not have travelled to America for the lifesaving bowel operation were it not for this foundation.

The fact that he was prepared to come to Albany and invest in the town was a great form

of confidence which helped the town during a time of crisis. In 1990 when the price of wool fell the Albany economy was devastated and were it not for the confidence of people in the tourism industry such as Paul Terry, there would be fewer jobs and training opportunities than there now are. His confidence in our region and its natural attractions was an integral part in the revival of tourism in the region. I admired him as a man, and he will be irreplaceable in our town. I also think that one of the most endearing features of Paul Terry's character was that he was so humble. Anyone who had a look around at the funeral last Wednesday would have noticed that the majority of the people at the funeral were ordinary men and women whom Paul had met through his various activities. I know for a fact that most of his close friends were just ordinary people. They were not high flying entrepreneurs and the opinion leaders from throughout Australia. They were ordinary people, with whom Paul Terry shared a lot in common. I think that is one of the reasons that he was so well accepted in our town and wherever he was. That is also why many of his decisions were so practical, because Paul never lost sight of the common touch.

I also acknowledge the strength of his family. Mrs Joan Terry stood up at the funeral and said that we should not feel sad at Paul's passing because he was moving on to somewhere else. She said that the family were not grieving but were prepared to get on with their lives. I would not have been able to stand and speak if it were my spouse's funeral, yet Joan Terry did that so well, and that demonstrates the strength of her character. I believe that she will take Paul Terry's place as one of the leaders in our community.

I congratulate Hon Muriel Patterson for bringing this matter to the attention of the House.

Question put and passed.

*House adjourned at 11.11 pm*

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## QUESTIONS ON NOTICE

### ROAD TRAINS - ROUTES

#### *Roads and Traffic Lights Modification, Costs*

29. Hon JOHN HALDEN to the Minister for Transport:

- (1) What cost will be involved in modifying roads and road traffic lights along the proposed road train routes?
- (2) Will there be a need to strengthen or rebuild any bridges along those routes if bridges exist?
- (3) Will the State provide local government authorities with additional funding to compensate for the damage done to local government roads by the imposition of road trains along roads which local governments are responsible to maintain?

Hon E.J. CHARLTON replied:

(1)-(2)

The route proposals have not been finalised.

- (3) Road trains will carry a given tonnage of goods with less road damage than conventional semitrailer vehicles. Hence there will be no increased road damage by transferring cartage of goods to road trains from smaller vehicles.

### TRANSPORT - FRANCHISED FREIGHT, PRIVATE SECTOR INVOLVEMENT

87. Hon JOHN HALDEN to the Minister for Transport:

What progress has the Government made in getting the private sector involved in franchised freight in remote areas?

Hon E.J. CHARLTON replied:

Out of an original 11, today there remain only three areas that continue to rely on franchised road transport services due to pre-existing contractual and other arrangements. They are -

- (a) Camarvon - existing arrangements expired on 30 June 1993. Following my recent visit to the area I agreed to an extension of the existing franchise arrangements. The Department of Transport will regularly monitor the area including a review within 12 months to gauge progress of Camarvon Transport Co-Operative's proposed changes to both its management structure and marketing strategies. On this basis the franchise has been extended until 30 June 1996.
- (b) Cue, Mt Magnet, Meekatharra - contract expires 30 September 1993. The Department of Transport is currently discussing the issue with the community.
- (c) Menzies, Leonora, Laverton - contract expires 30 September 1994. These communities have been made aware of the situation regarding the future withdrawal of existing franchise arrangements. In the early part of 1994, the Department of Transport will engage in further consultation with the community, discuss their transport options and assist them in developing their own community managed transport services or other alternatives.

Eyre Highway - contract expired 30 April 1993. The Department of Transport is continuing to assist the Eyre Highway community to position itself for the transition from a regulated environment.

**RAILWAYS - RAIL LINES, CLOSURE PLANS**

92. Hon JOHN HALDEN to the Minister for Transport:

- (1) Are there any plans to close any rail lines in Western Australia?
- (2) If yes, which lines and when?

Hon E.J. CHARLTON replied:

(1)-(2)

There are a number of rail lines in Western Australia that are no longer in use but formal procedures to close those lines via a railways discontinuance Act have not commenced because of potential alternative uses for tourism or future developments. No lines are planned for closure.

**DUCK SHOOTING, RECREATIONAL - BAN MAINTENANCE**

120. Hon REG DAVIES to the Leader of the House representing the Premier:

Can the Premier confirm a commitment made by him in writing to the Greens (WA) prior to the last State election that the Liberal Government would maintain the ban on recreational duck shooting?

Hon GEORGE CASH replied:

The Premier has provided the following reply -

The coalition Government has maintained the ban on recreational duck shooting and there are no plans to reverse this position.

**CHILD CARE - ADDITIONAL PLACES, GOVERNMENT MEASURES**

121. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Community Development:

- (1) Will the Government be undertaking measures to provide for additional child care places to facilitate participation of families in the work force?
- (2) If so, what measures will be undertaken?
- (3) If so, when will such measures be undertaken?
- (4) What is the envisaged cost on an annual basis?

Hon E.J. CHARLTON replied:

The Minister for Community Development has provided the following reply -

- (1) Additional child care places are largely determined within the Commonwealth-State child care agreement currently under discussion.

(2)-(4)

Not applicable.

**FAMILY - SUPPORT SERVICES, INCREASE**

*Crisis Support, Regional Areas; Community Crisis Programs Establishment*

124. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for the Family:

- (1) What measures have been undertaken since 6 February 1993 to provide an increase in support services for the family?
- (2) What steps have been undertaken by the Government since 6 February 1993 to make it easier for people in regional areas to obtain the benefits of Government funded assistance and services?
- (3) What measures have been undertaken since 6 February 1993 to provide crisis support in regional areas?

- (4) Have any community crisis programs been established since 6 February 1993?
- (5) If so, where?
- (6) If not, why not?

Hon E.J. CHARLTON replied:

The Minister for the Family has provided the following reply -

(1)-(3)

Due to the restructuring of the department and the devolution process currently under way, support services to families have been maintained and will be increased throughout the State in the months ahead.

- (4) Yes.
- (5) A family crisis program will be introduced on 1 July 1993.
- (6) Not applicable.

#### MARRIAGE GUIDANCE - NON-GOVERNMENT FACILITIES, FUNDING

127. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Community Development:

- (1) Will funding be provided to better resource non-government sector marriage guidance facilities to reduce the waiting lists of people seeking access to this advice?
- (2) If so, when?
- (3) What organisations will receive the funding and under what criterion?

Hon E.J. CHARLTON replied:

The Minister for Community Development has provided the following reply -

- (1) Yes.
- (2) Immediately.
- (3) The Marriage Guidance Centre and Anglicare, to assist families with problems of violence. An amount of \$50 000 has been provided to both.

#### CHILD ABUSE - CHILD PROTECTION LEGISLATION

129. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Community Development:

- (1) Will the Government introduce legislation this session to reform the State's child protection laws to ensure that children get full protection from abuse?
- (2) If not, why not?

Hon E.J. CHARLTON replied:

The Minister for Community Development has provided the following reply -

(1)-(2)

Children in this State already have the full protection of the law, the Department for Community Development being charged with this responsibility under its legislative mandate.



**FAMILY - "INTENSIVE FAMILY SERVICE", PILOT STUDY**

130. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Community Development:

- (1) Will the Government be piloting an "Intensive Family Service" in Western Australia modelled on that being developed in Victoria?
- (2) If so, when, where and at what cost?
- (3) If not, why not?

Hon E.J. CHARLTON replied:

The Minister for Community Development has provided the following reply -

- (1) Various alternatives to support families within the community are under consideration.
- (2)-(3) Not applicable.

**CHILDREN'S SERVICES - ZERO TO FOUR YEAR OLDS ESTABLISHMENT**

133. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Community Development:

- (1) Will an early childhood services section be established to cater for zero to four year olds with the responsibility to protect and promote the well being and interests of young children?
- (2) If so, when?
- (3) What is the envisaged cost?
- (4) If not, why not?

Hon E.J. CHARLTON replied:

The Minister for Community Development has provided the following reply -

- (1) A children's services section already exists within the Department for Community Development.
- (2)-(4) Not applicable.

**CHILDREN - PARENT DISCIPLINE**

*Government Programs Undermining Parents' Authority*

136. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for the Family:

- (1) Are there any Government programs which have the effect of undermining the authority and responsibility of parents to reasonably discipline their children?
- (2) If so, what are they?
- (3) What steps have been taken to redirect such programs to ensure that they do not have the effect of undermining the authority and responsibility of parents to reasonably discipline their children?

Hon E.J. CHARLTON replied:

The Minister for the Family has provided the following reply -

- (1)-(3) Current departmental programs are under review. However, recent suggestions of Federal Government legislation to prevent parents from smacking their children is greeted with concern by the

Minister and the Government and does not have support within the wider community.

