

# Legislative Council

Wednesday, 20 September 1989

THE DEPUTY PRESIDENT (Hon J.M. Brown) took the Chair at 2.30 pm, and read prayers.

## PETITION - LEDA LAND

### *Western Ridge - Development Opposition*

The following petition bearing the signatures of 57 persons was presented by Hon P.G. Pental -

To the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament Assembled.

We, the undersigned, believing that the land at Leda known as the Western Ridge should be preserved in its natural state, and knowing that the land is owned by the State urge that all necessary steps be taken to prevent this priceless public asset from being developed for residential purposes.

[See paper No 393.]

## PETITION - WASTE TREATMENT PLANT, ALBANY

### *Water Authority of Western Australia Site Proposal - Sites A-C, Opposition*

The following petition bearing the signatures of 89 persons was presented by Hon Bob Thomas -

To the Honourable the President and Members of the Legislative Council of Western Australia in Parliament assembled.

We, the undersigned residents of the Gledhow-Torbay Valley, oppose sites 6A, 6B and 6C for the proposed WA Water Authority waste treatment plant at Albany. The proposed sites are not environmentally acceptable to the community and no assurance has been given that pollution will not affect the waterways and ocean in the area.

[See paper No 394.]

## BILLS (2) - INTRODUCTION AND FIRST READING

1. Companies, and Securities and Futures Industries, Legislation (Acts Amendment) Bill
  2. Director of Public Prosecutions Bill
- Bills introduced, on motions by Hon J.M. Berinson (Attorney General), and read a first time.

## MUSEUM AMENDMENT BILL

### *Introduction and First Reading*

Bill introduced, on motion by Hon P.G. Pental, and read a first time.

### *Second Reading*

Leave granted to proceed forthwith to the second reading.

HON P.G. PENDAL (South Metropolitan) [2.38 pm]: I move -

That the Bill be now read a second time.

For the second time in a year, the Government of this State is seeking to sell the family silver in order to pay its bills. The Dowding Government has, to the astonishment and anger of thousands of Western Australians, given its approval to a plan to sell - by satellite auction in London - 10 of the vintage and veteran cars that were part of the Percy Markham collection. Mr Markham sold these vehicles to the WA Museum more than two decades ago; had he not done so, and had he chosen to keep these vehicles in his family, he presumably would be in a

position to sell these vehicles today and reap the profits which the Government now seeks to receive. The vintage and veteran car movement, not only throughout this State, but also across the Australian continent, is angry with the Government's decision. Car enthusiasts are angry because the action by the Government in reoffering these cars for sale is a direct repudiation - a conscious reneging - of a decision announced by the then Minister for The Arts, Mrs Henderson, on 17 October last year. On that occasion, Mrs Henderson issued a Press release saying that she was "delighted that the WA Museum trustees had agreed not to go ahead with the sale of 10 vintage cars overseas". She went on to say, "I strongly believe that if a sale is to proceed it should be here in Western Australia." So much for her strong feelings.

Hon Kay Hallahan: At any price?

Hon P.G. PENDAL: So bad is this Government's financial morass that it is now reduced to selling its heritage in order to pay its bills. A lot of nonsense has been spoken about this sale in the past year. Firstly, the Government says - and the Museum's trustees are said to endorse this view - that these vehicles, because they were not made or used in Western Australia, are not important to the State's heritage. That is a nonsense. The Veteran Car Club of Australia, at its annual conference in Melbourne a week ago, declared that the collection was considered "... to be a valuable heritage collection being the property of the people of WA". That national conference went on to say that the delegates from all States believed the cars should be placed on permanent public display by the Museum of Western Australia or loaned to the Combined Car Clubs Association of WA (Inc), which "... has shown a willingness to accept responsibility for the care and display of the vehicles". It is important to note, too, that that national conference was told that the Markham family itself was known to be devastated by the Government's lack of commitment to the collection. I add here that it is not merely the voice of one conference that has been raised in protest. The Combined Car Clubs Association of WA has been active with its protests, including the huge rally of more than 100 vintage cars outside Parliament House only an hour or two ago. For the record I want to read an extract from a public statement made by the Combined Car Clubs Association, and I quote -

The Combined Car Clubs Association of W.A. (Inc) representing Marque and Restoration Motor Clubs in W.A., deplores the decision of the Minister to sell the 10 Museum Vehicles formerly part of the Percy Markham collection.

In particular, the Association deplores the attitude of the Minister in refusing to meet with our representatives to discuss our submission to save the vehicles. Mr. Parker's breaking of the undertakings made by the former Minister Mrs Yvonne Henderson, together with the manner of his advice to the Combined Car Clubs Assoc (via the media) shows an arrogant disregard for the express views of thousands of old car hobbyists in Western Australia.

The Association earnestly requests the Minister to review his decision and keep the vehicles in Western Australia. We are still more than prepared to meet with the Minister and discuss our proposal which will enable the vehicles to be kept in Western Australia and form the nucleus of a museum of Motor Transport to be funded without Government assistance.

There is a second reason for saying it is a nonsense to suggest that the collection has no significance to Western Australia. If one accepts the argument that an item or an artefact has to be "born out of the local culture" for it to have value, one could logically argue that the meteorite at the Western Australian Museum also ought to be sold as a fundraiser, since it is not of our culture. One could also extend that argument to the magnificent works of art at the Art Gallery of Western Australian. One painting that springs to mind is the Hans Heysen. Should we also sell that to the highest bidder merely because it has no connection with Western Australia? The answer, of course, would be a resounding no. Is it not ironic that at the very moment the Government is seeking to sell the Markham collection on the grounds that it has no connection with Western Australia, it has just completed the purchase - for \$2.1 million - of the Louis Allen Collection of Aboriginal Art? That collection is predominantly from Amhem Land; therefore, based on the Government's logic, we should now get rid of the Louis Allen Collection.

It is important for people to remember the order of events. This sale is not proceeding

because the Museum made a professional, independent decision to sell these vehicles. The Museum never had any intention of selling them. Such a decision only ever was made as a direct result of the Functional Review Committee report on the Museum's activities. The argument was that if the Museum wanted some extra money for its own purposes it should dispose of some of its "unwanted" artefacts.

That leads me to identifying a major internal weakness of the Museum itself - a weakness that can be corrected only by the State Treasury. The Museum of Western Australia does not have an acquisition fund. The Budget papers I have consulted over the years indicate that the Museum does not have any recourse to a fund for the purchase of items as and when they become available on the world or local market. That is a serious deficiency and one that needs to be corrected. To force the Museum into selling off its property in order to make a few dollars is absurd.

The Budget for the Library and Information Service of Western Australia, for example, has a special item for the acquisition of books. I hasten to add that that item is smaller this year than last, but at least it has an acquisition grant. The Western Australian Art Gallery is treated similarly. It has a small - one could say a pitifully small - amount set aside for acquiring new artworks. I might add here that this year the allocation is a whopping 47 per cent down on last year's allocation. If ever people in the world of art and culture had any doubts that the scandalous business ventures of this Government are now impacting on the arts, those doubts should be immediately removed. Let me compare just one set of figures. The sale of these vehicles will give the Museum a modest \$1 million, yet the 1988-89 and 1989-90 Budget allocations for failed Western Australian business deals alone is a staggering \$240 million.

I hope that through this the trustees and staff of the Museum, the Art Gallery, the Library Service, and others, understand just how contemptuously the Dowding Government is treating them. This Bill seeks to call a halt to the Government's actions in selling these cars. It is still not too late. I implore Government members to apply pressure to the Minister in this House, the Minister for Budget Management. These vehicles should remain in this State, and the passage of this Bill will ensure that that occurs.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Fred McKenzie.

## STATUTORY CORPORATIONS (DIRECTORS' LIABILITY) BILL

### *Introduction and First Reading*

Bill introduced, on motion by Hon Peter Foss, and read a first time.

## MOTION - SELECT COMMITTEE

### *Aquiculture and Mariculture Industry*

HON P.H. LOCKYER (Mining and Pastoral) [2.48 pm]: I move -

That a Select Committee be appointed -

1. To outline the state of development of aquiculture and mariculture industries in Western Australia.
2. To examine the current and future states of development in the production of aquiculture and mariculture products in Australia and their implications for Western Australia.
3. To examine the marketing potential for aquiculture and mariculture products and their implications for Western Australia.
4. To examine the current and future states of development in the production and marketing of aquiculture and mariculture products in other countries and their implications for Western Australian production and marketing.
5. To examine the biological, technical, economic, environmental, infrastructural and institutional requirements for the further development of aquiculture industries in Western Australia with particular reference to -

research and development;

availability of land and water-based sites;

potential fish/crustacea suitable for aquiculture and mariculture production.

6. To recommend strategies for the future development of aquiculture and mariculture industries in Western Australia and to outline the implications of these strategies for the Western Australian economy with particular reference to -

the role of Government in facilitating aquiculture and mariculture development;

the implications for regional development of the expansion of aquiculture and mariculture industries.

7. The committee have power to send for persons, papers and records and to travel to gather evidence.
8. The proceedings of the committee during the hearing of evidence be open to accredited news media representatives and the public.
9. The committee report not later than 8 May 1990.

As members will be well aware, the electorate I have represented for the past 10 years covers one of the biggest fisheries in this State, and this is a subject in which I have taken a keen interest. It is no secret that over the past few years people have developed a heightened regard for the environment and have realised that the natural fishery is not a self-renewing resource which we can expect to go on producing massive amounts of seafood without some strict controls. This and previous Governments have taken appropriate steps.

When I delivered a speech in this place recently I praised the operations of the Western Australian Fisheries Department for its actions in providing restricted fishing in areas that need to be protected for the future of the people of Western Australia and, indeed, the whole of Australia. That is not to say that the requirement for seafood will go away.

On two occasions I have taken the opportunity while overseas to look carefully at aquiculture and mariculture. On my return to this State, after discussions within the industry, I realised the massive impact of the two industries on overseas markets. The impact is being felt throughout our natural markets in Australia because markets from Vietnam, Taiwan and the Philippines are making their presence felt. Some of our export earnings have been curtailed severely because those countries are light-years ahead of us. We need to examine the state of the aquiculture and mariculture industries in this country.

Some projects are being carried out but an in depth examination of the industry is needed together with recommendations on what is the Government's role and the Fisheries Department's role. In fact, the industry's role in the whole operation should be considered. We need to examine the effect of the industry on the economy of Australia, and decide on what encouragement should be given to people in the industry. Members should make no mistake, aquiculture and mariculture will be the way to go in the future. We cannot continue to fish out the oceans willy-nilly, as the seafood cannot be replaced. Other countries will overtake us and this will have a very serious effect on our fishing industry. We also need to examine technological assistance - practical and experienced assistance which can be given to people who want to enter these industries.

My motion for the appointment of a Select Committee is not a political point-scoring exercise; this House should consider carefully such an appointment. This will give us the opportunity to present to the fishing industry an important report that would be crucial to the future of the economy of both Western Australia and Australia as a whole. I have discussed this motion at length with leaders in the fishing industry; they give it their total support. I have also discussed the matter with the Minister for Fisheries, and I commend him for the assistance he has given in directing me to the various departments for advice. The motion deserves the support of all political parties in this House. I commend the motion to the House.

Debate adjourned, on motion by Hon Doug Wenn.

## MOTION

*Standing Order No 141(c) - Proposed Amendment*

**HON PETER FOSS** (East Metropolitan) [2.56 pm]: I move -

That Standing Order No 141 be amended by deleting paragraph (c) and inserting the following -

- (c) The Leader of the House, upon undertaking to the House that there is an unusual and urgent demand upon the House to proceed with other business, may terminate oral questions without notice on any sitting day by requesting the President to proceed to the next item of business.

This motion seeks to amend this Standing Order in only a minimal way. Although it is to delete a paragraph and replace it with another, essentially what I am suggesting is that the following words be inserted in the current Standing Order - "upon undertaking to the House that there is an unusual and urgent demand upon the House to proceed with other business".

The reason for moving the motion has come out of the practice which the Leader of the House has adopted as a regular practice in this session of using this part of the Standing Orders after the expiration of half an hour of questions without notice in order to proceed to other business of the House.

**Hon J.M. Berinson:** Are you aware of any Parliament that does not have a similar practice?

**Hon PETER FOSS:** My understanding is that this Parliament has not had such a practice of terminating questions after half an hour.

**Hon J.M. Berinson:** Because we have never gone to half an hour.

**Hon PETER FOSS:** I will be dealing with why we are going to half an hour as my next point. It is interesting to note that the Leader of the House announced this practice even before we had questions for the first time this session. I can understand the need to move on to other business of the House; I would hope that the Leader of the House was able to use that power with proper discretion. Members will note that it is not proposed that the discretion be removed entirely. What is intended is that it be used properly.

The first point I make is that when a person is given a discretion, such as that given to the Leader of the House in this case, he should apply his mind to the basis upon which it is to be exercised on each occasion when he exercises it. The problem with having a policy which is to have just half an hour and no more is that the Leader of the House has set himself a policy which prevents him exercising his mind appropriately on the discretion which has been conferred on him. It is a well-known principle that one should not fetter a discretion by setting a policy that does not allow the putting of one's mind to a particular question when a person is in fact exercising a discretion.

**Hon J.M. Berinson:** I promise to exercise my mind every day; does that satisfy you, Mr Foss?

**Hon PETER FOSS:** I would be satisfied, I hope, because what I am wanting to do, and what I am urging the House to accept, is not to interfere with the right of the Leader of the House to exercise his discretion but to require him to use his discretion for the purpose for which it was conferred.

**Hon Tom Stephens:** Mr Foss, I know that you are new here, but have you thought of referring the matter to the Standing Orders Committee where the matter might properly be considered rather than being considered as a motion?

**Hon PETER FOSS:** I will address that point during the course of my speech.

That is the first point; that there is discretion, and discretion should always be exercised properly by drawing one's mind to the particular circumstances having in mind the purpose of the rule and the circumstances at the time. It is not a proper exercise of discretion merely to set down that there will be half an hour and no more.

**Hon J.M. Berinson:** This is not a judicial discretion.

**Hon PETER FOSS:** I realise that and I am not suggesting it is judicial.

**Hon J.M. Berinson:** What are you suggesting?

Hon PETER FOSS: If the Leader of the House waits a little while until I develop my argument he will hear the whole of it.

Hon J.M. Berinson: I would be interested.

Hon George Cash: I don't think he is interested to hear, he knows he is going to lose.

Hon Graham Edwards: We can all count on this side.

Hon Tom Stephens: You always just presume the National Party will go along with you.

Hon PETER FOSS: I am not presuming anything at all.

Hon George Cash: I think some of your members are likely to support the motion.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon PETER FOSS: That is the first thing; I am disturbed that the Leader of the House has decided to institute this policy. That might not have been too bad if it were not for something else which occurred. Before I deal with that perhaps I should set the scene by looking at the purpose of having questions. We have a difficulty in this House; we do not have very many Ministers, we have limited opportunity to use questions without notice.

Hon Graham Edwards: You could have stood for the Assembly. You blokes have done nothing but whinge about the fact you got into this House ever since you were voted in.

Hon PETER FOSS: I am not whingeing about it.

Hon Graham Edwards: It sounds to me like you are.

Hon PETER FOSS: If the Minister listens to me he will hear what my argument is.

Hon Tom Stephens: If you guys asked questions properly you wouldn't have to waste question time. You are always misphrasing your questions, getting your questions wrong.

The DEPUTY PRESIDENT: Order!

Hon PETER FOSS: There is limited opportunity in this House to use questions without notice because we have so few Ministers in this House, but it is an opportunity that we consider to be very important because we are after all the House of Review. We are the House where the actions of the Executive are most appropriately looked at, where the actions which occur in another place are most appropriately examined. The function of asking questions is a very important part of the Westminster process; an important part of accountability. I would like to refer the House to the report to the Premier of the Commission on Accountability of January 1989. On pages 4 and 5 of that report the commission, which was headed by the former Chief Justice, Sir Francis Burt, sets out a number of criteria for accountability. Probably the most interesting one, and one which is most frequently ignored, is that on page 5 under criterion (i) -

Whether the responsible Minister recognises that he is under a duty which he owes to Parliament - a political but not a legally enforceable duty to answer proper parliamentary questions which relate to the information which he has or which he has the authority to obtain.

The answering of parliamentary questions is a fundamental part of accountability; it is not merely part of our Standing Orders. I remind members opposite that when this report was delivered the Premier indicated that he accepted all the propositions unequivocally and has undertaken to carry them out. In fact, on a number of occasions since, the Government has publicly displayed its commitment to accountability. It is one thing to make a tremendous amount of public display; it is another thing to carry it out. We have become quite accustomed to a large amount of public display and very little response in another place. However, I had hoped that in this House where it is to be hoped we have people who have not been involved in the fiasco that has taken place elsewhere, people who are able to give answers without having to conceal the truth: That we can ask questions and expect honest answers. It is to be hoped that in this House, where the people of Western Australia have the only independent voice from the Government, the only place where we can say we demand an answer, we will get answers. That is why I regard this as being such an important matter.

I have been asked by Hon Tom Stephens why I did not suggest it be sent to the Standing Orders Committee. There is a very good reason. If it were merely that I was suggesting to

the House that there be a change of policy, if it were merely that I felt there was a better way of doing things, that would of course be the appropriate way to move. Unfortunately, however, in this particular case we have had an outright abuse of this and I will say why.

Hon J.M. Berinson: Absolute rubbish!

Hon PETER FOSS: I will give the details.