#### DISPUTE RESOLUTION PROCEDURES - GOVERNMENT AGENCIES

139. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the Government provide for an effective dispute resolution procedures to be introduced to all Governments and public serving agencies?
- (2) If so, when?
- (3) If not, why not?

Hon PETER FOSS replied:

The Attorney General has provided the following response -

- (1) Yes.
- (2) The Government will be initiating a consultative process with all departments and agencies with a view to establishing appropriate dispute resolution procedures across Government. Consultation is currently under way with the Parliamentary Commissioner for Administrative Investigations' Office concerning the boundaries of such dispute resolution procedures. It is the intention of the Government to preserve the integrity of the dispute resolution procedures which are integral to the proper functioning of the Parliamentary Commissioner for Administrative Investigations, while ensuring that departments and agencies also provide their own effective dispute resolution procedures. In this way, it is intended to resolve many of the complaints at source and, in the process of so doing, encourage a more customer and community focus to problem solving among departments and agencies. In the event that a complaint is not resolved by these means, recourse to the Parliamentary Commissioner for Administrative Investigations would then still remain an option for a complaint.
- (3) Not applicable.

#### COURTS - ABORIGINAL OFFICERS PROGRAM

150. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) Will the Government attach specially selected and trained Aboriginal officers to courts with the aim of providing cultural advice to the sentencing authority and support to Aboriginal people appearing in court?
- (2) Who will select and train such officers?
- (3) What courts will such officers be attached to?
- (4) How many officers are envisaged to be employed?
- (5) When will a program to attach specially selected and trained Aboriginal officers to courts with the aim of providing cultural advice to the sentencing authority and support to Aboriginal people appearing in court be implemented?

Hon PETER FOSS replied:

The Attorney General has provided the following reply -

- (1) Aboriginal officers attached to community corrections centres provide a vital advisory function to sentencing authorities. The deployment of these officers ensures that advice is culturally

relevant and based on local knowledge. In country regions Aboriginal staff are attached to community corrections centres at Kununurra, Halls Creek, Broome, Roebourne, Geraldton, Albany, Northam and Kalgoorlie. In the metropolitan area the Aboriginal unit, part of the community corrections division of the Department of Corrective Services, has a role in improving the quality of advice to courts concerning Aboriginal offenders. An Aboriginal officer is also located at the Balcatta, Fremantle and Midland community corrections centres and an officer based at the Maddington centre has responsibility for the Armadale court. It is intended that Aboriginal officers will be attached to other locations throughout the State during 1993-94. These locations are to include Port Hedland, Carnarvon and Bunbury. Additionally, it is intended that metropolitan services will continue to develop enabling a complete coverage of courts Statewide.

- (2) Officers are selected and trained using the resources of the community corrections division of the Department of Corrective Services.
- (3) See (1).
- (4) The number of Aboriginal staff required to adequately provide a Statewide advisory function is subject to continual review. In more remote areas the most appropriate means of providing court advice is by using sessional staff recruited from the local community. In other situations it is appropriate that Aboriginal staff be recruited as permanent staff. At 31 May 1993, 23 Aboriginal staff who may be used in a court advisory capacity were employed by the community corrections division of the Department of Corrective Services. It is envisaged that during 1993-94 Aboriginal officers will constitute an additional 10 FTEs.
- (5) A program to deploy selected and trained Aboriginal officers to provide such advice is currently in place.

**COURTS - STATEWIDE COURT ADVISORY SERVICE, ESTABLISHMENT**  
*Independent Aboriginal Justice Advisory Committee, Establishment*

151. Hon N.D. GRIFFITHS to the Minister for Health representing the Attorney General:

- (1) What steps have been taken to establish a Statewide court advisory service to provide updated advice of correctional programs and assess offenders considered for community orders?
- (2) When will an independent Aboriginal justice advisory committee be established to advise the Government on matters relating to Aboriginals and the criminal justice system?

Hon PETER FOSS replied:

The Attorney General has provided the following response -

- (1) The community corrections division currently provides a Statewide court advisory service on offender assessment and community based programs. In line with Government policy, the division intends to expand its capacity to give culturally specific advice by employing more community corrections officers and sessional supervisors of Aboriginal descent. This advice will link minor offenders into an expanding range of community based correctional programs, which include treatment for sex offenders, substance abusers and violent offenders and will also focus on skill acquisition for the unemployed.

- (2) The member should refer this question to the Minister for Aboriginal Affairs.

#### HOMESWEST - APPRENTICES

167. Hon T.G. BUTLER to the Minister for Finance representing the Minister for Housing:

- (1) How many apprentices are indentured to Homeswest?
- (2) What is the breakdown of trade classification?
- (3) How many apprentices are in their first year, second year, third year and fourth year?
- (4) With the pending closure of Homeswest's maintenance division, have the working conditions of apprentices been clarified?
- (5) Would the Minister explain how the apprentices are to be employed by Homeswest at the completion of their apprenticeships?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1) Twenty-three apprentices indentured to Homeswest, these are in the process of being transferred in conjunction with the Department of Employment, Vocational Education and Training.
- (2)

Carpentry	3
Plumbing	7
Painting	11
Electrical	2
- (3)

First year	0
Second year	12
Third year	9
Fourth year	2
- (4) Yes.
- (5) Homeswest does not normally employ apprentices after the completion of their apprenticeship in excess of three months. This arrangement is being honoured with the 23 apprentices now being transferred.

#### HOMESWEST - HEAD OFFICE PERSONNEL

##### *Salaries, Part of Contract Labour Cost*

169. Hon T.G. BUTLER to the Minister for Finance representing the Minister for Housing:

Are the salaries of Homeswest head office personnel as listed below -

Manager Maintenance  
 Coordinator Maintenance Trades  
 Manager Safety and Compliance  
 Occupational Health and Safety Officer  
 Workers Compensation and Rehabilitation Officer  
 Wages Clerk  
 Coordinator Special Projects  
 Transport Officer  
 Contracts Officer  
 Senior Maintenance Clerk

factored into the cost of Homeswest's contract labour?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

No.

**HOMESWEST - KARAWARA RENTAL PROPERTIES**

*Fencing Replacement; Front Fencing Provision*

172. Hon CHERYL DAVENPORT to the Minister for Finance representing the Minister for Housing:

- (1) When will Homeswest provide replacement fencing for Karawara rental properties to rectify fences that are crumbling and riddled with white ants?
- (2) When will Homeswest implement adequate protective measures to prevent rental properties being accessed from cycleways that run through the Karawara Estate?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1) Subject to the agreement of the City of South Perth, work will commence during 1993-94.
- (2) Homeswest does not provide front fencing to its rental properties except in special circumstances. It is not proposed to vary this policy for Karawara.

**INCINERATORS - HIGH TEMPERATURE**

*Numbers; Locations; Temperature Range*

198. Hon J.A. SCOTT to the Minister for Education representing the Minister for the Environment:

- (1) How many high temperature incinerators are there in Western Australia?
- (2) Where is each located?
- (3) What is the temperature range at which each burns?

Hon N.F. MOORE replied:

The Minister for the Environment has provided the following reply -

- (1) The Environmental Protection Authority is aware of 70 incinerators in Western Australia. It is also aware that this is not a complete list.
- (2) The attached list provides some of the locations. [See paper No 474.]
- (3) This information is not known.

**WESTERN AUSTRALIAN TOURISM COMMISSION - NEWMAN TOURIST CENTRE**

*Letter of Concern*

199. Hon GRAHAM EDWARDS to the Minister for Education representing the Minister for Tourism:

- (1) What action has the Minister taken to address concerns raised by the Newman Tourist Centre over advice relating to that region provided by the Western Australian Tourism Commission?
- (2) Is the Minister aware of the letter from the Newman Tourist Centre setting out those concerns?
- (3) Is the Minister aware that those concerns are shared by other tourist operations within the region?
- (4) Will the letter from the Newman Tourist Centre be tabled at the next meeting of the Western Australian Tourism Commission?
- (5) If not, why not?

Hon N.F. MOORE replied:

The Minister for Tourism has provided the following reply -

- (1) The commission was asked to investigate the matter which resulted in -
  - (a) The retail officers of the commission have been briefed to ensure the broadest possible information coverage on the area is given to consumer inquiries.
  - (b) The Board of Commissioners of the WA Tourism Commission will arrange to hold its August meeting in the Pilbara, which will allow for the local industry to interact with the commission.
- (2)-(3) Yes.
- (4) Yes, it was tabled at their meeting held on 25 June 1993.
- (5) Not applicable.

**MOTOR VEHICLE REPAIR INDUSTRY - NEW COMMITTEE**  
*Guidelines*

210. Hon CHERYL DAVENPORT to the Minister for Consumer Affairs:

- (1) Further to the Minister's answer to question on notice 3 of 22 June 1993, would he provide the guidelines for the new committee?
- (2) Why does the new committee have two representatives from the insurance industry?
- (3) As the repair industry provided the original impetus to establish this committee will the Minister reconsider and appoint a second repairer representative?
- (4) Would the Minister indicate what is meant by the final sentence in the answer to part (8) of question on notice 3 mentioned above?

Hon PETER FOSS replied:

- (1) The terms of reference are -
  1. To examine existing Australian legislation and structures regulating the vehicle repair industry and make recommendations as to their effectiveness in -
    - (a) establishing standards of training and workmanship;
    - (b) consumer protection;
    - (c) resolution of disputes;
    - (d) minimising compliance costs;
    - (e) minimising enforcement costs and procedures; and
    - (f) ensuring adequate competition and overcoming barriers to entry.
  2. To prepare a scheme to ensure a full survey of persons involved in the industry and not just those who are members of industry associations and a process of consultation and voting on the proposals to determine whether regulation has industry support. However, at the request of the chairman of the committee I have removed the ICA representative and substituted a second industry representative.
  3. To consult with all interested parties regarding -
    - (a) the economic and geographic viability of establishing an industry funded and operated licensing and registration regime in relation to the number of repair businesses and tradespeople in the industry; and

- (b) the level of cost that would be acceptable within the industry were it to be instituted.
- (2) It does not. The RAC appointee is to be a person who has no association with its insurance company and is a representative of consumers.
- (3) Yes. I am consulting with the chairman about adjustments to the structure of the committee.
- (4) It means simply that I am not prepared to make such a decision until I have the benefit of considering the committee's report and am sure that there is full industry support.

**HOSPITALS - NORTHAMPTON**  
*Restructuring, Model for Small Country Hospitals*

215. Hon KIM CHANCE to the Minister for Health:

- (1) Is it the Minister's intention to use the proposed restructuring of the Northampton District Hospital as a model for the restructuring of other small country hospitals?
- (2) If so, which small country hospitals are to be restructured on this model?
- (3) Will the Minister use objective data to determine which hospitals will be restructured?
- (4) What will be the source of that data?
- (5) What type of data will be used?
- (6) Will this data be available on the public record?
- (7) If not, will the Minister make this data available to the public?

Hon PETER FOSS replied:

- (1) The principles associated with the multipurpose services model, applied in the restructuring of Northampton District Hospital will continue to be used as a model for small country hospitals. The range and mix of services will differ between communities and will be based on the demonstrated health services needs. The multipurpose services concept is an important means of achieving viable and more effective health services in small rural communities. Its development and implementation was a key recommendation of the parliamentary select committee report on country hospitals and nursing posts, and is being developed and implemented in most States of Australia following agreement by the Federal Health Minister in 1991.
- (2) Many small country hospitals have already adopted features of the multipurpose service and multipurpose centre concepts for State funded health services. These include Coolgardie, Goomalling and Morawa hospitals. The Dalwallinu community is participating in the national pilot of multipurpose services and the Boyup Brook community has sought inclusion in the pilot program. Other hospitals have expressed an interest, including Harvey, Manjimup and Nannup.
- (3) Yes, the assessment of communities that would most benefit by the concept has been the subject of discussion between the department's rural health policy unit and a rural health reference group, as well as representatives of the national and State multipurpose services steering groups. Use of objective data is considered to be fundamental to the assessment by a hospital board of community needs.
- (4) A variety of data is used to determine the appropriateness of multipurpose service or multipurpose centre arrangements. The source of this data may include, but not be restricted, to the Australian Bureau of Statistics, the Health Department's information systems, hospital or health care unit

information systems, community surveys and needs analyses, and health providers in the community.

- (5) A variety of data will be used including statistical information, demographic data, epidemiological information, and community surveys.
- (6) Information will be publicly available in accordance with the Health Department's policies. In particular, some clinical information is subject to restrictions.
- (7) Not applicable.

#### TOBACCO TAX - INCREASE CONSIDERATION

217. Hon N.D. GRIFFITHS to the Minister for Health:

Is the Government considering increasing tobacco taxation to bring the level of such taxation more in line with that imposed in other States?

Hon PETER FOSS replied:

The Government has not decided whether to increase the rate of State tobacco taxation. However, I have received many representations from health and medical organisations to increase the rate of tobacco tax and will give them serious consideration.

#### HOMESWEST - MENZIES STREET-HANRAHAN ROAD, ALBANY, RESIDENCES CONSTRUCTION *Commencement Delay*

221. Hon BOB THOMAS to the Minister for Finance representing the Minister for Housing:

Apart from the roadworks on Hanrahan Road, what other factors have contributed to the delay in commencement of construction of the nine Homeswest residences on the corner of Menzies Street and Hanrahan Road, Albany?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -  
Excessive tender price. Tenders will be recalled.

#### HOMESWEST - ALBANY OFFICE, RELOCATION

222. Hon BOB THOMAS to the Minister for Finance representing the Minister for Housing:

- (1) When does Homeswest intend to relocate its Albany office to premises which offer better access for clients, especially the disabled, and better facilities for the staff?
- (2) Has any consideration been given to a concept which includes both office and residential accommodation in the Albany foreshore redevelopment precinct?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1) In due course, subject to funds and the availability of an alternative site.
- (2) Yes.

#### HOMESWEST - LOCKYER, ALBANY, REDEVELOPMENT PROJECT *Common Trenching, Planning and Urban Development Department Support*

223. Hon BOB THOMAS to the Minister for Health representing the Minister for Planning:

- (1) Is it the preference of the Department of Planning and Urban



Development for there to be common trenching of utilities in the Homeswest redevelopment in Lockyer, Albany?

- (2) What negotiations has the DPUD had with other agencies on this matter?
- (3) Will the DPUD act in a coordinating role to ensure that common trenching is undertaken?
- (4) In which areas in Lockyer will this be undertaken in the years -
  - (a) 1993-94;
  - (b) 1994-95;
  - (c) 1995-96; and
  - (d) 1996-97?

Hon PETER FOSS replied:

The Minister for Planning has provided the following response -

- (1) Yes. The Department of Planning and Urban Development and the State Planning Commission support the principle of common trenching but have yet to receive an application in Lockyer to determine.
- (2) None.
- (3) No.
- (4) This will be determined by Homeswest in terms of when it develops in Lockyer.

**HOMESWEST - PRINCESS ROYAL FORTS**  
*Married Persons' Quarters, Renovations and Letting*

224. Hon BOB THOMAS to the Minister for Finance representing the Minister for Housing:

Will the Minister request Homeswest to examine the feasibility of renovating the married persons' quarters at the Princess Royal Forts and to then letting them out to Homeswest eligible tenants?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

The project was considered in the 1992-93 funding round of the local government and community housing program and was declined.

**HOMESWEST - LOCKYER, ALBANY, DWELLINGS**  
*Building Statistics*

227. Hon BOB THOMAS to the Minister for Finance representing the Minister for Housing:

- (1) How many dwellings did Homeswest commence building in Lockyer in 1992-93?
- (2) How many dwellings will Homeswest build in Lockyer in the years -
  - (a) 1993-94;
  - (b) 1994-95;
  - (c) 1995-96; and
  - (d) 1996-97?
- (3) How many other dwellings will be constructed by Homeswest in those years elsewhere within the Albany Homeswest region?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1) Two.
- (2) (a) 17;  
(b)-(d) not determined.
- (3) 1992-93 Albany (including Lockyer) 5  
Region (excluding Albany) 10  
1993-94 Albany (including Lockyer) 28  
Region (excluding Albany) 20

Figures quoted for 1993-94 are subject to approval by the Homeswest Board. Figures for 1994-95, 1995-96 and 1996-97 have not been determined.

#### TRANSPERTH - CONTINGENT LIABILITY, \$413.65M, BREAKDOWN

228. Hon JOHN HALDEN to the Minister for Transport:

What is the breakdown of the contingency liability of \$413.65m as shown in the balance sheet of the last annual report of Transperth?

Hon E.J. CHARLTON replied:

The 1991-92 annual report shows an amount of \$413.675m for provisions. This comprises -

	\$m
Superannuation liability	395.826
Annual leave	8.825
Long service leave	8.838
Insurance	0.186
	413.675

#### HOMESWEST - INDEPENDENT APPEALS TRIBUNAL

*Abolition, Savings, Appeal \$2 000 Cost Advice*

230. Hon T.G. BUTLER to the Minister for Finance representing the Minister for Housing:

- (1) Will the Minister supply details of how the reported savings of \$800 000 per annum will be achieved if the Homeswest Independent Appeals Tribunal is abolished?
- (2) Further, will he advise how the cost of \$2 000 per appeal to the tribunal is established?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1)-(2) This information is available in the Carravick report released in December 1992.

#### HOMESWEST - INDEPENDENT APPEALS TRIBUNAL

*Consultant's Report*

231. Hon T.G. BUTLER to the Minister for Finance representing the Minister for Housing:

Will the Minister release the detailed findings of Homeswest's own consultant's review that recommended the Homeswest Independent Appeals Tribunal continue?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

The report was previously released in December 1992.

**TREASURY - CASH BALANCE**  
*Short Term Money Market Investments*

238. Hon MARK NEVILL to the Minister for Finance:

I refer to the Ministers answer to question without notice No 38 of Wednesday, 23 June 1993 where the Minister said no interest will be earned on short term investments next year.