Hon Tom Stephens: If you can't ask questions in half an hour you will never be able to ask them.

Hon PETER FOSS: I believe we probably could ask questions in half an hour. I would be quite happy under most circumstances with half an hour if it were not for the fact that members opposite have been serving up what are commonly known as Dorothy Dix questions.

Hon Tom Stephens: The best questions of the day come from this side of the House.

Hon P.H. Lockyer: You haven't asked a question yourself in the last five years.

The DEPUTY PRESIDENT: Order, please! There is a member on his feet.

Hon PETER FOSS: That Hon Tom Stephens has the gall to continue to say that surprises me. I had hoped he would feel some embarrassment when the next Dorothy Dix comes up and Hon Kay Hallahan and Hon Graham Edwards in particular smirk, as they pull from the papers on their desks a prepared answer and say, "I happen to have some notice of this question."

Hon Kay Hallahan: I was going to give you a question so that you could have some notice.

Hon P.H. Lockyer: Is that because some of your members refuse to take them seriously?

Hon Graham Edwards: Because your members need a bit of help, that's the trouble.

Hon Tom Stephens: Your questions have all been so bad.

The DEPUTY PRESIDENT: Order, members! I will be giving some help in a minute.

Hon PETER FOSS: It may not already appear on the *Hansard* record, but I am glad that my speech will show that members opposite have thought themselves extremely clever because they managed, firstly, to restrict the amount of time in which we can ask questions and, secondly, to prevent our asking questions during that time by serving up Dorothy Dixers and in a silly, smirking way answering questions and counting us out for the time we have been given.

Several members interjected.

Hon PETER FOSS: Members opposite know that is the case and do not want to admit it nor want it on the record of *Hansard*. I had hoped the Leader of the House would continue to abstain from this practice even though he has helped it along. Yesterday he participated in Dorothy Dix questions. I had hoped that he, with respect for this House, would have prevented that from happening. He has set up the system in the first place and he has connived with the members of this House to defeat the proper asking of questions. What is more, this is from a Government which has supposedly embraced accountability. The reality of it is that this Government is playing silly tricks to avoid proper questions in this House.

Hon Graham Edwards: Where were you last night?

Hon Sam Piantadosi: All for you and one for us, is that what you are asking? You want to deny us the right to answer questions.

Hon Tom Stephens: You won't let us get an even number.

Several members interjected.

The DEPUTY PRESIDENT: Order! Hon Peter Foss will address his questions to the Chair.

Hon PETER FOSS: Mr Deputy President, it is quite clear that some people do not understand what accountability is about. Accountability is not the right of Government members to shout questions across the Chamber. It is the right of members of this Parliament to ask questions of responsible Ministers. If honourable members opposite think that accountability is their shouting questions across the Chamber, it explains why they have such strange ideas of how to treat question time in this House. That is obviously all they

think it is; a game they play where smart questions are asked across the House. It is not playing games, it is a serious matter of Government and of this Parliament.

Hon Tom Stephens wanted to know why I did not want this matter referred to the Standing Orders Committee. Now he knows why: It is because it concerns the abuse of accountability, an abuse that has been carried out smirkingly and with the connivance of the Leader of the House and indeed all three Ministers in this House. They have been avoiding their responsibilities on accountability and I hope they feel embarrassed about it. I had hoped there would be some decency on the part of members who sit behind them.

Hon J.M. Berinson: I thought you would produce an argument in favour of this motion. You have said nothing except that you do not like the system which applies not only in this Parliament but also in every Parliament in the world. You want to take the management of the business of this House out of the hands of the Government.

Several members interjected.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! I have been very lenient this afternoon. I was tolerant yesterday and I expect members to show some respect for the Chair. If that respect is not forthcoming I will take the appropriate action. A member is entitled to be heard in silence; if other members want to take part in the debate they will have ample opportunity.

Hon PETER FOSS: Thank you, Mr Deputy President. The Leader of the House is making what I think is a predictable statement; it is the usual way of putting up a smokescreen in order to distract attention from reality.

As I said at the commencement of my remarks, I have proposed a minimal change to the Standing Orders. The business of the House still remains in the hands of the Leader of the House. His right is, at any time, to say that the business of the House should proceed at any given time will remain intact under my proposal.

Hon J.M. Berinson: Subject to?

Hon PETER FOSS: Subject to his honesty in exercising that right.

One of the important aspects of the business of this House is the answering of questions by responsible Ministers. I firmly believe if the asking of questions were not interfered with in the fashion it has been of late we could dispose of questions without notice within half an hour. There is no reason to extend the length of time for those questions. All the Opposition wants is answers to questions. When it receives them it will stop asking questions. The problem is that Government members have been asking Dorothy Dix questions.

I am not saying that the Leader of the House should not have the right to terminate questions; I am proposing that there should be good reason to terminate questions, and the reason I am suggesting is that the Leader of the House is of the opinion that there is unusual and an urgent demand to proceed with other business. I am not suggesting it is any more than the word of the Leader of the House that that is the case; all he has to do is to undertake to the House that is the case. By proposing this motion I am suggesting to the Leader of the House that he is required to be honest in his exercise of that power. All he has to do is to undertake to the House that there is an unusual and an urgent demand for business to be dealt with.

Hon J.M. Berinson: Is that all - not that the business of the House requires us to move on, but that there is an unusual and urgent demand?

Hon Doug Wenn: This has to be the result of 25 years of legal practice.

Several members interjected.

Hon PETER FOSS: It is actually 150 years of practice in this House where it has not been the case that the Leader of the House, after half an hour of questions without notice, causes questions to be terminated. I am not relying on my minuscule time in this House or any time in a lawyer's office, which has no relevance to this motion. The fact is that I have seen what has happened in this House and I have read the report of the Burt Commission on Accountability. I understand what accountability is about, and the Government is not practising it. Will the Government be accountable? In the last couple of weeks it has been effectively ducking its responsibilities of accountability as set out in the Burt report.



Several members interjected.

Hon PETER FOSS: I hope that when members opposite speak to this motion they do not attack the Opposition because they believe, as the Leader of the House has suggested, that it is trying to take the business of the Government out of its hands. Instead, I hope they will explain why, prior to coming to this House, they set up Dorothy Dix questions with extraordinarily long answers.

Hon Doug Wenn: Are you denying us the right to ask questions?

Hon PETER FOSS: No, members opposite can ask questions. I hope, under the Standing Orders, that members will have more opportunity to ask questions.

Hon Doug Wenn: That is not what you are saying.

Hon PETER FOSS: Members opposite can ask Dorothy Dix questions until the cows come home, but I suspect that when there is no benefit from doing so they will stop asking them. I ask the Government to answer this question and not to avoid answering it: Why have Dorothy Dix questions been served up with long and tedious answers which really have no relevance to the subject?

I had hoped - even though I could not expect from the culpable members of the Government, people who have been in a Cabinet which has had the most disgraceful record of any Government I know - that at least the Government backbenchers would have some shame in regard to this matter. I know it is difficult for them. The Labor Party has been hijacked and its basis of carrying on Government is most extraordinary. I am sure that if they were sitting in the back of a plane which was hijacked they would not know whether to stay with the hijackers and hope the plane continued flying or whether they would tell them to go away and risk the plane crashing.

Several members interjected.

The DEPUTY PRESIDENT: Order! The member will speak to the motion.

Hon PETER FOSS: This motion is about the principal of accountability, which is fundamental to our parliamentary system which, time and time again, is said to have been embraced by members opposite, but which has been abused and undermined by the way in which the Leader of the House, his fellow Ministers and his backbenchers have abused question time. They have reduced the time in which Opposition members can ask proper questions which seek information. It has been done in a manner which is seen to be childish and is seen to be playing merry pranks with the business of Parliament. Government members are constantly smirking, but unfortunately that cannot be recorded in *Hansard*. I ask members to support my motion.

Debate adjourned, on motion by Hon Fred McKenzie.

## ACTS AMENDMENT (PAROLE) BILL

### *Second Reading*

Debate resumed from 5 September.

HON PETER FOSS (East Metropolitan) [3.20 pm]: It appears that a number of the proposals in the Bill deal directly with points of principle which have been referred to a Joint Select Committee of the two Houses. In particular, I refer the House to the amendment to section 87 of the Prisons Act, which deals with the question of the granting of leave of absence. In his second reading speech the Attorney General said -

The amendment makes clear, as has always been the case, that an offender may be granted leave of absence prior to being eligible to being discharged from prison both to freedom and on parole.

It was made clear in an earlier debate in this House that the way in which a prisoner may be discharged from prison is one of the fundamental matters that should be investigated by a Select Committee. If it has always been the case, and it has always been clear, why does one need to make this amendment? It could be that this is merely a minor amendment. However, it does deal with the central point to be dealt with by the Select Committee.

The other matter we feel is in a similar vein relates to the amendment to section 44 which is

contained in clause 6 of the Bill. We think that this is one of the matters that is fundamental to those matters to be considered by the Select Committee. The other matters are probably of a minor, technical nature, but rather than have two Bills, one dealing with matters of a minor, technical nature and another emerging later from the review of the Parole Act, and in view of the fact that other minor technical changes might occur as a result of the substantive changes, it seems to us that a better way to deal with this matter is to refer it in its entirety to the Select Committee and then a complete review will be carried out. When the report comes back to this House we will then be able to deal with all of these matters at the same time.

We propose that the Bill be read a second time, but rather than its being referred to a Committee of the Whole House it should be referred to the Select Committee established by this House and be dealt with by that Select Committee. That would be a tidy way of dealing with all the matters involved and a better way for the matter to be properly considered by this House. That is all I have to say about the Bill at this time; that we agree to its being read a second time and I will move later that it be referred to the Select Committee established by the honourable Attorney General.

**HON J.N. CALDWELL (Agricultural) [3.24 pm]:** The purpose of this Bill has already been stated. There are some minor administrative matters involved which do not affect the basic principles of the current Parole Board. The words that concern me are, "the current Parole Board". It has already been said that a Select Committee has been set up to look into the role of the Parole Board. It appears to us that the basic principles of the Parole Board will be altered in some way in the future. I am sceptical about whether we should be implementing these minor changes to the Parole Board at this time. I feel sure that the matter will probably arise again in the future. The present Parole Board could be altered in the way in which it operates.

I agree with Hon Peter Foss that the Bill is premature in relation to this matter. However, perhaps I will hear some extremely persuasive arguments from the Attorney General before I make my final judgment on this Bill. I believe we are putting the cart before the horse here. As Hon Peter Foss has said, perhaps the Bill should be read a second time and then be considered further at some other time.

**HON J.M. BERINSON (North Metropolitan - Minister for Corrective Services) [3.26 pm]:** I am surprised by the tack taken by Hon Peter Foss because there is really a huge difference between the fundamental review of the Act which the joint Select Committee is designed to engage in and the quite minor matters of an administrative nature that are dealt with in this amending Bill. My only consolation, having heard what has been said so far, comes from Mr Caldwell who has indicated that he is prepared to consider the position on its merits. I put to him and to all members quite seriously that the merits related to the proposal to send this Bill to a Select Committee are very poor indeed.

I first direct attention to the practical consequences of leaving this Bill for the consideration of the Select Committee. In view of the importance and complexity of the subject matter to be dealt with by that committee we have allowed something like six months for its deliberations. As a matter of practical reality that must mean that irrespective of the report which is brought down by the committee, and whether or not it gains ready acceptance, we are looking at a minimum period of 12 months before any fundamental changes to the parole system can be implemented by way of legislation. That is the practical reality; namely, that if we go down Mr Foss's road we will be delaying action on these quite minor matters, and I mean "minor" in terms of principle and not practical application, for a minimum of 12 months. The only two questions raised by Mr Foss in support of his proposition related to clauses 6 and 8 of the Bill.

If clause 8 is not passed, nothing will change. Home leave will still apply. Purely as a matter of greater caution that the department has sought this small amendment in order to clarify the availability of home leave, both before absolute discharge from prison and discharge from prison on parole. Nobody has challenged the present system. It is very doubtful if there would be anyone with sufficient standing to challenge it. No-one really doubts that the availability of home leave prior to release on parole is available under existing legislation. It was as a matter of greater caution only, looking to some more precise wording, that clause 8 was inserted in this Bill. I put it to Mr Foss that nothing he has said indicates that the defeat of clause 8, or the inevitable delay of 12 months in implementing it

if we go the Select Committee route, will change what happens now. Home leave will continue to be available, both for prisoners before absolute discharge and prisoners about to be released on parole.

If what Mr Foss is really getting at is the basic principle behind home leave - and I accept that is a matter which would come within the consideration of the Select Committee - and that is an argument to be put to the Select Committee. If the committee's report makes certain recommendations for change, and if the Government and the Parliament agree that those changes should be implemented, that will happen. It is very proper for the Select Committee to consider the basic principle, but it is pointless for it to consider clause 8, because the defeat of clause 8 will not affect the availability of home leave in any way. The present method of administration will continue. I would have thought that Mr Foss would appreciate that clause 8 is there for greater caution and certainty. Indeed I think he does understand that, because nothing that he has said about the present availability of home leave to prisoners about to be released on parole suggests that the current practice is inconsistent with the current law. Nobody suggests that - Mr Foss does not suggest it - so the current position will continue. Clause 8 is the least of our concerns. If anyone takes it seriously, let us delete it, but let us not delay the implementation of it for 12 months, which would be the inevitable result of sending it off to a committee to consider for six months and then present its report for consideration and implementation.

If I was surprised by Mr Foss' approach in respect of clause 8, I was staggered by the fact that the only other example he was able to produce in support of this delaying move was clause 6. Clause 6, if enacted, will have no effect on any principle at all. It will not affect the Parole Board's present powers, and it will not affect the Parole Board's present basis for judgment. It only saves a lot of unnecessary and costly trouble in respect of prisoners who are about to be paroled. Under the present circumstances, where a prisoner on parole receives any sentence at all, his parole is withdrawn, and further release requires further consideration by the Parole Board. The difficulty which has crept in with the latest changes to the Act is this: Somewhere along the line a provision which was not there previously was inserted requiring a person applying for re-parole to be brought before the Parole Board. Whenever that is necessary, as it would be in the case of a serious offence, that can be done. But the Parole Board has had vast experience with hundreds of cases, and it knows very well that in a certain category of cases, though a sentence has been imposed, the offence is so minor, and the penalty is so minor, that re-parole will be granted almost as a matter of course.

The example given in the second reading speech applied to a person who was sentenced to the rising of the court. That was a matter of detention for perhaps two hours, but that sentence of perhaps two hours can be imposed in Karratha, or in Port Hedland. Under the current Act - and this was never required earlier - for the first time that person must be brought from Karratha to Perth in order to front up to the Parole Board, which will inevitably grant him re-parole. The board can make a decision at a distance, simply on the basis of its vast experience with similar cases. Similarly, a sentence may be imposed in Karratha or some other outlying areas where it is patently obvious that in spite of the application, parole will be rejected. The Parole Board knows, without the prisoner fronting up, that the offence is too serious and the new penalty is too serious to permit a renewal of parole at that stage. Even though the board knows that, in those circumstances the parolee still has to be brought to Perth.

The point I am trying to make is that throughout this Bill we are not dealing with matters of principle, and we are not dealing with matters which pre-empt in any way the later consideration of the Select Committee or the decisions which the Parliament might come to make on the basis of the report of the Select Committee. If members want to attack the home leave system, or the re-parole system, that is perfectly in order. The question is wide open for the consideration of the Select Committee, but it simply does not make sense to attempt that type of attack in the context of this Bill.

To take up on John Caldwell's concern about the basic nature and function of the Parole Board, it is simply not a possibility to move in that way on the basis of the narrow questions involved in this Bill. They are narrow, they are technical, they do have practical advantages in terms of economy and the saving of time and cost, but when this Bill is introduced on the basis of its being a minor Bill on largely technical matters, please believe me when I say that that is all it is.

Finally in response to the suggestion that this should go to the Select Committee, let me say there is nothing in the passage of this present Bill through all stages and its subsequent enactment which would prevent any aspect of it being considered by the committee in the course of its general considerations. The parole system is an important part of our general law enforcement system. As I said when I moved for the Select Committee, there may well be good reasons to modify the operation of the parole system in some respects, but that should not paralyse us in the meantime from implementing quite small measures which do not go to the principles of the system but which offer significant advantages in terms of its day to day operation and efficiency.

Mr Deputy President (Hon D.J. Wordsworth), I have long since passed the stage of believing I could anticipate developments in this House, but I must say that for all the vivid imagination I try to bring to bear as I look at the Orders of the Day each day, it simply did not occur to me that a Bill of this modest nature would be regarded as so fundamental and going so far to basic principles which require review, as to require what amounts to a 12 month deferment of consideration.

I say again, and I conclude on this point, that is simply not the nature of this Bill. This Bill goes to strictly practical questions; it goes to greater efficiency and it goes to greater clarity; it does not go to basic principles. If in due course anyone wants to argue for a further modification of the matters we are dealing with today in the context of the general review of the parole system, obviously that is open to the committee and will be open to the Government and the Parliament in their subsequent considerations. These matters are for implementation now. The wider questions can be dealt with at leisure and in that context anyone who wants to further review the matters we are dealing with today will have every opportunity to do so.

I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *Reference to Select Committee*

HON PETER FOSS (East Metropolitan) [3.43 pm]: I move -

That the Bill be referred to the Select Committee on Parole appointed by the House on Thursday, 7 September.