(1) Are Treasury cash balance still invested in the short term money market?

(2) If so, do these deposits attract interest?

Hon MAX EVANS replied:

(1)-(2)

Yes. Clearly Treasury still earns interest on cash balances in the public bank account which are invested on the short term money market, most of which goes to participating agencies and is not available for budgetary purposes. Equally clearly, when I said 'no interest' would be earned on short term cash balances next year I used the term figuratively, and the term 'almost no interest' would have been more accurate. As Hon Mark Nevill is aware, even after a decade during which the former Government did its best to strip the coffers bare, Treasury is, perhaps surprisingly, not bankrupt. However, net earnings from this source for 1993-94 are estimated at only \$5m, a shadow of what they would have been had the former Government not used funds accumulated through interest earnings to prop up successive Budgets for the years to 30 June 1989, 1990 and 1991.

By way of example, net interest earnings for the years ended 30 June 1984 to 1991 after distribution to participating agencies averaged \$40.8m a year, reaching a high of \$65.6m in 1989 and a low of \$13.1m in 1991. In contrast, net interest earnings for the years ended 30 June 1992 and 1993 after distribution to participating agencies averaged just \$3.6m a year. Hon Mark Nevill may also be interested to learn that at 30 June 1989 the trust account contained \$264.7m, but by 30 June 1991 the former Government had transferred all of that \$264.7m, and a further \$50.5m in interest earnings, from the trust account to the Budget in an effort to portray its Budgets as 'balanced'. Because of this exercise in stripping the trust account the balance at 30 June 1993 was only \$14.5m, of which \$1.2m is accrued to participating agencies.

**STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY  
 INSURANCE FUND**  
*\$50 Levy*

242. Hon MARK NEVILL to the Minister for Finance:

I refer to the 1991 actuary report which stated the State Government Insurance Commission required a 30 per cent increase in premiums followed by four annual increases of 12 per cent to become fully funded. Given the 30 per cent was granted, the four extra 12 per cent payments would have raised about \$100m. Why is it now necessary, two years later, to raise \$350m by way of a \$50 tax on about one million cars over seven years?

Hon MAX EVANS replied:

The need for the \$50 premium levy is based on a projected 30 June 1993 deficit, of over \$300m in the third party insurance fund. The financial status of the fund has deteriorated since 1991 due to abnormal write-downs - \$124.3m, 30 June 1992 - and lower than forecast investment returns. Further abnormal write-downs are expected at 30 June 1993. The

investment returns have suffered due to the investment portfolio being overweighted in property - approximately 60 per cent - plus the need to sell liquid assets to meet negative underwriting cash flows partly due to the SGIC's failure to obtain a 12 per cent premium increase for the year 1992-93.

**WESTERN AUSTRALIAN DEVELOPMENT CORPORATION - PROFIT OR LOSS; ASSET REALISATION**

246. Hon MARK NEVILL to the Minister for Finance:

- (1) What was the profit or loss made by the Western Australian Development Corporation in each financial year of its operation?
- (2) What amount was realised when the WADC was wound up or what has been realised to date?

Hon MAX EVANS replied:

- (1) Trading profits (losses) earned by WADC in each financial year of operation were -

1983-84	\$25 958
1984-85	\$4 617 743
1985-86	\$34 162 755
1986-87	\$9 116 111
1987-88	\$10 649 508
1988-89	\$19 011 005
1989-90	(\$2 181 413)
1990-91	\$13 187 402
1991-92	\$11 086 979

- (2) WADC continues to be in liquidation mode and it is anticipated the liquidation will be completed in the financial year 1994-95. Surplus funds returned from asset realisation are -

1990-91	\$10 477 417	
1991-92	\$11 500 000	
1992-93	\$39 150 000	including return of equity capital of \$5m

**WESTERN AUSTRALIAN GOVERNMENT HEALTH POLICIES - MINISTERIAL STATEMENT, FURTHER INFORMATION**

257. Hon KIM CHANCE to the Minister for Health:

Will the Minister provide further information on the following issues raised in his ministerial statement titled Western Australian Government Health Policies, and specifically -

- (1) The page 3 reference to population based funding -
  - (a) will this apply to all health services; and
  - (b) what is the Minister's timetable to achieve a fair allocation of available funds for health care?
- (2) The page 4 reference to competitive tendering -
  - (a) what is the Minister's timetable for the introduction of competitive tendering;
  - (b) will the hospital which currently provides these services be permitted to tender; and
  - (c) who will ultimately accept or reject any tender and at what level of administration will this decision be made - at hospital board level, at regional administration level, or at ministerial level?

- (3) The page 7 reference to health export and import replacement -
  - (a) what types of specialist medical services does the Minister envisage that Western Australia may provide to people in other countries; and
  - (b) does the Minister plan that these services will be provided exclusively by private hospitals, or will public hospitals also provide export services?
- (4) The page 8 reference to hospitals - reduction of waiting lists -
  - (a) will the Minister enhance the capability of country district hospitals, where appropriate as well as metropolitan non-teaching and country regional hospitals, to undertake a wider range and greater number of surgical procedures in order to reduce waiting lists;
  - (b) if no to (a), does the Minister intend to order a study to determine if any country district hospitals may be able to undertake a wider range of procedures and to identify any specific impediments to this occurring; and
  - (c) if yes to (a), can the Minister inform the House now or in the future, of the district hospitals which may be able to carry out a wider range of procedures and the broad nature of those procedures?
- (5) The page 8 reference to accident and emergency facilities -
  - (a) is it simply an oversight, or does this policy specifically exclude residents of country areas from having access to high quality accident and emergency services; and
  - (b) if it is not an oversight, and this policy is intended to apply only to metropolitan residents, does this policy form the basis for the proposed downgrading of accident and emergency services at Northampton District Hospital?
- (6) The page 10 reference to co-location of community and child health and allied nursing services with existing general practitioner services. Is it the Minister's intention to adopt this policy as an alternative to the current policy of co-locating these services with a public hospital or will co-location with general practitioner services be an optional practice where appropriate?
- (7) The page 11 reference to assisting people with mental health disability by the provision of affordable housing and access to rehabilitation services. Will the Minister provide assistance to the Association of Relatives and Friends of the Mentally Ill in Geraldton to establish a suitable facility in that city for the benefit of people with a mental health disability?
- (8) The page 12 reference to country nursing home services. Is the nursing home currently established on the site of the Northampton District Hospital an example of the Minister's aims in this area?
- (9) The page 14 reference to women's health -
  - (a) how will the restructuring of country district hospitals in line with that proposed at Northampton meet the Minister's identified priorities of providing care services for victims of domestic violence and meeting the needs of women in remote areas;
  - (b) does the Government believe that the proposed

multipurpose centre can meet these priorities in a better manner than is possible at an acute care hospital; and

(c) if so, why?

Hon PETER FOSS replied:

- (1) (a) It is intended that most of the Government's health services will be funded on a regional population basis. It will be necessary, however, in some instances for services to be directly paid for; for example, teaching and research and some tertiary services.
- (b) A strict timetable has not been set for the introduction of population based funding. Because of the need to establish appropriate information and experience, it is expected that it will take several years to fully implement. The Health Department of WA has circulated a discussion paper on the development work for a resource allocation model.
- (2) (a) I have asked HDWA progressively to introduce competitive tendering but no specific timetable has been set. I have urged caution and the gradual gaining of familiarity with the process.
- (b) Yes.
- (c) The process would be conducted by the first line management but in accordance with guidelines developed by the commissioner.
- (3) (a) This matter is being investigated. The specialist and other services which might be offered will depend on actual overseas demand. This is likely to vary from country to country.
- (b) It is envisaged that both private and public hospitals have the potential to export services.
- (4) (a) Yes.
- (b) Not applicable.
- (c) A number of district hospitals have received funds for waiting list reduction on a productivity improvement plan. Any future arrangements will be based on a similar competitive basis and be dependent on cost effectiveness, quality and a demonstrated need.
- (5) (a) No; the access to accident and emergency facilities in the metropolitan area was seen as a specific service initiative to relieve the demand on teaching hospitals' accident and emergency services. The Government is committed to ensuring that country residents continue to have access to high quality accident and emergency services.
- (b) Not applicable. Accident and emergency services at the Northampton hospital are not being downgraded. On the contrary, a total of \$85 000 was provided to the Northampton District Hospital on 28 June 1993 to upgrade the accident and emergency facility at the hospital.
- (6) Co-location of community and child health nursing and allied health with GPs will be an optional practice where appropriate.
- (7) The Association of Relatives and Friends of the Mentally Ill in Geraldton should apply to the Health Department for assistance in establishing housing support services for people with psychiatric disability.
- (8) There is no nursing home located on the site of the Northampton District Hospital; however, there is an aged care hostel.
- (9) (a) The restructuring of the Northampton District Hospital will be

based on the demonstrated health needs of the community. Where access to services are needed for women who are victims of domestic violence or to meet the needs of women living and raising children in the area, those needs will be accommodated. This is the aim of the needs analysis being the basis for provision of services rather than merely accepting that historically provided services are still the most relevant.