In respect of what the Minister for Corrective Services said, I could not be quite certain as to whether he said that the proposed amendments were important or unimportant. If they are important ones -

Hon J.M. Berinson: They are important for practical reasons, but not as going to basic principles, which seemed to be your argument.

Hon PETER FOSS: It seems to me that a very important principle must be observed. Anyone who has had to look at the Justices Amendment Act would have seen that a vast number of amendments have been made to it over a short period of time. I do not believe this House should engage regularly in the practice of making small amendments to Bills in the pursuit of administrative convenience, especially when there is the prospect -

Hon J.M. Berinson: It is not for my convenience; it is for the administrative convenience of the system, and the economy of the system.

Hon PETER FOSS: I understand what the Minister is saying. I do not believe that should be done. It is extremely difficult for people involved in the administration of law if Acts are regularly amended. Furthermore I am sure that following from the report of the parole committee, many more small technical amendments will be made. It is not advisable to make these small amendments, which really, in the essence of things, are a mixture of matters dealing with the areas of principle we are concerned with and minor matters which I do not believe should at this stage concern the House. I believe it is a matter which should be referred to the Select Committee. Hopefully there will then be a substantial amendment which deals with all these matters at the same time, and we will then have a consistent law which is a lot easier for people to understand.

*Sitting suspended from 3.45 to 4.00 pm*

**HON GEORGE CASH** (North Metropolitan - Leader of the Opposition) [4.00 pm]: I support the motion moved by Hon Peter Foss. It is important that this Bill now be referred to the Select Committee that this House agreed to set up only a few days ago. I was surprised at the Minister's comments in the second reading debate because he seemed to indicate that, irrespective of whether the Bill was passed in this House, there would be little practical consequence of that action. He then went on to say that it may be difficult if it took 12 months for the Select Committee to consider it and the other matters that form part of the Select Committee's terms of reference. I expect that the Select Committee on parole, in considering the terms of reference - there is no doubt that the content of the Bill that is about to be referred certainly comes within the terms of reference of that committee - will report on an interim basis to this House. If it believed that the content of the Bill would not impinge greatly on the terms of reference that have been agreed to, no doubt it will report in those terms to the House. The argument that the Bill will be held up for 12 months is, in my view, not valid.

When were these matters raised by the department with the Minister? I do not believe they could have all come up last week with great urgency. That certainly has not been indicated by the Minister to date. These matters have probably been sitting around for some time and perhaps he should have considered bringing this and other matters forward when the Parliament sat earlier this year rather than its just meeting for the purpose of dealing with the Acts Amendment (Accountability) Bill, the petrochemical legislation and other matters. The motion moved by Hon Peter Foss is a correct motion. It deals with these matters in a proper parliamentary fashion and I have every confidence in the members of the Select Committee recognising that the Minister is keen to see this Bill proceed. I am sure that the committee will take into consideration the comments that the Minister and other members have made today. I support the motion.

**HON J.N. CALDWELL** (Agricultural) [4.04 pm]: We all agree that the parole system needs to be considered in depth. It has been found wanting in many areas. I guess the amendments are, in some way, an attempt to smooth over many of the problems that exist in the system. As I said before, I think we are trying to anticipate many of the things that will arise in the Select Committee. The present system has been in place for some time. I do not believe that we should fiddle with that legislation but that we should wait for the committee to make its recommendations to the House.

**HON J.M. BERINSON** (North Metropolitan - Minister for Corrective Services) [4.06 pm]: It appears from the comments that we have heard from Mr Cash and Mr Caldwell that the die is cast.

Hon George Cash: We are waiting for you to give us convincing arguments. Mr Caldwell mentioned that earlier.

Hon J.M. BERINSON: If anyone can seriously argue that what has been said so far by both sides of this debate justifies a 12 months' delay in the implementation of these practical administrative matters, they could do so only on the basis that they have not been listening. We have been encouraged by Mr Cash to say that there is no real harm here and the Select Committee, understanding the interests of this House in some earlier resolution of those questions, could no doubt give them early consideration and provide a report on which we could act early. I can only say that that would involve the complete distortion of what that committee is set up to do. It is set up to look at the fundamental question of parole, the way it operates, the way it interacts with various provisions of the Prisons Act, and the way it affects sentencing practice. It goes very deep to basic questions.

What we are talking about here is of an entirely different order. The most significant single difference that this Bill will impose will be on Ansett WA. It will lose some significant traffic of people being brought from all over Western Australia to come before the Parole Board for absolutely no purpose at all. It has had that business until now by accident and it will continue to have that business if we go that route for another 12 months. Anyone who can seriously argue for that, now that the problem has been brought to attention, really bemuses me. I cannot understand it.

Hon George Cash: Why did you not bring it in earlier this year?

Hon J.M. BERINSON: Frankly, I do not know what the timing was of the presentation of

this problem to me, its passage through Cabinet, its passage through the Parliamentary Counsel and so on. Is Mr Cash seriously arguing that it should not be passed for another 12 months because it should have been passed six months ago? What is the logic in that?

Hon George Cash: You did not want to sit in Parliament discussing anything; you wanted to get in and get out, as long as you could get your petrochemical legislation through.

Hon J.M. BERINSON: Mr Cash is confirming that this matter should be left for another 12 months because it is already six months late.

Hon George Cash: Rubbish!

Hon J.M. BERINSON: I do not know if it is six months late because I do not have the faintest idea of when these questions were brought to attention. I do not know whether they were high priority questions. My second reading speech does not indicate that they were; they are sensible, practical, administrative measures. That is all that is involved. It is amazing that all the passion that has been engendered should have been capable of being aroused by a measure as modest as this one is. It is no argument to say that it can go to a Select Committee which can provide an early report. Of course it should not provide an early report on peripheral issues. If that is what it spent its time on when it has been given a basic review of the parole system to consider, it would not be doing its job. Mr Cash is smiling for the first time this week and I take it -

Hon P.G. Pental: It is out of embarrassment for you.

Hon J.M. BERINSON: - that even he acknowledges the strength of that argument. I attempted to put the argument against delay as comprehensively as I could, and I cannot for the life of me recognise that either in the original argument from the Opposition side or in its continuing tenacity to ensure delay of this measure, there is any merit at all. There is none. The delay that is involved will achieve nothing practical or positive; if it achieves anything it will all be on the negative side of the balance. It will perpetuate inefficiencies that could readily be removed and all of that simply because a more fundamental review of the parole system is envisaged which has not yet even started. Even at this stage, I ask members opposite to look at this question on its merits. If they do so, they will support the passage of this Bill. There will be nothing lost and nothing to prevent further change if the committee ever considers these issues to be serious enough to justify its attention. I oppose the motion.

Question put and a division taken with the following result -

Ayes (15)			
Hon J.N. Caldwell	Hon Peter Foss	Hon N.F. Moore	Hon Derrick Tomlinson
Hon George Cash	Hon Barry House	Hon Muriel Patterson	Hon D.J. Wordsworth
Hon Reg Davies	Hon P.H. Lockyer	Hon P.G. Pental	Hon Margaret McAleer
Hon Max Evans	Hon M.S. Montgomery	Hon R.G. Pike	(Teller)
Noes (13)			
Hon J.M. Berinson	Hon John Halden	Hon Sam Piantadosi	Hon Fred McKenzie
Hon T.G. Butler	Hon Kay Hallahan	Hon Tom Stephens	(Teller)
Hon Cheryl Davenport	Hon Garry Kelly	Hon Bob Thomas	
Hon Graham Edwards	Hon Mark Nevill	Hon Doug Wenn	
Pairs			
Ayes		Noes	
Hon W.N. Stretch		Hon Tom Helm	
Hon E.J. Charlton		Hon B.L. Jones	

Question thus passed.

## ELECTION OF SENATORS AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon J.M. Berinson (Leader of the House), read a first time.

*Second Reading*

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [4.16 pm]: I move -

That the Bill be now read a second time.

The background to this Bill lies in changes made to the Commonwealth Electoral Act and which have created differences between that Act and the Western Australian Election of Senators Act. Those differences are -

- (1) Under the Commonwealth Act 100 days are now available between the issue and return of the writ compared with 90 days under the State Act.
- (2) Limitations used to exist about when alterations to the date of polling and the return of the writ could be made. Such alterations had to be made within 20 days either side of polling day which itself could not be altered later than seven days before the time originally appointed. These limitations have been removed and the flexibility of permitting alterations to the days in specified Divisions has been added.

Amendments in this Bill will remove both these conflicts.

The next half Senate election must be held in the 12 months before 1 July 1990 but the provision may be required earlier in the event of a double dissolution of the Commonwealth Parliament. Clearly provisions governing elections to the Senate should match those to the House of Representatives. I commend the Bill to the House.

Debate adjourned, on motion by Hon Margaret McAleer.

### **PRISONERS (RELEASE FOR DEPORTATION) BILL**

*Second Reading*

Debate resumed from 6 September.

**HON GEORGE CASH** (North Metropolitan - Leader of the Opposition) [4.17 pm]: This Bill will create a new Act of Parliament, and it will enjoy the support of the Opposition. The purpose is to ensure that prisoners who are eligible for parole and who are the subject of a deportation order can be released from custody in order that the deportation order can be carried out. At the moment there is some question as to whether the Parole Board is able to issue a release of such prisoners; clearly because of that doubt a circumstance may arise, or may have already arisen, whereby a prisoner eligible for parole and subject to a deportation order could not be released and therefore had to serve the balance of his term in prison.

It is true that provision is made for the Governor in exercising the royal prerogative to remit the balance of a person's sentence to enable him to be deported. However, as has been pointed out by the Leader of the House, an occasion could arise where once the sentence is remitted and the person is no longer a prisoner, he is able to convince various parties that he should not be deported and, if he remained in Australia he would be a free man. This Bill will modify the situation so that if a person is able to appeal against a deportation order but he has been released from prison in respect of the deportation order, he will be returned to custody to serve the balance of his sentence. This is basically a machinery matter to ensure that the Parole Board has absolute authority to release people who are the subject of deportation orders. It covers the situation where persons who might successfully appeal against the deportation order cannot be deported from the country.

The interesting situation which arises - and this matter can be discussed in due course in the Committee stage - is that once a person is deported under the provisions of this Bill, it is agreed that the balance of the sentence is deemed to have been served. I will in due course pose the question to the Minister handling the Bill of what would happen in respect of the balance of the sentence that should be served if a person who was eligible for parole was later deported, but managed to return to this country.

With those comments, the Opposition supports the Bill.

**HON J.N. CALDWELL** (Agricultural) [4.21 pm]: The National Party supports this Bill. I presume that this Bill provides also for the non interruption of the sentence when prisoners are returned to custody. It is very important that prisoners can be released and deported,

without there being any interruption. It is also important that prisoners can be transported around the country, and around the State, particularly in the case of a State as large as Western Australia.

Question put and passed.

Bill read a second time.

## GOVERNMENT RAILWAYS AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Assembly; and, on motion by Hon Graham Edwards (Minister for Racing and Gaming), read a first time.

### *Second Reading*

HON GRAHAM EDWARDS (North Metropolitan - Minister for Racing and Gaming)  
[4.23 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is to enable rationalisation of accounting and financial control arrangements between Westrail and the State Treasury to improve both accounting efficiency and the management of Westrail's working capital requirements. The key change involved will allow Westrail to operate one major bank account at Treasury for both revenue and expenditure and reduce the number of bank accounts it is required to operate at Treasury. It provides for funds of Westrail including parliamentary appropriations, business income and borrowings to be paid into and out of an account at Treasury to be known as the Western Australian Government Railways general fund account.

The legislation is modelled on similar provisions applying to Transperth through the Metropolitan (Perth) Passenger Transport Trust Act. Most other statutory authorities deriving trading income also operate with a major bank account for both receipts and payments, and this is normal practice for private commercial business enterprises. The Government's objective is to realise benefits for Westrail and the State through the elimination of unnecessarily complicated accounting work and wasteful duplication of effort arising from the present expenditure impleting system and operation of multiple bank accounts. The new procedures utilising one major bank account will also give Westrail greater responsibility for and control over the management of its cash and working capital resources.

The greater responsibility and control provided will not diminish Westrail's accountability to Government. Both the Under Treasurer and Director General of Transport have been consulted and have endorsed the proposals to provide more progressive and efficient accounting and financial control arrangements. Opportunity has also been taken, at Treasury's suggestion, to simplify and modernise the provisions of the Government Railways Act relating to Westrail's borrowing powers. As Westrail currently is subject to Treasurer's approval of its borrowing powers and related provisions these changes do not in effect alter Westrail's rights and responsibilities.

Although a major aim of the Bill is to reduce the number of Westrail bank accounts, with Treasury advice, provision has been made to enable Westrail to hold foreign currency funds in offshore accounts. If used at all, such accounts would be operated only on a short-term basis for particular exchange rate risk hedging purposes, and subject to specific Treasury approval. Transitional provisions are included in the Bill to transfer any moneys in the accounts to be closed to the new general fund account and to allow any existing liabilities and obligations relating to borrowing powers to continue.

The Bill provides for implementation of the changes from a date to be fixed by proclamation. Although the most convenient starting date would coincide with the commencement of a financial year, the changeover can be made from the commencement of any calendar month and the intention is to make the changeover as soon as practicable after the amendment has been considered and passed by the Parliament. Financial benefits in the order of \$150 000 to \$300 000 per annum are anticipated from the improved efficiency and funds management and the earlier the realisation of these savings can commence the better. It is therefore



proposed that the provisions of the legislation be implemented at the first convenient opportunity to contribute towards the improved cost efficiency and competitiveness of Westrail in accordance with the aims of the Government's land transport policy.

The Bill is a clear piece of legislation which reflects a clear purpose; that is, to improve Westrail's accounting and financial arrangements with Treasury and hence its economic efficiency and commercial competitiveness. I commend the Bill to the House.

Debate adjourned, on motion by Hon Margaret McAleer.

## WILLS AMENDMENT BILL

### *Second Reading*

Debate resumed from 6 September.

**HON PETER FOSS** (East Metropolitan) [4.27 pm]: The Opposition has pleasure in supporting the Bill. This Bill results from an amendment to the Wills Act which allowed what would previously have been informal wills to take effect as testamentary documents. The rules relating to the execution and witnessing of wills have been quite strict, but it became clear from the way in which those rules were applied that occasionally they defeated the clear testamentary intent of the deceased person; so the Wills Act was amended to allow the court to accept as a testamentary document what would otherwise not have been a formal testamentary document. A number of carefully formulated rules were put around that amendment to ensure that the relaxation of the rules did not mean that there was complete open slather, to avoid wills being made on a totally informal basis.

It was provided - probably as part of the precaution to ensure that the Act did not open the floodgates - that the manner in which the wills were to be proved was by way of a probate action. There are two ways in which wills can be proved: The first, and most normal way, is pursuant to the noncontentious probate rules, in which the will and the testamentary documents are examined by the Masters of the Supreme Court, and if they are satisfied after the requisition that the will is the testament of the deceased, probate issues and it can from then on be acted upon by the executor or administrator. The second method is called "proof of will in solemn form", which is rather like an ordinary action in a court, where a writ is issued, there is a plaintiff and a defendant, and evidence is called. That is, of course, quite a costly method of carrying out the procedure.

It was probably thought at the time this amendment was made that because it was a radical departure from the way in which wills had been allowed to be made, this extra, more cautious method of proving of wills would be the appropriate one. It is appropriate, however, for me to say that there are already in the system sufficient checks to ensure that a testamentary document which should not be accepted for probate will be picked up. The Masters of the Supreme Court have a reputation for being extremely diligent in their examination of testamentary documents and they have the power, should they be concerned as to whether it is appropriate for the non-contentious probate rules to be applied, to require the executor to prove the will in solemn form in a probate action. So the effect of this amendment is not to prevent this going to a probate action - that can still happen by reason of the intervention of the parties or by the motion of the Masters of the Supreme Court in requiring it to be proved in solemn form. Really all that is happening is that it is being allowed to go to the masters in the first place, for them to make the appropriate decision as to whether the way in which it is to be proceeded with is by way of proof of will in solemn form or under the non-contentious probate rules. That seems to me to be an eminently sensible move. It prevents the unnecessary incurring of expense and I do not believe it raises the possibility that a will or a testamentary document will not be properly dealt with.

I have much pleasure in supporting this Bill and in commending it to the House.

**HON M.S. MONTGOMERY** (South West) [4.31 pm]: On behalf of the National Party I signify our support for this Bill to amend the Wills Act. I would like to think many people in the State will benefit from this amendment, particularly elderly people who sometimes become very confused and write documents and sign them without going through the official channels. The proposed amendment will benefit those people and will save them time and money. We support the Bill and commend it to the House.

HON J.M. BERINSON (North Metropolitan - Attorney General) [4.32 pm]: My past general practice has been that where there is general support for a measure I would regard no further comment from me as desirable, if only so as to avoid tempting fate.

Hon P.G. Pandal: At least you are honest - on this occasion.

Hon J.M. BERINSON: However, I make an exception to the rule in this case - and I will not make it often. It is such a pleasure to have Hon Peter Foss at last say something in support of anything which the Government has advanced -

Hon P.G. Pandal: You are getting a complex very early in the session.

Hon J.M. BERINSON: - that I have to take the opportunity of welcoming his support and also his very fair and helpful summary of the position which this Bill is designed to cover.

Hon P.G. Pandal: Hear, hear!

Hon J.M. BERINSON: I appreciate also the support signified on behalf of the National Party by Hon Murray Montgomery and I commend the Bill to the House.

Question put and passed.

Bill read a second time.

#### *Committee and Report*

Bill passed through Committee without debate, reported without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by Hon J.M. Berinson (Attorney General), and transmitted to the Assembly.

### **LAND TAX ASSESSMENT AMENDMENT BILL**

#### *Second Reading*

Debate resumed from 6 September.

HON MAX EVANS (North Metropolitan) [4.36 pm]: I support the Bill introduced by the Minister for Budget Management. The first amendment contained in the Bill is a very just one and it shows that the Minister for Budget Management does have blood in his veins rather than ice. He is giving something away and is being very compassionate.

Hon J.M. Berinson: I wish Hon Peter Foss had been given this Bill!

Hon MAX EVANS: The Minister should not worry - I have not come to the second part yet. However, the first amendment is a just one. The situation was not so noticeable a few years ago, but it relates to a person who has bought a second house but has not yet sold his first house because of a delay in the market. Under this amendment that person can be exempted from paying land tax on the second property; whereas previously the tax would have had to be paid, regardless of whether or not the property was rented. Under this provision, if it is rented an exemption will not apply. I am sorry this amendment was not introduced in the last session of Parliament so that the provision could have applied from last June, because all those persons who have bought properties recently must still pay the tax. The Government might have thought it could pick up quite a bit of money by bringing the legislation in now. I do not know for how long it was known that this Bill was to be introduced, but if it were known last April or May it is a tragedy that it was not introduced sooner. The people who are hurt by the present arrangements are normally young people rather than the older, wealthier ones who can afford it. However, I commend the Government for this measure.

The second amendment to the Bill was not explained in the Press release and it is still not clear. In his second reading speech the Minister said -

The Bill also makes it clear that the occupation of trust residential property by a trustee or the shareholders of a trustee company does not give rise to an entitlement to land tax exemption.

I understand that presently an exemption is given in the case of a family company or a proprietary limited company where the family which owns the company occupies a house.

In the same way, members of a family who are beneficiaries under a unit trust that owns a residence receive an exemption, but the Minister's statement says there are no exemptions for a trust. I would like some clarification because I have spoken to one of the senior officers in the State Taxation Office, and that officer understands that the Government is making trustees of discretionary trusts non-exempt only because it did not allow a land tax exemption for a discretionary trust, as the vesting date can be some time away, and for the trust to vest in other persons. It then turned out that a natural person, as a trustee, sought exemption under the Act, or a proprietary limited company as a trustee sought exemption, and the Government is now denying exemption to both the natural person and a trustee company of a discretionary trust. Subject to clarification by the Minister as to whether this provision does apply only to discretionary trusts and not unit trusts, we support the Bill.

Debate adjourned, on motion by Hon Fred McKenzie.

## APPROPRIATION (CONSOLIDATED REVENUE FUND) BILL

### *Consideration of Tabled Paper*

Debate resumed from 7 September.

HON P.G. PENDAL (South Metropolitan) [4.40 pm]: I support the motion. However, we are today dealing with a Budget that does not deserve to be passed, a Budget that has been introduced by a Government that does not deserve to last, and a Budget that has been framed principally by three people - the Premier, the Treasurer, and the Minister for Budget Management - whose combined level of financial incompetence has no peer at any time in the 200 years of European settlement in this country.

Three very important components need to be examined one by one. I intend to do that in the course of my Budget remarks. I also make the observation that we are dealing with a Budget framed by a Government which is far out of touch with the aspirations of a great number of Western Australians who daily are forced to ask the question, how much more do we have to bear this financial incompetence and perhaps worse? So many people, day to day, are confronted with the prospect of digging deeper and deeper into their household budgets in order to pay not only for the extravagances of this Government but also for its colossal and monumental financial activities to an extent that again knows no bounds.

We are dealing with a Budget from a Government that is so unsure of its Budget that for the first time in Western Australian history the incumbents have found it necessary to take out major advertising campaigns in the form of full-page spreads in order to sell the Budget and to sustain its contents. One would like to say that that is a bit of a new twist for this Government but sadly of course it is not. The propensity of this Government to resort to advertising campaigns when it gets into trouble has been increasingly evident in the last two to three years. The Government has now developed to an art form a new principle that says, "When in strife, advertise your way out of it. If the public suspect you of something, put up a counter advertisement and promotional Budget - you can talk your way out of that; you can promote your way out of it." As late as this week, that continues to be a practice of the Government by way of a multi hundred thousand dollar television advertising campaign centred around the Premier, seeking to impose on the community his and the Government's views on the advertising of tobacco products.

We are dealing in this Budget with a Government that is not even able to tell the truth about a major component of the State Budget; that is, Commonwealth-State relations. We are dealing with a Minister and a Treasurer who come to the Parliament and tell us about the Government's woes in relation to Commonwealth-State financial relations, only to find that those woes are not reflected in the Budget papers or the Budget figures.

I will pause at this point to spend some time justifying my suggestion that the Government, notwithstanding protests to the contrary, has already begun a program of using Federal funds to prop up the mammoth losses it has suffered as a result of its failed business enterprises. Several weeks ago, members of the Hawke Government - including the Prime Minister himself - gave the Australian taxpayers firm undertakings and solemn promises that there would be no occasion on which Federal funds would be used to prop up the failed business ventures of the Western Australian Government. I suggest that they were not truthful statements. Or, if those statements were made by Federal Ministers, including the Prime

Minister, I suggest that certain things have happened arising out of the Premiers' Conference sufficient to show that the reverse is actually the case; that is, that those solemn pledges have already been broken. Federal funds are being used to offset the huge losses incurred by the Western Australian Dowding Government.

At page 2 of the Minister's speech introducing the motion under debate, we are told that after meeting un-budgeted expenditure of \$151.5 million relating to Teachers Credit Society, Swan Building Society, Rothwells and the petrochemical project, certain conclusions can be drawn. The Minister goes on to say -

The 1989-90 Budget was framed against the background of decisions taken at the May 1989 Premiers' Conference which resulted -

I ask members to note these assertions. The speech continues -

- in a reduction of over \$61 million in Western Australia's share of the overall level of general recurrent and hospital grants to the States. The implementation of the latest recommendations of the Grants Commission cost a further \$38 million.

The Minister goes on to say -

As a result, these grants from the Commonwealth, which comprise almost 40 per cent of our revenues, will be only three per cent higher than last year, a real per capita reduction of 6.6 per cent.

I put it to the House seriously that that is a total misrepresentation of the facts and that, indeed, the deal the Western Australian Government managed to negotiate with the Commonwealth is in reality a far more generous deal than is reflected by the suggestion that we are to get three per cent higher in this Budget's revenue. I make the claim, and I will back it up with an analysis of the figures themselves, that not only is it not true, as the Minister asserts, that our grant from the Commonwealth will be only three per cent higher than last year, but also it is out by a country mile. In fact there has been an increase in the Federal funding to this State; this financial year, over and above what we received 12 months ago by a massive 21 per cent.

Hon Fred McKenzie: In real terms?

Hon P.G. PENDAL: No, I am happy to come to that. Hon Fred McKenzie can discount that by inflation. The Minister, when introducing the motion spoke first in terms of it being three per cent higher than last year but a real per capita reduction of 6.6 per cent; and he took into account what the rate of inflation may or may not be. Mr McKenzie's point is a very valid one and he or any other member of the House is quite able to discount that 21 per cent increase by the amount of inflation in order to arrive at the CPI adjusted figure.

Hon Fred McKenzie: I asked you that because I have to work out who has the rubbery figures, you or the Government. Your figures might be very rubbery.

Hon P.G. PENDAL: I appreciate that and I invite Hon Fred McKenzie to pay particular attention to it. The first proposition I am putting to the House is that Federal funds have already been used to help cushion the Western Australian Government from the impact of those losses about which I have spoken. I have already referred, in the Minister's own words, to the \$150 million that we have seen in unbudgeted expenditures relating to Teachers Credit Society, Swan Building Society, Rothwells and Petrochemical Industries Ltd. Members will need to look to page 13 of the Estimates of Expenditure for the current year, where one sees that the total Commonwealth grant to this State last year was in excess of \$1.6 billion. That was actually in receipt by the Western Australian Government. In the 1989-90 financial year the estimate from that source is expected to be a little over \$1.9 billion. That is the first piece of evidence from which I adduce that the increases in total Commonwealth allocations to Western Australia this year are not the three per cent or the 6.6 per cent reduction that has been referred to but in fact a 21 per cent increase from \$1.6 billion to \$1.9 billion.

On the same page of the Budget document - and I admit there are many, but I invite members' attention to them - I want to isolate several other figures in order to demonstrate that those Federal funds have already been put to the sort of use that the Prime Minister said they would never be put to. On page 13 of the Estimates under the heading of Summary of Revenue is listed the entire source of Western Australian Government revenues. This year

we are expecting, out of State taxation sources alone, as distinct from Commonwealth reimbursements, \$1.3 billion or a little bit over. That compares with last year's receipts, from the same source, of \$1.2 billion and represents a seven per cent increase in the State taxation take itself. If one takes into account that that is more or less the rate of inflation, one has to accept that there is no room within that part of the Government's income to make allowances for the \$151 million loss in all the business ventures this year. Why? Because we have simply seen what amounts to a CPI increase and no more.

It is then necessary to combine the rest of the State Government income sources, which include territorial, the law courts, departmental and the income from public utilities. If one takes into account the increases in total State Government income of these sources it can be seen that they are expected to increase \$2.6 billion actual in last year's Budget to \$2.8 billion in the current Budget. That represents an eight per cent increase over the previous 12 months. I hope members will see that an eight per cent increase is in fact something more or less akin to the inflation rate. Therefore in those areas of State Government revenue all we are seeing is a rate of increase more or less limited to the inflation rate. Given that, how then is it possible that one can make an allowance of a minimum of \$151 million for those failed business ventures?

This comes to the bottom line of what I am saying, which is that if revenue from all of the State sources is merely keeping pace with inflation, the capacity to pay for the \$151 million and the failed business ventures has to be found from somewhere else. The Government must turn to an external source to find the cushion. Where does it turn? It turns to the Commonwealth revenue itself. I come back to my original point: If one goes to the next line of page 13 of the Estimates one then finds the secret of this Government's capacity to balance its books. That is in line 20 where we are told that the Commonwealth revenues to this State are increasing from \$1.6 billion to \$1.9 billion this year; a whopping 21 per cent increase; far and away ahead of the rate of inflation. That is the capacity that allows this Government the cushion to balance its Budget. It is a clear piece of evidence, notwithstanding the claims to the contrary by the Prime Minister, nor by, I think, Senator Peter Walsh, the Federal Minister for Finance. The reality is that Commonwealth funds are again expected this year to bear the brunt of the losses of the business ventures of the State Government. I do not know how someone in this State feels about that; but it is relevant of course to ask how the taxpayers in other States of Australia might feel at the prospect of paying their Federal and State taxes only to have a pretty sizeable proportion of that syphoned off to Western Australia to pay the bills incurred by this State.

[Questions without notice taken.]

Hon P.G. PENDAL: It is strange we should have finished question time on the basis of the Minister for Budget Management's inability to answer a question on a matter as minuscule as \$38 million.

Hon J.M. Berinson: I was asked for the date of the payment.

Hon P.G. PENDAL: It actually reflects something I intended to mention -

Hon J.M. Berinson: Do you think I have a computer in my brain?

Hon P.G. PENDAL: No, I think the best the Minister for Budget Management has is an abacus, but we are still not sure that he actually, or in reality, exercises the Ministry of Budget Management because any time he is ever queried or quizzed on those matters he takes refuge in the sort of answers he has just given to the House. That is why people wonder whether the Minister for Budget Management is not some sort of phantom who wanders around the Treasury buildings and has a role in all those dark, late night meetings where he can manage to spend hundreds of millions of dollars improperly, but when he gets in here he has a strange lapse of memory. I think that might be all the time the Minister for Budget Management spent as a pharmacist.

Hon J.M. Berinson: The fumes affected me?

Hon P.G. PENDAL: Perhaps that is why the Minister for Budget Management cannot bring himself to give the House answers when they are of the magnitude to which we referred. I will come back to that in a minute -

Hon J.M. Berinson: You cannot believe this, Mr Pendal.

Hon P.G. PENDAL: I do believe it. Before I go to that there is a specific matter which is not unrelated to that raised by Hon Peter Foss. I want to discuss this matter in my Budget speech, but before I do so I will finish the point on which I spent some time on prior to question time. The summary of that argument is simply this: To find the \$151 million required to meet the business losses which have been referred to by the Minister for Budget Management in his speech, the State had to find a way to balance the books and to find a source for that money, otherwise it would have had to bring in a deficit of \$151 million. I put it to the House that, based on those bloated increases in Commonwealth revenues which are mentioned expressly at page 13 of the Budget papers, the secret to the Government's success in this respect is the 21 per cent increase in Commonwealth funds. That is the only reason the State Government has been able to get over the line in this financial year.

Hon J.M. Berinson: You would be the only one in Australia who believes that the Commonwealth is giving any State more.

Hon P.G. PENDAL: That is precisely why I spent nearly the first 20 minutes of my Budget speech on this matter, why I predicted that we would get a denial from the Government and why I spelt out in some detail what the Prime Minister and Senator Walsh said would never happen has happened as a result of the analysis I have just given the House.

Hon J.M. Berinson: I am sorry I missed your earlier comments, and I will make a point of addressing them.

Hon P.G. PENDAL: I would expect that the Minister for Budget Management would do so. So much therefore for the honesty of the Government, given that it was the Minister's own comment in his speech to the motion that the State Government had done so badly in the Commonwealth-State financial arrangements.

Hon J.M. Berinson: We have done badly.

Hon P.G. PENDAL: The State Government has not done badly. I repeat: The Minister for Budget Management's figures are there for all to see on page 13 of the Estimates, which show there has been a total increase - an unprecedented increase - in Commonwealth funding to this State Government this financial year to the tune of 21 per cent.

Passing now from the question of honesty, or the lack of it, I refer to another element of public accountability regarding the question of competence. It is interesting that in the course of question time the issue of whether the Markham cars were the subject of a charitable trust was raised, because I want to touch on that section of the Budget; this, of course, comes directly within the responsibility of the Minister for Budget Management. I do not expect to get any response from the Minister as he has that capacity to say, "It was too long ago" or "The date is too remote to remember."

I refer now to page 57 of the Budget Estimates of Revenue and Expenditure and the Miscellaneous Services allocations which are, once again, the direct responsibility of the Minister for Budget Management. This gets to the nitty gritty of whether the State Budget survived the impact of the petrochemical project, Rothwells, Swan Building Society and the Teachers Credit Society bail out. The fact is that these bodies have not folded at all because on page 57 they are among the rest of the bodies which are required to pick up the tab. These figures are informative and indicate the downward spiral.

Under the title of Grants to Charitable and Other Public Bodies there is an expenditure of over \$1.7 million. One would have expected to see an increase this year, at least in terms of the inflation rate, but they have actually taken a decrease of 12 per cent back to \$1.5 million. Therefore, it is not only the Commonwealth that is required to bail out the extravagances and, perhaps, even the dishonesty, of this Government, it is also the charitable bodies of this State that must bear some of the impact.

I give an example of the Pensioners' Action Group and the Prison Outreach Ministries which come under the direct responsibility of two of the Ministers of this House. They had an allocation in the State Budget last year and have no allocation this year, along with many other bodies. For example, the Royal Western Australian Institute for the Blind apparently has less expenses this year than last because it has been given a 50 per cent decrease in its grant. The sum total of all the items in this Division - there are 20 or 30 of them - has gone down 12 per cent in money terms, which means, therefore, about 20 per cent in real terms adjusting for inflation.

Looking at the parts of the State Budget under the direct control and responsibility of the Minister for Budget Management, I refer to a variety of very expensive State services listed on page 59 of the Estimates of Expenditure; there are a few little gems here as well. Is it not prudent for any Government to plan for the contingency of a cyclone of which we experience many, or floods, which are not infrequent, or bush fires? The Government's view is no. In the years since the war there has always been an allocation for natural disaster payments. For those who think that it does not cost anything, we paid out \$3.5 million last year in natural disaster relief measures. I submit that in the previous year's Budget there was no such allocation as well, but that is notwithstanding the fact that it cost the Government \$3.5 million this year for that provision; therefore, this again is another example of where the Government simply has not been able to afford the money because of dodgy deals with big friends on the Terrace. The Government has not been able to find the money and allowances for the ordinary services of the State.

On the same page of the Estimates as the lack of allocation for something as important and predictable as natural disasters, another four items down we find Rothwells Limited (Provisional Liquidators Appointed) - Indemnity and Associated Expenses. The amount for that provision is in the order of \$2.7 million. A little further down is the Swan Building Society and last year's budget was just over \$4.6 million; we are getting to the big bickies now. In the last financial year the Teachers Credit Society cost a paltry \$110 million, and this year it will cost us a round \$400 000.

Hon George Cash: How much did it cost last year?

Hon P.G. PENDAL: It was \$110 million. It is extraordinary the way we have come to accept figures of that magnitude as though they are no more than a button off our shirt. I recall the time when it first became knowledge that the Government was bailing out the Swan Building Society for a figure of \$12 million. People, not only on this side of the House, but also on the other side, openly gasped at the magnitude of what the Government was facing. We have become blasé about these figures; we have become dulled.

Hon Kay Hallahan: Very dull.

Hon P.G. PENDAL: Yes, Mrs Hallahan. The Minister and members of her Cabinet - the others are not in the House - were direct participants in those disasters. What a thing for her to be proud of.

Hon Tom Stephens interjected.