- (b) Yes.
- (c) The multipurpose health centre is a more versatile, viable and flexible means of meeting the health needs of a small community. The restructuring of Northampton hospital will allow the establishment of a broader range of services at both Northampton and Kalbarri. Clearly, the identified needs of women who are victims of domestic violence and the needs of women living and raising children in the area cannot be met exclusively by the provision of acute care hospital beds. This requires a range of health care services including community based services that the multipurpose health centre concept can achieve both effectively and economically.

#### **HOMESWEST - HOMES BY BEDROOM CATEGORY, APPLICATIONS**

*Kununurra, Wyndham etc.*

259. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Housing:

- (1) What are the number of applicants for Homeswest homes, by bedroom category, for the following towns -
  - (a) Kununurra;
  - (b) Wyndham;
  - (c) Halls Creek;
  - (d) Fitzroy Crossing;
  - (e) Derby;
  - (f) Broome;
  - (g) Port Hedland;
  - (h) South Hedland;
  - (i) Karratha;
  - (j) Onslow;
  - (k) Newman;
  - (l) Meekatharra;
  - (m) Cue;
  - (n) Mt Magnet;
  - (o) Wiluna;
  - (p) Yalgoo;
  - (q) Carnarvon;
  - (r) Shark Bay/Denham; and
  - (s) Exmouth?
- (2) What is the date of application, for applicants currently being housed by Homeswest, for homes in each bedroom category for the above towns?

The answer was tabled.

[See paper No 475.]

#### **HOMESWEST - MANNING REDEVELOPMENT PROGRAM**

*Completion Date; Budget Allocation; Expenditure*

261. Hon CHERYL DAVENPORT to the Minister for Finance representing the Minister for Housing:

- (1) Will the Minister advise when he anticipates completion of the Homeswest manning redevelopment program?

- (2) What funds were allocated in the 1992-93 budget?
- (3) How much of the 1992-93 budget allocation has been spent?
- (4) What are the total number of dwellings proposed?
- (5) How many dwellings have been completed to date?
- (6) What is the mix (i.e. 1,2,3 number of bedrooms) proposed?
- (7) What is the mix of dwellings completed to date?

Hon MAX EVANS replied:

The Minister for Housing has provided the following reply -

- (1) Unknown; depends on funding, relocation of tenants and demand.
- (2) \$2 205 284.
- (3) \$1 781 576.
- (4) 398.
- (5) 65.
- (6) 27 one bedroom seniors units  
56 two bedroom seniors units  
315 family dwellings - mostly three bedroom
- (7) 16 one bedroom seniors dwellings  
14 two bedroom seniors dwellings  
2 two bedroom family dwellings  
28 three bedroom family dwellings  
4 four bedroom family dwellings  
1 five bedroom family dwelling.

#### PARKING INFRINGEMENTS - DISABLED BAYS, LOCAL GOVERNMENTS

262. Hon GRAHAM EDWARDS to the Minister for Transport representing the Minister for Local Government:

In the financial year 1992-93, how many parking infringements were issued in each of the following local authorities -

Fremantle	Geraldton
Armadale	Gosnells
Midland	Kalamunda
Stirling	Kalgoorlie/Boulder
Perth	Kwinana
Wanneroo	Mandurah
Bayswater	Mosman Park
Bassendean	Mundaring
Belmont	Nedlands
Bunbury	Peppermint Grove
Canning	Rockingham
Claremont	South Perth
Cockburn	Subiaco
Cottesloe	Swan
East Fremantle	Melville

to drivers parking in bays set aside for people with disabilities who were not displaying the current parking (ACROD disability) permit?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

This question seeks information that is held by the specified local governments and details should be sought from them.



**LOTTERIES COMMISSION - GRANTS TO CLUBS OR ASSOCIATIONS**

*Buildings, Disabled Access Policy; Cottesloe Surf Lifesaving Club*

265. Hon GRAHAM EDWARDS to the Minister for Racing and Gaming:

- (1) Does the Lotteries Commission, as a matter of policy, still insist that where grants are made to clubs or associations for buildings, access for people with disabilities be provided?
- (2) If not, when did that policy change?
- (3) Did the Cottesloe Surf Lifesaving Club receive a Lotteries Commission grant and, if so, why was the access policy not adhered to?

Hon MAX EVANS replied:

- (1) The commission has for some years encouraged organisations receiving grants for buildings to provide access for people with disabilities, and often provides grants specifically for that purpose; that position is unchanged. It is not generally a condition of funding. It is the responsibility of local government to implement the Building Code of Australia requirements for disabled access in part D3 of the code of 1988.
- (2) There has been no change to commission practice.
- (3) A grant of \$284 000 was provided which included a sum of \$20 000 for disabled access.

**HEALTH DEPARTMENT OF WESTERN AUSTRALIA - JEMIELITA, ZYLVAIN**

*Criminal Charges, Cost*

266. Hon SAM PIANTADOSI to the Minister for Health:

- (1) What was the estimated amount of money spent by the Health Department resulting in criminal charges against Dr Zylvain Jemielita?
- (2) Did the Medical Board of Western Australia have any role in those charges being brought against Dr Jemielita?
- (3) If so, why?
- (4) In terms of the Medical Act, has the board formulated what constitutes infamous conduct?
- (5) Is the Medical Board currently investigating other medical practitioners who purport to use the same system MBS #, as that leading to Dr Jemielita's conviction?
- (6) If not, why?
- (7) Is the Minister aware of any other procedures other than using a health insurance investigator to resolve either overservicing or the possibility of Medicare fraud by medical practitioners?

Hon PETER FOSS replied:

- (1) Nil.
- (2) No.
- (3) Not applicable.
- (4) I understand that the board has no formal policy position on what constitutes "infamous conduct". However, in its recent decision regarding Dr Jemielita the board took the opportunity of setting out the parameters which were considered relevant in assessing whether infamous conduct had occurred. My understanding is that although the grounds set out in the Jemielita decision are not strictly binding upon future decisions of the board it is unlikely that they will be departed from in the future.
- (5) As the proceedings of the board are confidential, they cannot be disclosed publicly until a formal charge is laid.

- (6) Not applicable.
- (7) I understand that the Health Insurance Commission has a range of controls which include surveillance of practice patterns and counselling of practitioners. Criminal prosecutions are undertaken in cases where there is clear intent to defraud.

#### TRANSPERTH - CONCESSIONS FARES

##### *Amendment Plans*

267. Hon JOHN HALDEN to the Minister for Transport:

- (1) Are there any plans currently being considered by Transperth, the Minister or his staff, or by any other agency of government, to amend Transperth's concessional travel entitlements?
- (2) If yes, in what way?
- (3) If yes, when will they take effect?

Hon E.J. CHARLTON replied:

- (1) I am not in a position to comment on behalf of other agencies of Government, but in relation to my portfolio the answer is no.
- (2)-(3) Not applicable.

#### TRANSPERTH - FARES

##### *Collected: Pensioner; Student; Concessions*

268. Hon JOHN HALDEN to the Minister for Transport:

- (1) How many of Transperth's collected fares in the 1992-93 financial year were -
  - (a) pensioner;
  - (b) student; and
  - (c) concessions fares?
- (2) How many are there expected to be in the current financial year?

Hon E.J. CHARLTON replied:

- (1) The patronage estimates for the 1992-93 financial year are -
  - (a) 10 374 000; includes all pensioners and other adult concessions.
  - (b) 19 550 000; student concession only.
  - (c) 29 924 000.
- (2) Patronage projections for the 1993-94 financial year are -
  - (a) 9 951 000; includes all pensioners and other adult concessions.
  - (b) 20 465 000; student concession only.
  - (c) 30 416 000.

#### TRANSPERTH - FARES

##### *Income*

269. Hon JOHN HALDEN to the Minister for Transport:

What was Transperth's projected and actual revenue income for the 1992-93 financial year from -

- (a) all fares;
- (b) pensioner concession fares; and
- (c) student concession fares?

Hon E.J. CHARLTON replied:

Transperth's projected income for 1992-93, as provided in the 1992-93 Estimates, was -

- (a) \$53 799m
- (b) \$12 773m
- (c) \$19 059m

Actual results for 1992-93 will be tabled in Parliament with the 1992-93 annual report.

**TRANSPERTH - FARES**  
*Income*

270. Hon JOHN HALDEN to the Minister for Transport:

What is Transperth's projected revenue income for the 1993-94 financial year from -

- (a) all fares;
- (b) pensioner concession fares; and
- (c) student concession fares?

Hon E.J. CHARLTON replied:

It is not proper to reveal budgetary information prior to the Treasurer presenting the Budget to the Parliament.