Hon P.G. PENDAL: The Government lost \$100 million with the Teachers Credit Society - and that is not all from the same list. Under the item WA Government Holdings Limited there was an allocation of \$38 million last year, and that is the amount that Hon Peter Foss was questioning a while ago. Last year we had to bail out WAGH to the tune of a mere \$38 million, but what is it this year? Has the allocation been reduced, or has the item disappeared? No, this year's Budget allocation is \$62.3 million down the drain. In the space from last year's Budget to this year's Budget in one item alone, the WAGH allocation, a payment in excess of \$100 million has been made.

Adding up all these things - and this is only one page of the Budget document - the figures come to a total of \$240 million. Would members care to go through the Budget estimates and the works programs which apply to their Region and determine what it would cost to provide a primary school in their Region? Would members care to ask the question: How many primary school classrooms would be built to the tune of \$240 million? If that is not applicable to their Region would they care to go through the Budget documents to discover the extent to which we could solve the Statewide problem in relation to fire services and the prevention of fires if \$240 million were made available?

I inform members that I found that the people of Rockingham, which has been represented by the Labor Party for the last dozen or so years and which now forms part of my Region, have been crying out for basic forms of fire protection. I ask how much \$240 million would have done to solve those little problems within the State. That is the magnitude of what we are talking about; that is the magnitude of the bill that the public of Western Australia have been left with; it is the magnitude of the shame that rests with the Ministers on the Government side of the House and it is the magnitude of the shame that should be shared by every Labor member; and, as one of the Opposition members pointed out in recent days, the

Government backbenchers giggle their way through the defence of their Government for having misspent sums of that magnitude.

Hon George Cash: Nothing more than voting fodder.

Hon P.G. PENDAL: That is right. I defy anyone who reads in a cursory way the news magazines from around the world to say that he would find behaviour of the kind coming from this Government coming from even the sleaziest of South American tin-pot dictatorships. Hon Kay Hallahan may laugh, but even people in those countries would resign from their positions and would feel a sense of shame that they had stolen that amount of money from the people they represent. Even those people, who make no pretences to be part of a liberal democracy and who are propped up by the sleaziest of pretexts, most of which comes from drug running, have never stooped to the sort of levels this Government has. However, members opposite manage to sit in this place, giggle and give some sort of backing to the Ministers as though the money which has been wasted is not even a button off their shirts.

This brings me to another word which describes the way in which the Government treats a subject; that is, with the greatest degree of contempt it is possible to imagine. We saw an example of this in the House the other day during questions without notice. Questions were asked of the Minister for Budget Management about the advertisements that have begun appearing in the local media under various headings, and I refer to the heading, "Where's our money gone, Mr Dowding?" The advertisements have been written and authorised by People for Fair and Open Government and members opposite know one or two of the people involved in that organisation.

Hon Tom Stephens: You do too.

Hon P.G. PENDAL: Yes, I do.

Hon George Cash: Some are Labor members no doubt.

Hon P.G. PENDAL: The questions asked in those advertisements are the questions I asked the Minister for Budget Management who, quite appropriately, has come back to the House to occupy a far distant back bench. Given his track record in Budget management that is where he should be. Despite the capable explanations he gives to the House which usually tell us nothing, the place he is now occupying is the best spot for him. The time has come when he should be thinking seriously about the impact he has had on this State and the action or inaction he has caused this Government to take in respect of the loss of nearly \$240 million.

When I asked the Minister the questions posed by that organisation, which I thought were reasonable, I was given the run-around. I asked the Minister if he would respond to the public advertisement and tell the people who are, after all, taxpayers where the \$391 million went. It was not an unreasonable question. It is the taxpayers' \$391 million - it is not five bob or a couple of hundred dollars. It is not an amount one might win or lose playing bingo; it is a reasonable sum of money and the taxpayers have a right to ask where it has gone. I refer members to the way in which the Minister for Budget Management responded. Again, his response demonstrated the word I used a few minutes ago; that is, the contempt with which the Government treats the ordinary people of this State.

The Minister said that the question included at least as many assumptions as facts. That is the first refuge of the Minister. If he cannot work out the way in which he should respond to a reasonable question he will hurl it back to the questioner and say as he did on this occasion, "You are dealing with presumptions and presenting them as facts." The Minister said that he did not see the advertisement. That is the most accurate part of his answer. However, he went on to say -

I do not know what it is calling for, and I am not in the position normally where I would scan the daily Press in order to decide what information should be provided. However, this Parliament will have the opportunity in the course of the Budget to look at expenditures by the Government and in all respects;

That is what I am doing now. Let us follow the course of that logic. The people said in the advertisement, "Would you tell us where \$391 million has gone?" Hon Joe Berinson scoffed at it and said he did not see the advertisement. He said he had no interest in scanning the daily papers and if we wanted to know the answers we should raise the necessary questions



in the Budget debate. I am now asking him that question in the Budget debate and I expect him, when he responds, to take my question seriously - if he does not want to take it seriously from a member of the Opposition, I ask him to take it seriously on behalf of the people who wrote the advertisement and contributed their money to have it published.

Hon J.N. Caldwell: If they have any left.

Hon P.G. PENDAL: I agree with Hon John Caldwell.

I use that as an example of what is happening to the ethics of this Government. When people ask reasonable questions about where huge sums of money have gone the Government treats the question with disdain and contempt. I remind members we are not dealing with a Minister who has been in the Cabinet for only five months and is still trying to get on top of his ministry; we are dealing with a Minister who, without question, is the financial brain behind this Government.

Hon George Cash: But does not admit it.

Hon P.G. PENDAL: Hon George Cash is right; it is a badge of honour worn by Hon Joe Berinson when it suits him.

*Sitting suspended from 6.00 pm to 7.30 pm*

Hon P.G. PENDAL: Prior to the dinner break I was commenting in summary on that part of my Budget remarks as they affect the Minister for Budget Management. I put before the Parliament seriously, and the Minister in particular, the fact that there is at least a very good chance that history will judge him very harshly over the role he has played in all of the Budget deliberations and their connection with the Government's business dealings. It may be - and I am not in a position to know at this stage - that it will not be a harsh judgment by history because of things that Hon Joe Berinson did, although that is yet to be determined, but it may well be, on the other hand, a harsh judgment delivered by history for the things that he did not do.

One must assume that in an environment such as that confronting the Government ever since it took up an entrepreneurial role at some stage in the future it would be confronted with serious deficiencies in relation to the direction in which it was going. Any Budget must be suspect when the figures that one compares between one year and another fluctuate so wildly that they bear no resemblance. One could imagine, for example, the legitimate circumstances where perhaps through natural disasters a Government had to come to the rescue with perhaps \$100 million in one year which was not planned for and which had not been allowed for in the Budget for the previous year. No Government could be expected to determine the magnitude of such things in advance. However, if one sets aside those possibilities of acts of God or natural disasters, and if there has been none of those things and one still finds fluctuations of a violent kind, then surely that will raise serious doubts over the whole of the Budget. That occurs, of course, under the Minister for Budget Management's own allocations. I refer again to page 59, part 4, Miscellaneous Services, because members will see there the sorts of wild fluctuations I am talking about. I repeat that these are not fluctuations linked to natural disasters or other things outside the control of Government; they are all, without exception, associated in the most direct manner possible with the Government's decisions to bale out repeatedly from the financial mire businesses that have got themselves into enormous difficulty.

One figure tells it all, because in the 1988-89 vote under that section \$165 million was allocated and at the end of the year an amount of \$320 million had been expended. That is a huge rise in anyone's language. What does all of this mean in terms of the community who pay for it? I dare say that in the course of the Budget debate members on this side of the House at least, and members of the National Party I am sure, will be able to indicate how these things are impacting on ordinary people. For my part, I will touch briefly on some of the areas for which I have responsibility on the Opposition side of the House to demonstrate not only to the Minister, who should not need reminding, but also to members of the Government backbench - and hopefully to members of the wider community - that that impact is very real indeed.

One matter that comes to mind readily is the allocation this year to the Perth Theatre Trust of \$1.274 million. That follows an expenditure last year of \$1.5 million. In money terms that represents a drop of 20 per cent. If one takes inflation into account, one is looking at about a

27 per cent difference in real terms. It may be that the Perth Theatre Trust, for all it does - and it is a fine organisation - has found some magic or miraculous way of running its affairs on a 20 per cent smaller budget than in previous years. If that is the truth, that is not explained to us in the Budget.

The Art Gallery of Western Australia is another area which holds some interest for me. In the Budget last year that organisation spent \$4.9 million. This year it has been allocated the grand sum of \$5.1 million. In money terms that is a rise of two per cent. Again, I express the hope that somehow or other the Art Gallery of Western Australia, with all of its responsibilities, has found some miraculous cure for inflation and is able to get by with an increase of two per cent when no-one else in the community can. I notice that even for the staff complement of the Art Gallery of Western Australia the Budget allocations are down substantially; I notice also that its contingencies are down substantially. I can accept all of those things, but the one extraordinary figure which is a substantial reduction on last year's is that which is allocated for the acquisition of new artworks. When we think about it, there is no reason for the Art Gallery's existing other than to buy and exhibit new works of art, but we have found that the allocation of a year ago of about a million dollars has been cut this year to \$546 000 - almost by half. I have worked it out to something like a 47 per cent reduction in the Budget item for acquisition of new works. That is the way in which the Government's horrendous business dealings are impacting in that area.

I come now to another field for which I have some responsibility and which bears some time being spent on it because it touches on an industry which in the last decade or so has been something of an economic salvation for Australia. I refer to tourism. I give the Government its due - in its first couple of years in office it gave tourism a profile and a status that previous Governments had not given it, and full marks to the Government for that. But having done that, it could not maintain the pace. It seemed to change tack quite dramatically and then put the whole of the Tourism Commission into reverse gear.

For example, I remind members that tourism is reputed now to be the third largest producer of income in Australia - it is a huge employer of people - yet this year the Western Australian Tourism Commission's Budget allocation was around \$16.9 million. Last year the expenditure was \$18.3 million, so immediately that represents a 12 per cent cut in dollar terms. In the main, if that cut were being effected in areas where in the past there had been overspending one could commend the Government, but just as the reason that the Art Gallery exists is to acquire and exhibit new works of art, so too the very reason - the sole reason - for the existence of the Western Australian Tourism Commission is to market and promote the State of Western Australia. Yet that is the part of the tourism allocation that has been whipped around and reduced the most savagely.

I refer to page 97 of the Estimates, where last year marketing and promotions was given \$5.6 million. This year it has been cut back to \$4.6 million. That is an 18 per cent drop in the very component that gives the Tourism Commission its reason for existing. In other words, at a time in our history - and particularly in the light of the pilots' strike, when we are going to be desperate to draw into this State from other States and from outside Australia more tourists this year in order to try to make up for what we have lost during the pilots' dispute - when we could actually be affecting the deficit in our balance of payments - and tourism is a major weapon in that; members should make no mistake - we have actually reduced by 18 per cent in money terms our capacity to advertise and attract those extra people. That is shortsighted in the extreme, and that reduction would not have been necessary were it not for the fact that this Government had to make up for those losses in the WA Inc scandals we have heard so much about. That is the seriousness of it; that is how it is impacting throughout the entire Government sector.

I briefly touch on a matter I referred to earlier; that is, that the allocation for the State Library Board has increased by a minuscule 0.9 of one per cent, so if we allow for inflation the board is actually suffering an effective reduction of about six or seven per cent. Again, the State Library Board has presumably discovered a miraculous cure for inflation, given that its budget has been put into decline. There is even worse news for the State Library Board. Just as I have maintained that we have an Art Gallery to buy new artworks and a Western Australian Tourism Commission for the sole purpose of advertising and promoting this State, so too I make the assertion that we have a State Library and Information Service in order to provide books. That seems a pretty fundamental proposition, yet - and I hope people are

appalled to discover this - the allocation for the acquisition of new books within the State Library Service has also fallen when compared with the Budget allocation for last year.

I come very quickly to the Museum. I have already been critical of the Government on the basis that the Museum has had to sell the family jewels in the form of the Percy Markham collection of vehicles in order to pay its bills. I have been critical not only on this occasion but also on past occasions that, whereas at least the State Library Service has an acquisition fund, although I can pick holes in the amount, and whereas the Art Gallery has an acquisition fund, the Museum of Western Australia does not. It leads a hand to mouth existence. We were aware a few years ago that the then Premier (Hon Brian Burke), who took some interest in stamp collecting, actually helped to engineer a purchase by the Museum of some very important stamps; but it is a case of when the Museum finds something it is interested in it comes to the Government that week and says, "We have found something. We need your money because we do not have an acquisition fund of our own." That is one of the things that is causing the Museum to sell the Markham cars - it is in order to make its own acquisition fund. I do not think that is good enough.

There may be even worse news on the Museum front, because some information has come to me that there is a level of disquiet in relation to the Museum's collection of firearms. I certainly do not know very much about firearms other than that the antique variety have tremendous value as collectors' items, but I am told that the collection currently in the hands of the Museum may well be worth considerably more than \$250 000. However, we have no inventory; neither, therefore, do we have any assurance that those items are not being sold from out of the Museum in the same way that the Government has been selling or attempting to sell the Markham collection of cars, for the same reason. That is something I intend to pursue in some detail on another occasion, because my time for speaking to this debate is running out.

I will finish on this note: To those people who say an overall \$45 million grant to all branches of the arts in this State - that is, the Department for the Arts, the Museum, the Art Gallery, the Library Service, the Perth Theatre Trust and a few more - is being pretty generous, let me compare it again with that figure that I have repeated very often; the figure of \$240 million that has been lost in the last two Budgets for the Western Australian Government's big business deals. The long side of that, therefore, is that the allocation to the arts is small indeed. The Government has an enormous amount to answer for. No matter how the Western Australian Opposition tries to get to the bottom of it, the Government fails to be accountable. The Government pretends that it is being accountable as a result of such things as the Burt Commission on Accountability. I am starting to think that the people who were induced to take up those positions might be regretting it given the Government's capacity to avoid its responsibility to actually implement all of those things in a serious way.

Hon J.M. Berinson: Have you considered our White Paper?

Hon P.G. PENDAL: Yes I have.

Hon J.M. Berinson: And you do not believe that implements the report of the Burt commission?

Hon P.G. PENDAL: It is so typical of the Minister that he has to rely on another little glossy which is too little too late - not just by our reckoning but by the reckoning of many people in the community.

Hon J.M. Berinson: Does it or does it not implement the recommendations of the Burt commission?

Hon P.G. PENDAL: We will have to wait and see; it is just words so far.

Hon J.M. Berinson: It will happen.

Hon P.G. PENDAL: The assurances which the Minister has given in the past do not amount to much. Perhaps in the Budget debate next year we will have a chance to commend the Government.

Let me remind members that the magnitude of the \$240 million would have allowed the amount to be given to Ralph Sarich to be almost doubled. Everything that the State of Michigan offered and is now offering Ralph Sarich to set up his primary plant in the State of Michigan, will be, I understand, in the order of concessions and the like to a maximum of \$100 million. That \$100 million may well have been -

Hon J.M. Berinson interjected.

Hon P.G. PENDAL: I will not answer that; I have three minutes to go. The Minister should stand up and speak. I am happy to seek an extension of time if I am forced to waste my last couple of minutes.

Several members interjected.

Hon P.G. PENDAL: The feeling in the small business community was expressed quite eloquently by the *WA Business World* in its front page article, stating "The WA business community is disillusioned with the way the Dowding Government is running the State, and is deeply mistrustful of the Premier and his senior Ministers." A survey conducted throughout the small business community revealed the truth about the Government. The article says that the Government is failing to acknowledge that the survey conducted by the WA Chamber of Commerce showed that 97.5 per cent of respondents to the survey claimed that the Government was not handling the State's finances competently. More than that, it said that 82 per cent of respondents stated that the Premier should resign over his involvement in the petrochemical deal. If the people on that side of the House, the Deputy Premier, and the Leader of the Government in this House, had any sense of honour they would take the advice of those people in the survey; they should resign.

This Budget is one which is not worthy to pass through this House. Some way should be found to enable the whole thing to be thrown out because the Government has lost the confidence of Western Australian people.

HON TOM STEPHENS (Mining and Pastoral) [7.55 pm]: Mr Deputy President (Hon J.M. Brown), yesterday's decision in regard to your position in this House makes it difficult for me to find the right words to use to address you. I will stick to the title I would imagine those of us on this side of the House believe that you should retain; that is, Deputy President. Despite the decision of the House yesterday, I will persist with that reference to you during these comments. I rise for the first time in this House since your election to that position, and I congratulate you sincerely on your election. I want you to know that it is my belief that not only do you enjoy the confidence of the majority of members in this House - as you have been elected to that position - but you will continue to enjoy it.

Hon P.H. Lockyer: His competence has never been in question.

Hon TOM STEPHENS: Despite the outrageous claims of the Leader of the Opposition regarding the Leader of the House, you will continue to enjoy that confidence. Effectively what we have seen in the media tonight aims at trying to make an outrageous lie attract a headline and somehow bring discredit upon you.

Hon P.H. Lockyer: I repeat, Hon Jim Brown's competence is not in question.

Hon TOM STEPHENS: I am pleased to hear those comments. I am delighted that the Deputy President has retained the confidence of Hon Phil Lockyer. I am sure that Mr Lockyer's comments are reflected in the attitudes of his colleagues, and that the Leader of the Opposition in this House is in fact out on a limb regarding the disgraceful comments he is reported to have made this evening to the media.