**TRANSPERTH - FARES 1993-94**  
*Consultations, Bodies; First Proposer*

271. Hon JOHN HALDEN to the Minister for Transport:

- (1) What bodies were consulted in establishing Transperth's recently announced level of fares for the 1993-94 financial year?
- (2) Will the Minister state who first proposed those level of rates and charges -
  - (a) Transperth;
  - (b) Treasury;
  - (c) the Minister's office;
  - (d) another agency of government;
  - (e) outside consultants;
  - (f) none of the above?

Hon E.J. CHARLTON replied:

- (1) Transperth and the Department of Transport.
- (2) A number of options were presented by Transperth to my office. The final outcome was an adaptation of one of those options.

**TRANSPERTH - FARES 1993-94**  
*Consultants Employment*

272. Hon JOHN HALDEN to the Minister for Transport:

- (1) Were any consultants employed to help reach any of the decisions made about Transperth's 1993-94 level of fares?
- (2) If so, who?
- (3) What was the level of remuneration?
- (4) Are they still employed by the commission and/or the Minister's office?

Hon E.J. CHARLTON replied:

(1) No.

(2)-(4)

Not applicable.

**TRANSPERTH - FARES 1993-94**  
*Implementation, Administrative Cost*

273. Hon JOHN HALDEN to the Minister for Transport:

What was the administrative cost of implementing the 1993-94 fare system within Transperth?

Hon E.J. CHARLTON replied:

Changes to ticket vending machine software	\$2 500.00
Distribution of additional tickets	\$2 500.00
Production and screenprinting of vinyl labels for buses	<u>\$129.09</u>
<b>TOTAL</b>	<b>\$5 129.09</b>

**TRANSPERTH - FARES 1993-94**  
*Advertising Cost*

274. Hon JOHN HALDEN to the Minister for Transport:

What has been the cost of advertising associated with Transperth's new fares for 1993-94?

Hon E.J. CHARLTON replied:

Two full page advertisements in <i>The West Australian</i>	\$14 476.22
Printing 40 000 fare guide brochures	\$1 904.74
Production costs for advertisement and brochure	<u>\$2 700.00</u>
<b>TOTAL</b>	<b>\$19 080.96</b>

**TRANSPERTH - STAFF LEVEL, MAINTENANCE**

275. Hon JOHN HALDEN to the Minister for Transport:

Does Transperth intend to maintain its 1992-93 staffing level during the current financial year?

Hon E.J. CHARLTON replied:

Yes. However, I cannot pre-empt anything that may result from the review currently under way.

**TRANSPERTH - REDUNDANCIES**

276. Hon JOHN HALDEN to the Minister for Transport:

- (1) Are any redundancies planned in Transperth during the 1993-94 financial year?
- (2) If so, how many will be forced redundancies, and how many will be voluntary?
- (3) What will be the cost of -
  - (a) forced redundancies; and
  - (b) voluntary redundancies?

Hon E.J. CHARLTON replied:

See answer to question 275.

**TRANSPERTH - LOSS**  
*Gross Loss; Net Profit-Loss*

277. Hon JOHN HALDEN to the Minister for Transport:

What is Transperth's -

- (a) expected gross loss;
  - (b) expected net profit/loss;
- for the 1993-94 financial year?

Hon E.J. CHARLTON replied:

It is not proper to reveal budgetary information prior to the Treasurer presenting the Budget to the Parliament.

**TRANSPERTH - FARES**

*Income*

278. Hon JOHN HALDEN to the Minister for Transport:

For each of Transperth's eight zones, what is the -

- (a) actual income from all fares during the 1992-93 financial year;
- (b) expected income from all fares during the 1993-94 financial year;
- (c) actual income from pensioner concession fares during the 1992-93 financial year;
- (d) expected income from pensioner concession fares during the 1993-94 financial year;
- (e) actual income from student concession fares during the 1992-93 financial year;
- (f) expected income from student concession fares during the 1993-94 financial year;
- (g) actual income from standard adult fares during the 1992-93 financial year; and
- (h) expected income from standard adult fares during the 1993-94 financial year?

Hon E.J. CHARLTON replied:

In relation to 1992-93, figures will be available once the 1992-93 annual report is tabled. In relation to 1993-94, it would not be proper to reveal budgetary information prior to the Treasurer presenting the Budget to Parliament.

**TRANSPERTH - JOONDALUP RAILWAY LINE**

*Fares, Income*

279. Hon JOHN HALDEN to the Minister for Transport:

(1) What was Transperth's actual income from -

- (a) all fares;
- (b) all pensioner concession fares;
- (c) all student concession fares; and
- (d) all standard adult fares;

on the Joondalup railway line during the 1992-93 financial year?

(2) What is Transperth's expected income in each of the above categories on the Joondalup railway line during the current financial year?

Hon E.J. CHARLTON replied:

(1)-(2)

The information requested by the member is not available at this level of detail. A new ticketing system currently being installed will provide most of this information in the future. The system should be fully installed and operational in December 1993.

**TRANSPERTH - BUSES, NORTH OF SWAN RIVER**  
*Fares, Income*

280. Hon JOHN HALDEN to the Minister for Transport:

- (1) What was Transperth's actual income from -
  - (a) all fares;
  - (b) all pensioner concession fares;
  - (c) all student concession fares; and
  - (d) all standard adult fares;
 on buses running north of the Swan River during the 1992-93 financial year?
- (2) What is Transperth's expected income in each of the above categories on buses running north of the Swan River during the current financial year?

Hon E.J. CHARLTON replied:

See response to question 279.

**REPORT OF THE INDEPENDENT COMMISSION TO REVIEW PUBLIC  
 SECTOR FINANCES - COMMISSIONERS' DISCLAIMER**

281. Hon MARK NEVILL to the Minister for Finance:

Why was it necessary for the commissioners who authored the first volume of the McCarrey report to issue a disclaimer in that report for any responsibility for errors and omissions it contained, when no such disclaimer was deemed necessary in the two reports of the Victorian Commission on Audit?

Hon MAX EVANS replied:

As Hon Mark Nevill knows, I did not instruct the commission, nor am I responsible for any inclusions or lack thereof in its excellent and most professional report. I can therefore only suggest he address his question directly to the commissioners if, on reflection, he still believes that his question is neither trivial nor a waste of the commission's valuable time.

**RESERVES - DRAINAGE RESERVE 39667, PLANTAGENET LOCATION 5110**  
*Drainage Channel and Excavated Spoil, Within Boundaries*

282. Hon BOB THOMAS to the Minister for Lands:

Further to question on notice 204 of 29 June 1993 -

- (1) Can the Minister confirm whether the drainage channel and excavated spoil on drainage reserve 39667 on Plantagenet location 5110 are within the boundaries of the reserve?
- (2) Will the Minister allow access to the Crown Law advice referred to in the answer to part (7) of question 204?

Hon GEORGE CASH replied:

- (1) Yes. This was confirmed following an inspection by the Department of Land Administration in February this year.
- (2) No. The advice received from the Crown Law Department is confidential.

**QUESTIONS WITHOUT NOTICE**

**ROADS - NATIONAL ARTERIAL ROAD PROGRAM**  
*Commonwealth Funding, Terms*

180. Hon JOHN HALDEN to the Minister for Transport:

I have given the Minister some notice of this question.

- (1) In relation to arterial roadworks funding, will the Minister give details of the terms and conditions on which the money was made available by the Commonwealth? In particular, was it a global sum fully paid in advance, or staggered over a fixed term?
- (2) If so, what was the term and how was the money to be paid over that term?
- (3) Was the State Government aware in advance of the amounts that would be paid in each period over the course of the grant?
- (4) Is it correct that for the period 1 July to 31 December 1993 the value of contracts let for arterial roadworks exceeds the \$21.8m guaranteed by the Commonwealth for this type of road work for the same period?
- (5) If so, will the Minister explain how this apparent shortfall will be funded without State appropriation?

Hon E.J. CHARLTON replied:

I thank the member for some notice of the question. I have only just received the response, but I will give the answers supplied to me although I have not had time to check this information.

- (1) The national arterial road program was funded by the Commonwealth under the terms of the Australian Land Transport Development Act. The details of the arrangements for the program can be found in that Act and the notes of administration issued by the Commonwealth.
- (2) The term of the Act was five years from 1 January 1989. Initially payments were made on a recoup basis to the State after the work was completed. Latterly the funds have been paid pro rata on a monthly basis.
- (3) Yes, but for only one year at a time.
- (4) Yes, it is expected that this will be the case.
- (5) In a number of ways: Firstly, by the Commonwealth meeting the implied obligation to provide sufficient funds to continue these works; alternatively, by using the "untied" Commonwealth funds coming in the latter part of the year; or, finally, by using State funds.

**STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY  
INSURANCE FUND**  
*\$50 Levy*

181. Hon MARK NEVILL to the Minister for Finance:

- (1) Was the new third party insurance levy of \$50 on each car each year for five to seven years based on actuarial assessment of the fund or actuarial advice?
- (2) If so, who gave the advice?

Hon MAX EVANS replied:

- (1) It was based on actuarial advice.
- (2) The rest of the question will have to be placed on notice.

**STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY  
INSURANCE FUND  
\$50 Levy**

182. Hon MARK NEVILL to the Minister for Finance:

- (1) Was the annual \$50 levy on vehicles proposed by the State Government Insurance Commission?
- (2) For what period did the SGIC request that that levy continue?

Hon MAX EVANS replied:

(1)-(2)

I believe the member has placed a question on notice requesting these details. Initially it was thought that the \$50 levy could be imposed for five to seven years. The levy has been imposed on the basis that it will remain until losses are recovered. This year the premiums were reduced by \$7, from \$199 to \$192, and the \$50 levy was imposed, but that \$50 will be levied for a number of years. If the financial position of the SGIC were to improve the levy could be lifted sooner. It is intended to restore the financial position of the SGIC, which at present is required to pay a shortfall of funds.

Hon Mark Nevill: I asked whether the \$50 levy was proposed by the SGIC.

Hon MAX EVANS: Yes, it was proposed by the SGIC.

Hon Mark Nevill: And for what period did the SGIC request that the levy continue?

Hon MAX EVANS: I thought I answered that question - I said five to seven years. I thought the member had another question on notice on that point.

**STATE GOVERNMENT INSURANCE COMMISSION - THIRD PARTY  
INSURANCE FUND  
\$50 Levy**

183. Hon MARK NEVILL to the Minister for Finance:

Given that the Government has decided unilaterally to introduce a \$50 a year vehicle third party insurance tax for five to seven years, will that mean there will be no increase in third party premiums during the term of this Government and while the levy operates?

Hon MAX EVANS replied:

We announced on 30 June that a certain threshold would apply to claims incurred after that date. The actuarial calculations for next year show that that will bring about a reduction in premiums in 12 months' time.

**VICKERY REPORT - RELEASE DETAILS  
*Recommendations Implementation***

184. Hon KIM CHANCE to the Minister for Education:

- (1) Given that the Vickery report was transmitted to the Minister on 3 July, according to a covering letter signed by Dr Vickery, why has it taken the Minister a month to release it?
- (2) When will the Minister accept or reject the recommendations of the report?

Hon N.F. MOORE replied:

- (1) The Vickery inquiry has proceeded along a predetermined path which has



involved significant consultation with a wide range of people in the community. The report came to me in draft form about two weeks ago for my general advice about the direction in which it was headed. I then requested the Vickery inquiry people to make that report available to the main players in the training and education area so they could have a final look at the report before it was presented to the Government, on the basis that if it contained any major flaws it would be better that those flaws be made known to Dr Vickery prior to the presentation of the final report to the Government.

The draft report was sent to the agencies involved: The Trades and Labor Council, the Civil Service Association, the Western Australian State School Teachers Union, and the Western Australian Chamber of Commerce and Industry. The idea was to say to those organisations, "Here is the general final draft of the inquiry. Would you please check it one more time to see if there are any major problems it could create before we present it to the Government." The various agencies and associations have reported to the Vickery inquiry. Generally speaking, they were in favour of the thrust of the report. Dr Vickery may or may not have made changes as a result of those submissions. The final version was provided to me today, not a month ago, by the Vickery inquiry. That is the only version which has any substance; any previous versions are drafts.

- (2) The Government will look at the report, make a decision about implementing its recommendations, or what it will or will not accept, and work on it as quickly as possible. I have said publicly that any changes which one might make to an educational training system are best made prior to the beginning of a school year so as to avoid the disruption of changed circumstances. I hope that any major changes which may come out of the Vickery report will be introduced at the beginning of the next calendar year.

#### VICKERY REPORT - PUBLIC CONSULTATION

185. Hon KIM CHANCE to the Minister for Education:

I refer to the Minister's previous refusal to commit himself to a public consultation period on the Vickery report. Given the controversial nature of the report and the radical changes recommended, will the Minister now commit himself to a formal and well advertised public consultation period of at least six weeks?

Hon N.F. MOORE replied:

I did not refuse on a previous occasion to have any public consultation at all. I said to the member in response to his question that I did not accept there was a need for a six month period of consultation, which was the proposition the member put in a previous question.

Hon Kim Chance: I do not think it was.

Hon N.F. MOORE: I think the member asked whether I would undertake the normal process of six months' consultation with the public. I said that the Vickery inquiry had involved consultation with a wide range of people and that much of the consultation that was necessary had already been done. General support has come from the major players in the training and education area. I do not see a need for a further significant period of consultation. However, I have already made it very clear to anyone who has asked me that I am interested in what people have to say. That interest in people's views on education has led to a review of the system of devolution.

I make one simple point: When the Department of Employment, Vocational Education and Training was established by the previous

Government, not a word of consultation took place! The Minister made the decision that the Department of Technical and Further Education and the Department of Employment and Training be amalgamated to form DEVET, and Greg Black was engaged to put this into place.

Hon Graham Edwards: What has this to do with the question?

Hon N.F. MOORE: I am drawing the comparison between what the previous Government did and what I am doing with this report. I am available for public consultation. Anyone who has ideas about this matter can let me know. As I indicated, I want to see changes before the next calendar year to fit into the school year; it is important that changes are made in this time frame. The report is a public document and I want to hear what people regard as good and bad about it. Generally, people say it is good. It proposes to fix up a mess left by the previous Minister, Hon Kay Hallahan.

I can table in the House responses from unions and industry agencies regarding the state of employment and training, so that all members can read the views about the system I inherited. Members will then know why it was necessary for such an inquiry to be held. The tragedy is that the Vickery inquiry was necessary at all. Everyone knew that the system was a mess. I went about this matter the right way. I could have fixed the problem myself, but I gave everyone an opportunity to make an input and the decision will be based on the recommendations of a properly constituted inquiry.

#### ROADS - NATIONAL ARTERIAL ROAD PROGRAM

##### *Contracts Let*

186. Hon JOHN HALDEN to the Minister for Transport:

Supplementary to my previous question: Part (4) asked whether it was correct that for the period of 1 July to 31 December the value of contracts let for arterial road work exceeded the \$21.8m guaranteed by the Commonwealth for this type of road work for the same period, to which the Minister answered yes. How was the department able to let contracts in the absence of known or ascertained funding?

Hon E.J. CHARLTON replied:

Knowing the calibre of the member, I specifically noted before I answered the other questions - for which some notice had been given - that prior to coming to Parliament I was not aware that the member had asked the question. I was handed the response just prior to today's sitting.

Hon John Halden: Is the response true?

Hon E.J. CHARLTON: I did not have time to check the response given, and as a consequence I recommend that the member ask his question on notice.

Hon John Halden: Gotcha!

Hon E.J. Charlton: If anyone will be getting anyone, it will be me!

The DEPUTY PRESIDENT (Hon Barry House): Order!

Several members interjected.

Hon E.J. Charlton: I know what a low, gutter individual he is!

The DEPUTY PRESIDENT: Order!

Hon John Halden: You cannot help yourself; you have to go below the belt.

The DEPUTY PRESIDENT: Order! Those interjections from both sides of the House are totally out of order and unnecessary.

**ORGANOCHLORINES - PHASE OUT COMMITMENT**

187. Hon J.A. SCOTT to the Minister for Health:

- (1) Prior to the State election the Minister's Government gave an undertaking to phase out organochlorine pesticides before the end of 1993. Does the Minister intend to honour that commitment?
- (2) If not, why not?

Hon PETER FOSS replied:

(1)-(2)

My understanding is that the undertaking we gave was to phase them out if a suitable economic alternative was available; that undertaking remains. Therefore, if a suitable and economic alternative can be found in that time frame, we will carry out that undertaking.

**GAMING COMMISSION REGULATIONS - REPEAL SUBMISSIONS**

*Raffles, Proceeds Retention Limit; Porter, Mr Chilla*

188. Hon A.J.G. MacTIERNAN to the Minister for Racing and Gaming:

- (1) Did the Minister or the Premier, to the Minister's knowledge, receive submissions requesting the repeal of the Gaming Commission regulations which limit the percentage of proceeds of charity raffles that can be retained by fundraisers?
- (2) Were any such submissions received from Mr Chilla Porter, former secretary of the State Liberal Party and now director and shareholder of a professional fundraising company?

Hon MAX EVANS replied:

(1)-(2)

To my knowledge no official submissions came from Chilla Porter to me on this matter.

Hon Graham Edwards: What about unofficial ones?

Hon MAX EVANS: I received at least three written submissions on the matter. As I mentioned before, the reason for the change is that the racing and gaming regulations stipulate that the retention may be no more than 60 per cent, and this is to be changed to 40 per cent. Inconsistencies were found. The Attorney General called a meeting between her staff and my officers, and it was decided that for the time being the regulation relating to raffles would be withdrawn. This would allow the Attorney General to introduce regulations which were consistent for charitable organisations. This matter had been under consideration for some time by David Smith. It was illogical to have the retention at 60 per cent in many circumstances.