In this Chamber, we are unfortunate to have the presence of another person who adopts the tactic that the more outrageous the lie, the better the chance he has of gaining a headline; somehow he will get a headline or a news story, and hopefully therefore discredit the Government. I refer of course to Hon Phillip Pendal who has just taken his seat.

Hon George Cash: I thought you were referring to a Minister; I was waiting for you to identify him.

Hon TOM STEPHENS: Mr Cash, what we have in this Chamber are three of the finest Ministers of the finest Cabinet that this State has ever seen. I know that I speak for every one of my colleagues when I say that we, to a man and a woman, are as fiercely proud of this team as we have ever been.

Hon P.G. Pendal: I hope that the Hansard reporter is getting all this; you might like to read it in the future.

Hon TOM STEPHENS: We are proud to have such men and women of such fine talent, of such fine calibre, and with such a caring capacity in this Parliament; men and women -

Hon George Cash: Of Australia! I say to you -

Hon TOM STEPHENS: - of whom we remain fiercely proud.

Hon T.G. Butler: Yesterday the Leader of the Opposition was barking like a dog.

Hon Graham Edwards: Mr Lockyer wants to move an extension of time.

Hon TOM STEPHENS: Madam Deputy President (Hon Muriel Patterson), never in this Parliament have we been so capably represented as we are today with our Cabinet Ministers.

I will deal with some of the comments of the pretender to the throne who occupies the Opposition benches. If Mr Pental sticks around for a few moments he might surprise us all and learn something from this debate. This Government never hides from the facts. It presents all of the facts in the Budget papers for all to see. Even Hon Bob Pike can find the figures that he is looking for. What Mr Pental did a few moments ago was disgraceful.

Hon P.G. Pental: I told the truth.

Hon TOM STEPHENS: No, he did not. While Mr Pental was speaking, I asked the Minister for Budget Management whether his claims could be right.

Hon P.G. Pental: Fancy asking him; he would not know.

Hon TOM STEPHENS: The Minister for Budget Management is a fountain of wisdom, a repository of most knowledge. I was not disappointed by what he told me.

Hon Peter Foss interjected.

Hon TOM STEPHENS: If Mr Foss sticks around he might learn something also in the process of this debate. He has a lot to learn. His contributions in this Chamber have shocked me as much as the colour of his braces. I have been horrified by the quality of his contributions in this Chamber. I want to tell Mr Pental where he might go to in the Budget papers to find the Commonwealth contribution to this State's Budget. First of all, he might go to page 13 where he did go. Where else might he go? I would go to page 20 of the Estimates of Revenue and Expenditure.

Hon P.G. Pental: I have been there.

Hon TOM STEPHENS: Good. Perhaps Mr Pental will tell us whether he is blind as well as stupid because if he casts his eyes down that page he will come to the heading "Commonwealth". He should understand that that is a reference to the Federal Government, the Government which he claims is contributing something that is more significant to our Budget than that which was claimed by the Treasurer and the Minister for Budget Management. The heading "Hospital Funding Grant" appears at page 21 of the Estimates of Revenue and Expenditure and there is reference to a footnote beside it.

Hon John Halden: I don't think he is paying attention.

Hon TOM STEPHENS: He is not, but I want him to listen.

Hon P.G. Pental: I am all ears.

Hon TOM STEPHENS: We know. We also know there is nothing between those ears and that is the problem. I want Mr Pental to listen.

Hon P.G. Pental: Are you making a run for the position of Minister for Budget Management?

Hon TOM STEPHENS: I am a junior member of this House. This side of the Chamber is blessed with very talented members. I have not a hope in hell of achieving that position. With talent like the talent we have on this side, the promotion rate is extremely slow. I will have to hang around for a long time. Even if I can get them all to jump -

Hon T.G. Butler: The promotion rate on the other side is not fast either, because they have to import their talent.

Hon TOM STEPHENS: I know. I have resigned myself to the fact that I will have a long career on the back benches while we have the talent that we have on this side of which we are so fiercely proud. The footnote on page 21 states -

In 1988-89 the Hospital Funding Grant was credited to the Hospital Fund.

Hon P.G. Pental: I know that; Mr Berinson mentioned it.

Hon J.M. Berinson: Why did you ignore it, then?

Hon TOM STEPHENS: If Mr Pental read it and heard Mr Berinson refer to it, his crime is compounded.

Hon J.M. Berinson: Of course. It is a deliberate misrepresentation.

Hon TOM STEPHENS: Mr House is blushing, he is so embarrassed. Mr Pental should be embarrassed because if he read those words he should have realised their implication.

Hon P.G. Pental: What are the implications of them? I have spent an hour dissecting the Budget. The Government has put you on your feet because you are one of the biggest clowns.

The DEPUTY PRESIDENT (Hon Muriel Patterson): Order!

Hon TOM STEPHENS: Thank you, Madam Deputy President, but I do not want to have to rely on your protection. I hope Hon Phil Pental will listen to what I am saying. He has made a major gaffe and he will have to endure his moment of embarrassment. The Treasurer and the Minister for Budget Management have both made clear statements in the Budget papers about the implications of what that footnote means. They said that a different accounting process has been included in this year's Budget papers.

On page 13, reference is made to an amount of \$300 million. That should not lead any reasonable person to conclude that the Government, the Treasurer or the Ministers were somehow trying to deceive the House, the public or the Press Gallery. A former failed journalist has tried to grab a headline by increasing the size of his lie. He has made claims that there are inconsistencies between the statements by the Treasurer and the Minister for Budget Management that there has been a cutback in Commonwealth funding to this State. I will not labour the point. In his speech, the Minister for Budget Management said -

The 1989-90 Budget was framed against the background of decisions taken at the May 1989 Premiers' Conference which resulted in a reduction of over \$61 million in Western Australia's share of the overall level of general recurrent and hospital grants to the States. The implementation of the latest recommendations of the Grants Commission cost a further \$38 million.

If we totalled \$61 million and \$38 million we would arrive at a figure of \$99 million, close to the \$100 million about which we are talking.

Hon John Halden: Mr Cash is explaining it to him.

Hon TOM STEPHENS: I am indebted to the Leader of the Opposition. That is the missing \$100 million. What does that represent?

Hon Peter Foss: I was not listening; will you start again?

Hon TOM STEPHENS: Hon Peter Foss has confirmed my worst fears. I was told about him before he came to this place. My party has a history in this place; Hon Tom Butler would know of that history because he goes back a long time.

Hon T.G. Butler: How far are you going back?

Hon TOM STEPHENS: We used to do what the Opposition is doing now. I was told that failures in the union movement somehow were promoted to Parliament.

Hon T.G. Butler: That was before my time.

Hon TOM STEPHENS: It is well before Hon Tom Butler's time. His presence in this place is a recognition by our party of his very valuable contribution to the union movement.

What we see in Hon Peter Foss is an example of a person who had to be promoted out of the law firm in which he was employed because his colleagues had had enough of him. They knew he was no longer contributing in a worthwhile manner to the firm. All he could do was to fiddle with the computers; he would not do any legal work so his colleagues in that law firm rang their mates in the Colin Street junta and organised his preselection. That was the equivalent of what we did in the past, but fortunately we now have men and women on this side of the House with talent, enormous skill, integrity and credibility and that is the reason the Labor Party is in Government. The gist of my story is that that is the reason the Liberal Party is in Opposition.

I wanted to drive home Hon Phil Pental's embarrassment. What we have heard from him is a claim dealing with the Commonwealth Government's contribution to this State in 1988-89 of \$1 607 719 729, which is where he referred to a \$300 million discrepancy. However, the reason for the discrepancy appears in the footnote on page 21 of the Estimates of Revenue and Expenditure. This year we have a different accounting process for the hospital funding grant. Hon Phil Pental claims there has been a 21 per cent increase in the Commonwealth revenue, but that is not the case. What we have is a process whereby the hospital expenditure has been netted off. In terms of a true comparison we must add \$270 million to last year's figure of \$1.607 million in the 1988-89 column which gives a total figure of \$1.877 million. It is an interesting figure and when compared with the figure of \$1.948 million in this year's Estimates it highlights a true increase, not of \$301 million which would be the 21 per cent increase claimed by Mr Pental to be the increase in Commonwealth funding to this State -

Hon P.G. Pental: Yes, it is.

Hon TOM STEPHENS: No, it is not. Hon Phil Pental cannot fool us; he has been caught out. Madam Deputy President (Hon Muriel Patterson) I hope you will assist me in order that the member will have to sit in his seat and cop it.

Hon J.M. Berinson: Read them. You have misread them.

Hon P.G. Pental: I have read them.

Hon TOM STEPHENS: The Minister for Budget Management is right again. Hon Phil Pental has misread the Budget papers - he is wrong and he has to swelter in his own embarrassment.

The Budget papers tell us that we have a \$71 million increase in true cash contributions from the Commonwealth Government. That has to be considered in the context of inflation running at over seven per cent. We are not seeing an increase of 21 per cent, but a real decrease of three per cent. When we take into consideration a population increase of three per cent, the real negative impact of the Commonwealth contribution to the State Budget is minus six per cent - \$100 million which the Minister for Budget Management, and also the Treasurer, pointed out to everyone who wanted to listen.

Hon P.G. Pental: Can you confirm that you have done the same course in creative accounting as Hon Joe Berinson? What you have said is what he said.

Hon J.M. Berinson: It is precisely what Treasury does and it is precisely the fact - a minus six per cent in real terms.

Hon P.G. Pental: The facts are in the Budget.

Hon TOM STEPHENS: Hon Phil Pental only read page 13 of the Estimates. He did not go as far as pages 21 and 22. Members opposite appear to be understanding what I am saying - even Hon Phil Lockyer understands it. If he understands what I am saying we are all home and hosed.

Hon John Halden: Except Mr Pental.

Hon TOM STEPHENS: Yes, except Mr Pental.

Members opposite are nodding their heads and they appear to understand that what we have in the Estimates is not a misrepresentation of the picture. It is plainly spelt out for anyone to see that we have experienced a reduction in the contribution from the Commonwealth of something in the order of \$100 million - it is not a 21 per cent increase to which Hon Phil Pental referred.

Hon Fred McKenzie: He did not say anything about the three per cent increase in population.

Hon TOM STEPHENS: He hid behind nonsense as he always does.

The worst part of it is that we had to listen not only to untruths, but also to other nonsense as well. A specific example is that he was complaining about the fact that the Budget papers did not contain figures for a natural disaster and measures of that kind. I refer him to page 59 of the Estimates and advise him that all I did when I cast my eyes across the page, after I received assistance from the Minister for Budget Management -

Hon P.G. Pental: That will not help.

Hon TOM STEPHENS: Do members know what the Minister suggested I should do? I will suggest it to Hon Phil Pental now.

Hon P.G. Pental: I hope it is not improper.

Hon R.G. Pike interjected.

Hon TOM STEPHENS: I am glad Hon Bob Pike is in the House and I know that as he listens to me he will be inspired with great confidence about his prospects of returning to the front bench because he knows that if Hon Phil Pental's contribution is the best he can do - it was an absolute disgrace - his prospects are good.

If members refer to page 59 and to the item "Natural Disaster Payments and Other Relief Measures" they will find that there is no amount in the 1988-89 vote column and there is no amount in the 1989-90 estimated column. If members were to listen to Hon Phil Pental they would be of the opinion that the Government has done something that is atrocious. All it is doing is recognising the fact that in this State we have natural disasters like cyclones and when they occur the expenditure is taken into account and is registered in the expenditure column. We do not budget in advance for a disaster. It would almost be wishing destruction on this State.

Hon Phil Pental is the worst contribution to the State's economic welfare when he makes untruthful claims in regard to the Budget which we, on this side of the House, are fiercely proud of. We are also proud of our Cabinet. This year's Budget fulfils our commitment to the people of Western Australia; commitments that were made in the context of the last election.

In the lead up to the 1989 election outrageous claims were made and were judged by the people of Western Australia. I accompanied many Ministers into various parts of my electorate and I advise the House that the people of Western Australia asked some very probing questions about the Government's activities. They asked about matters in which we were involved and the Ministers, one after the other, answered each of the questions and allowed the people of Western Australia to address those issues and to understand the traumas which faced the State as a result of the 1987 stock market crash. We recognised some of the difficulties that that collapse caused us. We talked about the problems that existed for us for the future and said that it would not be easy to get over the implications of some of those problems. The people of Western Australia, in response to an honest presentation of those arguments, made their decision.

Hon P.G. Pental: Yes, 47 per cent put you here.

Hon TOM STEPHENS: Hon Phillip Pental is wrong again; the man never gives up! One would think that after having made such an outrageous blunder with regard to the Budget that he might get his election figures right, but he cannot even do that. The relevant thing is that the Australian Labor Party won a majority of votes in a majority of seats in Western Australia and therefore formed the Government. We have been judged by the people of Western Australia on the issues raised openly and quite candidly by our Cabinet colleagues and by the humble backbench team of which I am a member. We did not shy away from those problems. We said that there had been mistakes, that there had been problems caused for this Government as a result of the crash of October 1987. We have men and women Cabinet Ministers who, when faced with having to make hard decisions, did not shy away from them and who, to the best of their ability, and in the context of the best evidence available to them at the time, made their decisions. Those Ministers did that on the basis of information provided to them by people who are not my friends but are friends of members on the other side of this House, friends about whom people on the other side of this House have boasted. They provided evidence to this Government which led it to make decisions that got it into some of the problems it is now faced with. That evidence will no doubt come out in the court cases that the State will have to put up with for the next couple of years as some of this mess is unravelled.

I can assure the House that one of the mistruths Hon Phillip Pental presented was that somehow or other we do not have a mandate in this House. Have members ever heard such nonsense and poppycock? The truth of the matter is that we on this side of the House won a majority of votes in a majority of seats.



Hon Peter Foss: Rigged boundaries.

Hon TOM STEPHENS: Hon R.G. Pike fell right into it! Do members recall who this person is? He was the former Chief Secretary.

Hon R.G. Pike: Hon Tom Stephens has the wrong man.

Hon TOM STEPHENS: Well, he is guilty by association, regardless of who operated their mouth then.

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: They are Tweedledum and Tweedledee. I am not sure who spoke, whether it was Hon Peter Foss or Hon R.G. Pike, but somebody on the other side said "rigged boundaries" and I looked across and saw Hon R.G. Pike, who I remember because I was here. I remember when he was Chief Secretary. I also remember what he was responsible for - the electoral laws of this State. I remember what members opposite got up to when in Government. Hon Phillip Pandal remembers because he was here. Hon Philip Lockyer is blushing, he is embarrassed, and so he should be.

Hon P.H. Lockyer: I am not embarrassed the slightest bit.

Hon TOM STEPHENS: Hon Philip Lockyer should be, because his track record was so atrocious that my predecessor, the Liberal member Hon Bill Withers - the only honourable man among those opposite - resigned in disgust with his colleagues because he knew they were guilty of the worst gerrymander in the western world.

Hon J.M. Berinson: They would not leave the boundaries to the commissioners.

Hon TOM STEPHENS: No, they rigged the boundaries.

Several members interjected.

The DEPUTY PRESIDENT: Order! There is a great difficulty in following the debate, particularly for *Hansard*. The honourable member wants to be recorded correctly, so I ask that those interjecting refrain from doing so.

Hon TOM STEPHENS: It was either Tweedledum or Tweedledee, I am not sure which one raised the point about rigged boundaries. If there is any party in this State that can never talk about rigged boundaries, it is the one opposite of which Hon R.G. Pike is a member.

Hon D.J. Wordsworth is blushing. Can he remember what he did when Minister for Lands? Can he remember that Cabinet meeting when the Surveyor General was brought in and drew a line? Can he remember that? We know why Hon D.J. Wordsworth is blushing. Rigged boundaries indeed! Of all the people I know Hon Peter Foss - a failed lawyer - should even remember this. We introduced a Bill, which is now an Act of this Parliament of which we are proud because we removed from politicians - not that we could not trust ourselves but because we knew we could never trust members opposite - the right to draw any more lines or rig boundaries and put the matter into the hands of the electoral commissioners.

A member on the other side, I do not know which one, either Tweedledum or Tweedledee, should now join Mr Pandal in his embarrassment because what they have highlighted is the fact that we on this side of the House are proud of what we have done. We have robbed members opposite, forever I hope, of the opportunity of rigging boundaries in the way they did in the past, as Hon R.G. Pike would remember. Hon R.G. Pike remembers the days when he was in Collie as a butcher and used to keep his thumb on the scales when serving meat.

#### *Withdrawal of Remark*

Hon GEORGE CASH: Mr Deputy President, I raise with you Standing Order No 87 which refers to offensive language and offensive words being used against another member of this House. I ask you to rule, Sir, in respect of the childish comment made by Hon Tom Stephens.

The DEPUTY PRESIDENT (Hon J.M. Brown): I have been very tolerant over the past two days towards members on both sides in relation to the operation of Standing Order No 87. I believe the point of order raised is valid and I ask members to refrain from using such language when referring to fellow members.

Hon TOM STEPHENS: I withdraw absolutely.

*Debate Resumed*

Hon TOM STEPHENS: I find it strange that Mr Cash, of all people, having raised such a point of order -

*Withdrawal of Remark*

Hon D.J. WORDSWORTH: I request that the words with regard to my being Minister for Lands when the lines were drawn be withdrawn.

The DEPUTY PRESIDENT: Hon David Wordsworth asks for the words referring to the Minister for Lands to be withdrawn.

Hon TOM STEPHENS: I understand that Standing Orders require me to withdraw, so I withdraw.

*Debate Resumed*

Hon P.H. Lockyer: Hon Tom Stephens is wrong, he was not Minister for Lands.

Hon TOM STEPHENS: He was at the time the lines were drawn.

Hon P.G. Pandal: Hon Joe Berinson might give Hon Tom Stephens a pill to quieten him down.

Hon TOM STEPHENS: There are 16 pills on the other side who are capable of that. I will try to address my remarks to the matter before the House. Hon David Wordsworth has said he was not Minister for Lands at the time of the rigging of the boundaries by the Liberal Party, but he was certainly part of the Cabinet that rigged the boundaries and what he did led to the precipitous resignation of his colleague, Hon Bill Withers.

Hon Barry House: Cabinet has not a collective responsibility, Hon Joe Berinson says that.

Hon TOM STEPHENS: I am pleased that Hon David Wordsworth has dissociated himself from the outrageous behaviour of his predecessors and colleagues and is saying that he had nothing to do with that matter. I accept his word because I know him to be an honourable man. I knew that from the first moment I met him. I am surprised that he did not join his colleague, Hon Bill Withers, by resigning at the time when honour could have been demonstrated much more forcibly.

Leaving aside the question of how the lines were drawn in the past, what is important is that interjections from the other side implied that we were involved in rigging boundaries. One of the allegations in this House and in other places is that there is a gerrymander. There is no gerrymander; what we have now is a malapportionment. It is important to understand this, because the malapportionment has not come about as a result of anyone rigging the boundaries, because that can no longer be done. The drawing of the lines is done by the electoral commissioners, and the process is now beyond reproach. The parties involved are the Chief Justice, the Chief Electoral Commissioner and the Chief Statistician. All the political parties in this Parliament have the opportunity of appearing before the Electoral Commissioner. I was one who did.

Hon Peter Foss: It is not the people, it is the rules.

Hon TOM STEPHENS: We absolutely agree. Our party agrees with Mr Foss on this matter. The rules are wrong, because we still have in this State a weighting against the Labor Party. It is a weighting of up to 2:1.

Hon P.H. Lockyer: Do you agree with one-vote-one-value?

Hon TOM STEPHENS: Absolutely.

Hon N.F. Moore: Will you drop that this year?

Hon TOM STEPHENS: Will the member join us? Mr Montgomery should listen to this. His colleagues on the other side of the House are encouraging us.

Hon P.H. Lockyer: I give you 20 to one we do not bring this in.

Several members interjected.

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! I have been very tolerant. I ask the honourable member to address his remarks to the Chair.

Hon TOM STEPHENS: I am absolutely unflinching in my resolve in regard to the issue of democracy in this State. I am still committed to the principle of one-person-one-vote. Until democracy in that form is reflected in this Parliament we will be faced with the dreadful situation where the Opposition continues to control the upper House.

Hon Barry House: Proportional representation.

Hon TOM STEPHENS: It always has.

Several members interjected.

Hon TOM STEPHENS: We know what the impact is; there is a 2:1 weighting.

Hon Barry House: It is proportional representation.

Hon P.G. Pental: I wish they would do a bit of weighting to you.

Several members interjected.

Hon TOM STEPHENS: We still have a malapportionment, particularly in the lower House, where we have something like 23 per cent above average figures for metropolitan seats and a massive 35 per cent below average for country seats. That is something the House should keep in mind, because historically this Chamber has been inordinately active whenever the Labor Party has been in office. When the Labor Party is in office the Opposition starts blocking Labor Party Bills, as it did with the Daylight Saving Bill. Historically it has knocked back the legislation of the Labor Party whenever it has been in office. What does it do when conservative parties are in office? It goes to sleep again.

Hon N.F. Moore: That is a reflection on the quality of the legislation.

Several members interjected.

Hon TOM STEPHENS: Not at all. For instance, in the period of the Hawke Government, 20 Bills were knocked back by this Chamber. In the Brand Government, how many Bills would members guess were blocked?

Several members interjected.

Hon TOM STEPHENS: One. During the Tonkin Government, how many Bills were knocked back in this Chamber? Twenty-one. It is an atrocious record. Then the Court-O'Connor Government came along, and what did the illustrious gentlemen of that Government, of which Mr Pike was one, Mr Lockyer, Mr Wordsworth, and Mr Moore were others, do? No Bills were knocked back in that period.

Hon Fred McKenzie: Not any?

Hon TOM STEPHENS: Absolutely none. Do members know how many years they were in office that time? Nine years, and not one Bill was knocked back.

A Government member: It was atrocious legislation too.

Hon TOM STEPHENS: They were all the sons of thunder in those days. They were all so scared of Sir Charles Court that they would not cross the floor. They would not cross the floor when Sir Charles Court was there.

Hon N.F. Moore: That is not true; I actually crossed the floor.

Hon TOM STEPHENS: No Bills were defeated. I have the figures up to March 1988, and 15 of the Burke and Dowding Governments' Bills have been knocked back in that period while Labor has been in office. When members opposite are back in Government and still have their numbers controlling this Chamber they will go back to sleep again. I have had the opportunity of seeing life from the other side of this Chamber.

Hon P.H. Lockyer: We remember.

Hon TOM STEPHENS: I remember what it was like. I remember question time when our colleagues tried to get questions answered.

Hon P.G. Pental: It was a good Budget speech.

Hon TOM STEPHENS: Mr Pike was one of the worst. We could not get an answer out of him. It was absolutely atrocious. Our colleagues in this Chamber constantly struggle to understand some of the hopeless questions being asked. Once they have understood some of the badly phrased questions, they do their best to answer them.

I am sorry Mr Pike is going; I had a few more words for him.

Several members interjected.

Hon TOM STEPHENS: He is on parliamentary business.

Several members interjected.

Hon TOM STEPHENS: When he comes back into the Chamber -

Several members interjected.

Hon TOM STEPHENS: I will finish off. The Chamber went to sleep in the period when the conservative parties were in Government. The Opposition has now become hyperactive. There are a lot of new members on the other side of the House, and I ask them to cast their minds back to what the conservative parties were like when they were in Government. Unlike our Government, they were dreadful. In the period when I came here, there were men of enormous calibre and quality who, with their persuasive skills, had to win the day by persuasion and argument. Occasionally some members of the Opposition participated in rigorous debate, and that sometimes led to some change in the Government's attitude to a particular Bill. They did not actually get the Bills defeated, but every now and then we could see a glimmer of hope on the other side of the House as a result of the logic of Mr Berinson or the persuasion of Mr Dowding.

Mr Olney was before my time, but I know from *Hansard* that his persuasiveness often ensured that members on the other side of the House had an opportunity to see that the tactics adopted by the Government of the day were wrong, the process should be resisted and aborted, and the Government should stand back from its chartered course of action. Occasionally the Opposition was successful in that regard. When we were in Opposition we had to win by persuasion. In this Chamber today we have the tyranny of numbers and brute force on the other side of the Chamber.

Members opposite have talked to us about the fact they are proud of that record of brute force. That group constituting the Liberal Party in this Chamber are the heirs of a party which in this State while in Government was responsible for a most horrendous period of Government. We had nine years of Court and O'Connor Governments and we remember what it was like. It was atrocious. I am reminded of that period by the presence in this Chamber of Hon N.F. Moore, Hon Bob Pike and Hon Phillip Pandal and others. They remind me of the time when the Liberal Party was moving away from the traditions of democracy towards an absolutely fascist type of State, where we had section 54B introduced, no respect shown for the electoral laws and so on. I can understand why Hon Norman Moore is embarrassed by books such as *Noonkanbah*, because it concerns an atrocious period of this State's history of which he was a part.

Hon N.F. Moore: I am not embarrassed at all. I just want to know how your Government gave access to confidential files.

Hon TOM STEPHENS: I am pleased to see that Hon Norman Moore has received his answer. Unlike his crowd, we answer questions. Hon Norman Moore has been given his answer, and everyone can now see it. I can understand why Hon Norman Moore is embarrassed because it was a disgraceful period. Hon Norman Moore would have to be embarrassed by a period like that.

Hon N.F. Moore: I am not embarrassed.

Hon TOM STEPHENS: It inspires me, as it inspires my colleagues, to know that one of the other contributions of our party in office has been to mellow the debate in this State and to soften the arguments and to get away from the harshness and brown shirt tactics which were part of those days. The colours of the suspenders are wrong; it is the colour of brown shirts which belong on the other side of the House. Not red suspenders; red is our colour - the colour of democratic socialists. I accept the fact there are a lot of socialists in this Chamber; we have the agrarian socialists and the democratic socialists, but I am afraid that the track record of the Liberal Party members puts them well and truly among the National Socialists as far as I am concerned. This is a House full of socialists but of different persuasions and colours. That is my attitude to it. The track record of the Liberal Party in Government confirms me in that view. A more deeply conservative man than Hon Norman Moore I have never met. When in office the party of Hon Norman Moore reflected that passionate

conservatism, which was not good for this State. For that reason I believe this State will be blessed by the Liberal Party's serving a long period in Opposition.

Hon N.F. Moore: As least we looked after the taxpayers' money, which is totally the opposite to you.

Hon TOM STEPHENS: That reminds me, in fact we are now talking about the taxpayers' money in this debate. We have before us Budget papers of which we on this side are fiercely proud. The Government has addressed its election commitments in this Budget; they have been addressed and dealt with one by one in the Budget papers. All the important issues have been dealt with in the Budget papers and the Government has got on with the notion of ensuring that this State is blessed with continued economic growth and strength under the stewardship of the Labor Party. While we have been in office we have seen great leaps and strides in the strength of our economy. That will continue; members should have no doubt about that. That is, despite the fact that we were hamstrung with problems left by our predecessors. I remember, for instance, the flurry of activity that the Cabinet had to be involved in when we first attained office; Hon Garry Kelly will remember it, as will even some of the new members of this Chamber because they had senior positions in the party at the time. That was when the Cabinet had to look at the North West Shelf gas project; they were faced with an horrendous, worst case scenario, as they described it to us at the time, of something like a \$7 billion deficit in the context -

Hon P.G. Pandal: What are you talking about?

Hon TOM STEPHENS: It was \$7 billion; I will not shy away from that figure.

Hon N.F. Moore: You treble it every time you come into this House and then you take credit for the North West Shelf gas project.

Hon TOM STEPHENS: That money represents a complete Budget for a year.

Hon J.M. Berinson: Two years, and in those days much more.

Hon P.G. Pandal: That is creative accounting.

Hon TOM STEPHENS: No, expenditure and revenue combined.

Hon P.G. Pandal: I think you need a blood transfusion, because you need a sudden rush of blood to the head.

Hon TOM STEPHENS: It was \$7 billion. Even today the cost of that commitment is \$90 million a year. That does not show up in the Budget papers because it is part of the State Energy Commission's tariff commitment to the North West Shelf gas project.

Hon N.F. Moore: What has that project been worth to Western Australia?

Hon TOM STEPHENS: It has been worth an enormous amount because we were fortunately able to renegotiate the contracts; we were successful in renegotiating them.

Hon N.F. Moore: It would have been finished five years ago.

Hon TOM STEPHENS: No, we were successful in renegotiating the contracts. Hon Norman Moore was the Cabinet Secretary at the time -

Several members interjected.

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: Hon Norman Moore was the Cabinet Secretary at the time and therefore has to share some of the blame. Fortunately they got rid of him rather quickly at the time and he lost that position. I can well understand that, but at the time he was part of the situation whereby his colleagues were locking up the State into a commitment of \$7 billion.

Hon N.F. Moore: The greatest resource development this country has ever seen.

Hon TOM STEPHENS: I agree with Hon Norman Moore.

Hon N.F. Moore: That is what the Premier said when he took the credit for it the other day. It would have started five years earlier -

The DEPUTY PRESIDENT: Order!

Hon TOM STEPHENS: I will give credit where credit is due: Yes, it is a great project. Fortunately it was renegotiated and the cost to the people of Western Australia will not impact as severely as it would have done had the contract envisaged by our opponents been allowed to stay in place. However, it highlights the fact that this State needs to be involved in that way to ensure that the resources of this State are harnessed by the Government of Western Australia. That will ensure Western Australia gets an industrial base, which is what the Government is all about - that is what the petrochemical plant was about -

Hon N.F. Moore: And Government equity. That is what you are talking about. That is not what we are talking about.

Hon TOM STEPHENS: I can tell Hon Norman Moore that his side went about it in a different way. They tried to lock up a commitment to this State -

The DEPUTY PRESIDENT: Order! I have been very tolerant of Hon Norman Moore. However, I ask him to observe Standing Order No 91.

Hon TOM STEPHENS: My colleagues in this House and the other place have nothing to be ashamed of when compared with members opposite and their record. That is the type of commitment that the Liberal Government tried to lock the people of Western Australia into. It was a \$7 billion commitment. This Government, of which we are all proud, has now been working on the process of getting a petrochemical project for the State and in ensuring that Western Australia has a prosperous future, as it has had a successful past over the period we have been in office.

Hon T.G. Butler: Inside this Opposition is a Greiner Government.

Hon TOM STEPHENS: I fear that is correct.

An issue which has been raised is that of television advertising in the period of elections. This is a very interesting question. I formed the view, which I will want to have my colleagues consider, which I developed after listening to the Federal Secretary of the Labor Party, Mr Bob Hogg, speaking about the difficulties which political parties face when it comes to paying the huge bill now associated with advertising in election campaigns. It is a mammoth bill which in Federal elections can reach \$5 million. In that context it seems to me to be time to look at this question. I have formed the view that I will start to encourage my colleagues - and I hope members opposite - to realise that it is no longer satisfactory in a democratic country.

Hon P.G. Pental: Is Bondy going to chop out your free advertising now that he has fallen out of your bed?

Hon TOM STEPHENS: It is no longer satisfactory for parties to be beholden to anyone for figures like that and I think it is time we started to consider restricting the use of television in the pre-election period. I suggest that perhaps members opposite will agree with me if they wanted to ensure they stay unfettered, as we have always been, to business.

Hon P.G. Pental: You have sold your soul.

Hon TOM STEPHENS: If we should suffer the misfortune of seeing the Opposition get into office I would like to make sure that there is no way that it is beholden to big business for its donations in a political campaign. We are men and women of integrity and have never had any trouble or been worried about that issue, but I am worried about the Opposition.

Hon P.G. Pental: You are hallucinating.

Hon TOM STEPHENS: Hon Phil Pental jumps around in old jalopies trying to get a headline here and there - and sometimes he does. He will have to do better than jumping around in jalopies when he has to face this Parliament on the important question of reducing the expenditure of political parties in the area of television advertising. It is worth considering the cancelling of television and electronic media advertising in a period of an election campaign. That is the strategy that Bob Hogg had when he announced the plan to consider the cataclysm of moving back to a situation of no electronic media campaigning in a State election, rather than having the people of Western Australia make such a huge contribution in ensuring there is the airing of election issues on the electronic media.

Another issue relates to a matter raised by Hon Bob Pike. I am sorry that this comes up in his absence - Mr Pike is away on parliamentary business - but he told me and my colleagues

that we should be ashamed of our candidates' pledges. On the contrary, we on this side of the House are not ashamed of that and we are not trying to run from it. We know all about our pledges. Caucus leads to healthy, vigorous debate inside the structure of the caucus system and all of these issues were brought out and debated in the party room. They were settled in that context and we come into this Chamber as a party to support the collective decision taken; I stand by that decision tonight. We are proud of that process. We know that our colleagues on this side of the House, whenever there is an issue before the Chamber, will listen to the debate and be persuaded by the common wisdom of our colleagues.

Hon P.G. Pental: Does the solidarity extend to you all going to gaol together, because that may well happen? Your loyalty may be put to the test.

Hon TOM STEPHENS: The only one who should be going to gaol in this Chamber is a person who misleads the place as often as Mr Pental.

Hon P.G. Pental: You hate the truth. You could not even tell the truth in gaol, I am sure.

Hon TOM STEPHENS: In that context, we are the last ones to worry. We are proud of our party, of our Government and our Cabinet colleagues, who are a fine bunch. We know them to be men and women of integrity. The new members in this Chamber may not understand what we have in this House, particularly with the Leader of the House. Mr Foss is a new member and I advise him that our leader is a man of fine intellect who persuades everyone by sheer intellectual capacity.

Hon P.G. Pental: Did you write this for him, Mr Berinson?

Hon TOM STEPHENS: Mr Berinson does his job with stature and integrity; that is the man.

Hon Kay Hallahan: Hear, hear!

Hon TOM STEPHENS: He will not be rattled by the Opposition as he is a man of fine stuff. Hon Peter Foss and Hon George Cash will not rattle him; Mr Cash might try to take us into the gutter, but we will not go down there. We will stand on our record and performance and we will make sure that the people of Western Australia know that the track record since we have been in office will not be surpassed and will go down in history as a record of which we are proud.

HON P.H. LOCKYER (Mining and Pastoral) [8.55 pm]: Hon Tom Stephens is leaving tomorrow on a Commonwealth Parliamentary Association trip to Barbados and I wish him the best. All my colleagues live in wonder about how he got the trip because he could not win the Deputy Whip position, and yet all of a sudden he is on his way to Barbados. I know that the speech he gave was the very same speech he gave in the party room. I saw the Leader of the House sink his hands into his waterproof pockets to keep the perspiration from his legs.

Several members interjected.

The DEPUTY PRESIDENT: Order! Members must understand that we are taking a record and that it is impossible for Hansard to correctly record the proceedings of this Chamber in such circumstances. I suggest the honourable member who has just resumed his seat desist his interjecting, and I ask Hon P.H. Lockyer to address his remarks to the Chair.