I am responsible for raffles and the Attorney General is responsible for telemarketing, donations and the sale of goods. As members will know, the cost of the latter items is well above that which would be suitable for the 60 per cent limit. One submission was from an organisation which nets about a quarter of a million dollars four times a year. Under the guidelines it was not able to market a new product because it could not meet the 60:40 ratio which applied. The organisation decided that it wanted another product on the market to raise extra revenue. This is a successful organisation which uses its own telemarketing. Three or four other companies operate telemarketing in Western Australia. We are considering the matter to achieve consistency.

**GAMING COMMISSION REGULATIONS - REPEALED, JULY**

189. Hon A.J.G. MacTIERNAN to the Minister for Racing and Gaming:

Was it not the case that the regulations gazetted in May and repealed in

July had already been discussed with the department responsible for their administration under the Charitable Collections Act, and that the department had not expressed concern about the gazettal of the regulations?

Hon MAX EVANS replied:

I ask the member to put the question on notice.

**WESTRAIL - HENSHAW, MR BARRY, REDUNDANCY PACKAGE**

190. Hon N.D. GRIFFITHS to the Minister for Transport:

- (1) When the decision was made to close the Midland Workshops, was Mr Barry Henshaw the General Manager of Workshops and Supply, Midland?
- (2) Did Mr Henshaw cease to be employed by Westrail on 30 July 1993?
- (3) If so, did he take up a redundancy package?
- (4) If yes to (3), what was the amount of his redundancy package?
- (5) Does Mr Henshaw now have a commercial relationship with Westrail?

Hon E.J. CHARLTON replied:

(1)-(5)

To be specific on the latter parts of the question, I recommend that the member put that question on notice.

**EXMOUTH - MEETING, NINGALOO MARINE PARK**

191. Hon P.H. LOCKYER to the Minister for Mines:

Can he inform the House of the results of the consultations with various people at Exmouth regarding the Ningaloo reef and, in particular, did the Minister receive any comment from the branch head of the ALP in Exmouth?

Hon GEORGE CASH replied:

I thank the member for his question and also for organising my visit to Exmouth some three or four weeks ago.

Hon Graham Edwards: We read about it!

Hon GEORGE CASH: When I visited Exmouth I had the opportunity to meet with and hear the views of the Exmouth community - the shire council, senior members of the professional fishing association - and to attend a public meeting. Contrary to some reports that meeting was most conciliatory and fruitful.

Hon Bob Thomas: Not the bits we saw on television.

Hon Mark Nevill: The television report described you as evasive.

Hon GEORGE CASH: Opposition members will no doubt be pleased to note that I received support from a person who was later identified to me as being a senior member of, and probably the president of, the Labor Party in that area. The views expressed in this House by the Opposition are not always the views of members of the Labor Party around the State.

Hon T.G. Butler: Did you get his name?

Hon GEORGE CASH: At that public meeting I said I would return to Exmouth for further consultation with the shire, the fishing community and the local community so they could fully understand what the Government intended for that area. I announced at that public meeting that a small task force composed of representatives from the Department of Minerals and Energy, the Environmental Protection Authority and the Department of

Conservation and Land Management would consider opportunities for multiple land use in Western Australia. That task force is now deliberating and I hope it will provide me with at least a preliminary report within a few weeks. When I have had an opportunity to consider the recommendations of the task force, and I have had an opportunity to discuss them with the Minister for the Environment, I will return to Exmouth to continue the consultative process with the local community.

**EXMOUTH - MEETING, NINGALOO MARINE PARK**  
*Task Force, Interim Report*

192. Hon TOM STEPHENS to the Minister for Mines:

I thank the Minister for making a departmental officer available to brief me on proposals for oil and gas exploration activities inside Western Australian marine parks. Has the Minister received an interim report from the task force to which he referred? Is he prepared to make a copy of that report available to me and other members of the Opposition, and, if not, why not?

Hon GEORGE CASH replied:

No, I have not received a written interim report. However, some weeks ago members of the task force, with the exception of the EPA representative, who was Barry Carbon, briefed me and the Minister for the Environment on their progress. It was agreed that as soon as the task force completed its studies it would make a written report available to me which I would share with the Minister for the Environment.

Hon Tom Stephens: Will you make the final report available to the Opposition?

Hon GEORGE CASH: As soon as I have seen the final report I will consider its contents and, as I have said to the House, I will discuss that report with the Minister for the Environment. I will discuss the principles contained in the report with the Exmouth community. At that stage I will be able to tell Hon Tom Stephens whether he will receive a copy of the report.

**WESTRAIL - VOITH AUSTRALIA PTY LTD, PROSPECTOR CONTRACT**

193. Hon T.G. BUTLER to the Minister for Transport:

- (1) Did Westrail accept a \$17 000 quote from Voith Australia Pty Ltd for the reconditioning of a gearbox on the *Prospector*?
- (2) After stripping down the gearbox did Voith Australia request a review of its quote, and did it increase its quote by \$40 000 to \$57 000?
- (3) Was the \$57 000 quote accepted by Westrail?
- (4) Is it true that Voith Australia is the only company outside Westrail equipped to carry out such work?

Hon E.J. CHARLTON replied:

(1)-(4)

I ask the member to put that question on notice. I do not receive daily feedback from Westrail on its maintenance programs.

**MINISTER FOR LANDS - POWERS TO DIRECT LOCAL GOVERNMENT  
ON FINANCIAL AND ADMINISTRATIVE MATTERS**

194. Hon BOB THOMAS to the Minister for Lands:

Does the Minister have power to direct local government on financial or administrative matters, and, if yes, what Act contains those powers?

Hon GEORGE CASH replied:

I am not aware of any powers to direct local government on financial and

administrative matters. However, if Hon Bob Thomas were more specific I might be able to assist him with a more substantive answer.

**SCHOOL BUSES - FREE, COUNTRY AREAS**  
*National Party's Policy*

195. Hon KIM CHANCE to the Leader of the National Party:

The DEPUTY PRESIDENT (Hon Barry House): The question must be directed to a Minister.

Hon KIM CHANCE: The question is directed to the Minister for Transport, although it is not a question connected with transport. What is the National Party's policy on free school buses in country areas?

Hon N.F. Moore: Hon Kim Chance should direct the question to me as Minister for Education.

*Ruling by the Deputy President*

The DEPUTY PRESIDENT: I rule that question out of order. It is appropriate that the member ask questions about Government policy, not about the policy of particular political parties.

**HOSPITALS - BUNBURY, CO-LOCATION**  
*Sterilisation Annexe*

196. Hon DOUG WENN to the Minister for Health:

What is the estimated cost of a sterilisation annexe for the co-location hospital in Bunbury? Will it be on the same campus as the hospital, and who will administer it?

Hon PETER FOSS replied:

It was never intended to be a sterilisation annexe. I indicated that the Government, quite independently of any other consideration, was keen to have a stand-alone day surgery unit. Those units exist in many places in Australia. This Government, and the previous Government, considered that a stand-alone day surgery unit in Perth would be appropriate for procedures such as tubal ligations. It is not necessarily appropriate for vasectomies, which can take place in doctors' rooms, but it could be appropriate for that procedure if people wished to have that kind of surgery performed. It was intended that the day surgery unit be constructed at Blair Street, which is a large site with more than adequate space. The particular location on that site has not been settled upon, but it will be a short distance from the co-location hospital on the same site.

Hon Doug Wenn: What would be the cost of the annexe?

Hon PETER FOSS: None, because it is the Government's intention that the stand-alone day surgery unit be provided by private interests. The Government would pay for the cost of the procedures. Again, that has not been concluded. If necessary, the Government could build it. Irrespective of whether they are used for sterilisation operations, I believe day surgeries should be run by private operators.

**HOSPITALS - BUNBURY, CO-LOCATION**  
*Sterilisation Annexe*

197. Hon DOUG WENN to the Minister for Health:

I am a little confused. Is the Minister now suggesting to the people of Bunbury and the south west that he will call in another group of people to privatise that annexe? It has been stated clearly by the St John of God Hospital administration that it will have nothing to do with that annexe.

Hon PETER FOSS replied:

The member keeps trying to put words in my mouth by referring to it as a sterilisation annexe. I have spoken of a stand-alone day surgery. As I said, I hope it will be provided by private persons, preferably from Bunbury, not by St John of God Hospital. Some people have already indicated an interest in providing that surgery, which will be a very useful additional facility in Bunbury. That aside, it would be at Blair Street rather than on land owned or controlled by St John of God Hospital. The amount of land required for the hospital will not involve the entire site and a stand-alone day surgery would not be a very large facility. One of the reasons for proposing a stand-alone day surgery is that it would be a quite small facility which would operate differently from an ordinary hospital. It would be on the same campus owned by the State Government, not on land transferred to St John of God Hospital, which would have nothing to do with it.

VICKERY REPORT - RELEASE DETAILS

*Question without Notice 184*

198. Hon N.F. MOORE :

Earlier in question time it was intimated that I had been sitting on the Vickery report for one month. I could not work that out but after a quick look at the report I noticed that the transmittal letter was dated 3 July 1993. That is a typographical error; it should be dated 3 August 1993.

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