Hon P.H. LOCKYER: I certainly will, as you would expect, Mr Deputy President.

As members would know, the changed electoral boundaries carried an area of Hon Tom Stephens' seat into mine and we both had to address a school gathering of 10 to 12 year old children; we found that we were saying something to each of them and I asked them a question -

Hon Tom Stephens: About the untruthfulness of Mr Pental's comments.

Hon P.H. LOCKYER: Hon Tom Stephens should listen and he might remember the occasion. I asked the children how old they thought Mr Stephens was. One child answered 36 and I asked him how he knew that. He said that he had an 18 year old brother and Mr Stephens was twice the dill that he was.

Several members interjected.

Hon Tom Stephens: You are as untruthful as Mr Pental.

*Withdrawal of Remark*

The DEPUTY PRESIDENT (Hon J.M. Brown): We have recently discussed Standing Order No 87 and I think the honourable member should withdraw that comment.

Hon P.H. LOCKYER: I withdraw Mr Deputy President, but the comment was made in jest.

The DEPUTY PRESIDENT: This Chamber is not here for jest.

Hon P.H. LOCKYER: If that Standing Order is to be held to the very letter, the honourable member who just resumed his seat stretched it to the very limit.

*Debate Resumed*

Hon P.H. LOCKYER: I was rather disturbed last night as Hon Tom Butler launched into a personal attack, as is his wont from time to time, on the Leader of the Opposition. I remind him of his position in this State. He is the President of the ALP and, as I have said before, it is a position that should be respected, because it is not an easy task to rise to the level of president of a major political party as he has. Personal attacks like the one he made last night did his position no credit whatsoever. The thing that disturbs me most is that, ever since he has been a member of this House, I have never heard him speak about a problem of one of his constituents; all I have heard is him making personal attacks. I believe Hon Tom Butler should have a long hard look at himself.

Hon T.G. Butler: That is not a bad sort of attack you made yourself.

Hon P.H. LOCKYER: It is friendly advice, and I hope the honourable member takes it. I am looking forward to hearing a speech on behalf of his constituents.

The present teachers' strike has got to the point where some extreme action needs to be taken by the Government. Never in all my years of being in the bush and having, as a young man, boarded in houses with teachers, have I seen teachers as angry, frustrated and downright resentful as they are at the moment. Last week a principal of a senior high school in Carnarvon brought to my attention his concern that for the first time, as a result of the ongoing industrial problem, his staff are becoming too hard to handle. The staff are venting their frustrations in the staff room and it is reaching the point where many of them are thinking of leaving the profession.

It is my view that this Government brought about the frustrations the teachers are suffering by trying to inflict on the education system of Western Australia too many changes too quickly. For example, the Better Schools program was introduced; the Government and the Ministry of Education forced this program, in the form of a pilot scheme, onto schools and before the scheme was completed it was implemented as policy. Teachers were asked to make massive changes; school based decision making was introduced and schools have been left without any resources; and teachers have been forced to change their work practices. In the management area many great administrators in the department were asked to reapply for their positions and their applications were not successful. The teachers have simply had enough.

I, like other members, thought the original claim by the teachers for a wage rise of 15 per cent was not warranted. However, after having taken an interest in the dispute and meeting with many teachers, I believe the teachers have a very good case for some form of recompense for the changes that have been implemented.

Hon Garry Kelly: The Minister agrees with that.

Hon P.H. LOCKYER: I do not doubt that. I have a great respect for the Minister for Education.

The teachers are most unhappy with what has transpired. Let us consider for one moment what teachers are expected to do. I could not cope with what they have to do. They have to put up with children with a variety of abilities and natures and have to play mum, dad, brother and sister. At times the general public expect teachers to be baby-sitters. How they do not end up in the nut house, I do not know.

Hon T.G. Butler: Did you have that view in 1981 to 1983?

Hon P.H. LOCKYER: I have had this view for a long time. Has Hon Tom Butler the next call? I suggest he listen to me in silence - he has had one slap on the wrist tonight.

We expect a lot from our teachers. Only a small group of parents take an interest in what



teachers go through. I have listened to Sartler on 6PR saying that teachers work from 9.00 am to 3.00 pm and have 10 weeks' holiday a year. The teachers I know often arrive at school between 7.00 am and 7.30 am and after school they are supervising sport until 5.00 pm or 6.00 pm. Often they spend their lunch hour supervising children in the quadrangles and at night most teachers prepare their lessons for the next day and mark papers.

The DEPUTY PRESIDENT: Order! There is too much audible conversation in the Chamber.

Hon P.H. LOCKYER: The frustration of teachers is building up and if members think that the membership of the WA State School Teachers Union is becoming shaky I advise them that it is not. Teachers are serious about what they are doing and money is not the main issue. The education system should be reassessed. I do not know what the answer is, but what is occurring is absolutely terrible.

Today a number of teachers from different schools around the State went on strike and this action is affecting the future of students. Teachers hate going on strike but it is the only way in which they can get rid of their frustrations.

I was appalled at the comment made by the President of the Teachers Union when he visited Kalgoorlie. He said it was possible that teachers would withhold students' TEE marks. I have been reassured by other teachers and by members of the union's executive that that is not a measure that has been considered. I implore them not to do that and not to strike. Their conference will be held early next month and I fear that if a decision is not made to overcome this problem the issue will escalate and become one of the most serious strikes this country has seen. It concerns me that all this will have an effect on the students who are in their TEE year and I wonder whether it will be reflected in their marks at the end of the year.

I acknowledge that Hon Garry Kelly, Hon Barry House and Hon Norman Moore are ex-teachers and if they have any influence over the Government or the Ministry they must impress on them that the time has come for this issue to be resolved. I understand that tomorrow the Minister will meet with the executive of the union and hopefully results will flow from that meeting. One of my main worries is that some of the best teachers this State has seen are considering leaving the profession.

Having lived in the Pilbara I have seen many strikes in the iron ore industry but the worst strike I have ever experienced is the current pilots' strike. Last Sunday I took the opportunity to meet with Ansett pilots. I learnt to fly with some of them 20 years ago and they are now senior pilots. If members think that Sir Peter Abeles and the Prime Minister are correct in saying that the pilots' resolve is shaky I assure them that their resolve is more solid today than it was when they initially went on strike. There is no way the pilots will give one inch until some negotiations take place.

The pilots have made a claim for a 30 per cent increase in their salaries and they are more than happy to negotiate on that amount, on productivity and on the number of hours to be worked. The problem is that no-one will talk to them. It is my strongly held view that they made an error of judgment when they resigned, because at the end of the day some of them will be out of a job. I received a phone call today from an Ansett WA pilot, who told me he has accepted a job overseas, and he is off, for the good reason that his bank manager suggested it would be a good idea to get a job so that he could keep paying his mortgage to the bank.

What is happening in Western Australia, and particularly in my electorate - and Broome is one of the hardest hit areas - is that people are going broke because of the strike. The tourist accommodation in the Kimberley is almost empty. The people running the newsagencies, the milk businesses and the other small businesses around the town are really taking the knock. The car sales people are not selling cars because people are tightening up their belts by a couple of notches. There is a limited number of flights to the north west, but it is a very brave person who would want to fly to Port Hedland for a couple of days, because there is no guarantee of a return flight.

I was appalled by the Prime Minister's stance at the beginning of this dispute. His demeaning of the pilots did him absolutely no credit, and is the very factor which has pushed these pilots into their immobile position at the present time. I do not condone the strike

action. I believe that the sensible pilots want to go back to work, but both sides are now in such a Mexican standoff situation that the possibility exists that the damage done by this strike will last for a decade; and I do not say that lightly. The damage which has already been done to the north of this State will take a bit of recovering. It has been only during the last three or four years that the tourist operations in the north of the State have become successful. We have been able to attract developers such as Lord McAlpine, Frank Pinner in Broome, Bob Burkett and George King in Exmouth, and people like Brian Coppin, who has put his money where his mouth is and constructed nice motels in places such as Fitzroy Crossing. It will now become very difficult to encourage developers to again open up their wallets.

The comments made by the Prime Minister about what is involved in becoming a commercial pilot were quite astounding. He said a person can become a commercial pilot within seven hours. Let me tell members that it takes 50 hours to become a private pilot, and a further 70 hours to become a commercial pilot. There is not a major airline in the world which will take on a person with only 120 or 130 hours' experience; most airlines require a minimum of 1 000 hours' experience. So pilots find that they have to go out into the bush and work for small airline companies. They fly single engined aeroplanes; then twin engined aeroplanes; then get their instrument ratings so they can fly at night and in bad weather; and then get their senior commercial pilots' licence, which requires a minimum of 1 000 hours' flying experience. It was very difficult, until the last four or five years, to get into Qantas, Ansett or Australian Airlines. Most of these people had to rough it in the bush, carting oil industry workers up and down the desert, sleeping in a swag, and finally getting themselves into an airline after many years of study to obtain the appropriate licences, and after borrowing money from parents, brothers, or good friends.

I can tell members that starting as a first officer in an airline is not an instant foot on the rung to becoming a millionaire. Pilots are required to be endorsed on all types of aeroplanes. They are required to have medical examinations twice a year. They are checked out every three months. A single failure means that they will not have a job. Those pilots who successfully get through the system and end up as captains are continually monitored by check captains, and are encouraged to study to get their licences upgraded. They are continually required to learn about and have their licences endorsed for the faster and more sophisticated aeroplanes which the airlines bring into their system. They have to be checked out by the Department of Civil Aviation to ensure that they are competent to fly the particular aircraft. The record of the major aviation companies in Australia is immaculate. It is respected all over the world.

There is no doubt that the pilots believe they have a legitimate claim. I believe their 30 per cent claim was ludicrous, and it is my view that so do they, but while everybody stands off, and there is no negotiating taking place, the situation will send people broke. What worries me is that when the pilots do go back to work they will be so bitter and twisted that there will never again be cooperation within the industry.

Hon T.G. Butler: Have they indicated to you what percentage of wage increase they want?

Hon P.H. LOCKYER: All they have indicated to me is that they will be very happy to go back, and will have every aircraft in Australia flying within a couple of days, provided that meaningful negotiations take place. I know that the Prime Minister has stipulated that the negotiations must take place within the wage fixing guidelines. I commend that attitude, but the time has come when that must be put aside, because some negotiation must take place to see whether there is some common ground. Even though we have some clowns around the place who are conducting orchestras about these types of things, and who will never agree to anything, and who will drive cars or catch buses or trains forever, the pilots are in a position today where many of them do not want to have to go to other countries to get jobs. There is no longer a shortage of jobs overseas, particularly in Europe, for highly trained pilots.

Those members who watched Channel 9 tonight will have seen the interview with a senior captain who, because of his mortgage commitments, and young family, had to take a job in Bahrain. We can just imagine a person who is comfortably situated in a nice house in Sydney, getting hold of his wife and 10 year old, 8 year old and six year old children, and saying, "We are all off to Bahrain - where people are not allowed to drink!" There are necessities in life, and these people are getting to the stage of desperation. The young

gentleman who telephoned me this afternoon is going to fly for Egypt Airlines. He is horrified by the prospect of flying freight planes, but at least it will pay the bills, buy the bread, and shut up the bank manager.

I predict that, if this strike continues, the pilots will leave this country in droves and, regardless of what Sir Peter Abeles and the Prime Minister have said, I can assure members that the pilots who are currently applying for jobs are the young blokes who have just obtained their commercial licences at Jandakot; and we cannot blame them because they think it is pennies from heaven. It may be that at the very end the major airlines will be forced to train them to be pilots, but not one person with a commercial licence who has applied for a job will be flying an aircraft within six months. That is how long it will take to train them, because there are only a handful of captains, who will have to train every one of those young fellows. Some experienced pilots from overseas may be applying, but I doubt it. I can tell members that at 5.45 pm today when I spoke to a senior member of the Australian Federation of Air Pilots, not one pilot in Western Australia had signed a contract and broken with his colleagues. All I can say is that the stupidity must stop. The north of our State is grinding to an absolute halt and the future there looks very bleak.

Hon Garry Kelly: Aren't the French pilots doing much good?

Hon P.H. LOCKYER: There is only a handful of them - I think eight - and pilots are allowed to make only so many flights a day. They certainly cannot fly every day. There is nothing wrong with the French pilots - they are properly and highly trained and probably they are doing quite a good job; but they can get only two aircraft flying. One goes to Karratha and Port Hedland in the morning, and the other in the afternoon, which means a total of 120 passengers a day can get a flight. I wanted to go to Port Hedland this weekend but I am tenth on the waiting list. I just hope some sanity prevails, because if it does not the future looks pretty horrific for the north west.

I turn now to tourism. I commend the Government's support for the Broome Shire Council's proposal to sell Broome's present airport site - and I hope Broome will need an airport in the near future, despite the pilots' strike - to the joint venture between Ansett Transport Industries and Lord Alistair McAlpine's Australian City Properties in a deal which I understand was sold to the joint venturers for some \$2 million. From that the joint venturers will develop a new airport in Broome. The site of the present airport will be opened up by them - one-third for public housing, one-third for public open space and one-third for commercial development. That will do a number of things. First of all, it will provide a much needed airport for the town of Broome. Those people who have travelled up there - and for those who have not I commend the area to them - will know that it is a very fast growing tourist centre. Tourist facilities have been developed not only by Lord McAlpine but also by the Roebuck Hotel, the Mangrove Hotel and the Roebuck Bay Resort, all of which provide world standard accommodation to tourists. However, it is no good having that type of accommodation if a decent sized jet cannot be landed at the airport.

At present the Broome airport is restricted to small aircraft only, such as the 146 and the F28. Those people who have done any flying will know that in the summertime the heat reduces the efficiency of aeroplanes so their load must be lightened, which means they must carry fewer passengers or less freight. Therefore it is essential that the Broome airport is able to receive aircraft such as the type flying commercially around Australia - and I am talking about aircraft that Ansett and Australian Airlines use, such as the A300 Airbus and so on. At the moment the airlines, especially Ansett, have a tour which starts in the Eastern States and goes to Alice Springs. There they are forced to unload their passengers into a smaller Ansett WA aircraft to fly them to Broome. Because Broome has plentiful high standard accommodation it is madness that larger aircraft cannot fly to Broome: I do not believe an international airport is necessary for Broome, but it is important that major carriers are able to fly in there.

However, the most important part of this venture is that it is not costing the taxpayer or the ratepayers of Broome one cent. As well, it is providing much needed housing blocks in the town so that the ordinary citizen can buy a block and build a house. It has also created an opportunity for a major tourism boost to the whole area, not just Broome, because when people go to Broome they take the opportunity to go to many other places in either the Pilbara or the Kimberley.

Most members would have heard recently that Lord McAlpine is the major developer who has been successful in tendering to develop a major complex at Exmouth worth some \$20 million. I believe Lord McAlpine is the only person at the moment who is interested in major development in the north of our State for the long term. He freely says that the development he is undertaking is for his great-grandchildren. He does not undertake developments without consulting a number of people, not least the indigenous Aboriginal people and the locals. Those people who have been to Broome will know that Lord McAlpine's development there has been done in the traditional style of Broome and he makes sure he looks after the environment and that his product is acceptable to all concerned. I welcome his development in Exmouth because I believe that the two run in tandem. Exmouth and Broome will be extremely important for the economy and tourism in the north of our State.

We have heard many debates about whether an international airport should be constructed in the north of our State. Exmouth already has the biggest airfield in the State outside Perth. There is 10 000 feet of runway stressed to almost 10 feet of concrete. It has been built like that to take the large Royal Australian Air Force and other aircraft, and particularly the fighter aircraft, which need a specific sort of runway. At a very minimal cost to the taxpayer or the ratepayer the airport could be brought up to international standard within four or five months. It needs an international terminal, and navigational equipment and landing aids of world standard. The most important thing is that every international aircraft which flies from Perth to South East Asia flies right over Learmonth and it makes good sense that if there is to be an international airport outside Perth that is where it should be.

At the moment international flights leave Port Hedland to go to Bali, and it is very important that Port Hedland continue to play an extremely important part in the international scene for Western Australia. Port Hedland started these flights, which have allowed residents not only of the Pilbara but also of the surrounding areas to take a holiday in a foreign country very cheaply. They are able to fly the normal Ansett WA aircraft to Bali and it has proved a very popular service. The people of Port Hedland were very concerned at the possibility that having another international airport in the north of the State would preclude them from continuing their operations. I have been assured by the Government and the departments concerned that that is not the case - that Port Hedland would never be considered for anything less than it is doing at the moment. It is doing a fine job of promoting that international air link with our State, and I hope it continues to do so.

However, it is very important that we encourage people such as Lord McAlpine and other major developers into the north of our State because the tourism potential there is untapped. Tourism feeds off into all sorts of things and opens new avenues for small business and support ventures all over the place, and it gives the people in the north west confidence to put their money where their mouths are. The only thing stopping people in the north at the moment is the massive cost of everything - it is very expensive to live above the 26th parallel. For instance, the charges for water services to a small shop in a major shopping centre in those places is horrendous, and in some of the big shopping centres that are being built in major towns such as Carnarvon, Port Hedland, Kununurra and Broome, it is regrettable that some of the tenants end up going broke, for a variety of reasons. Some people cannot keep up with the operations because of the horrendous costs involved, and air strikes. At one stage a tax concession existed for people living above the 26th parallel. When that was brought in some 20-odd years ago, it meant something.

Hon Garry Kelly: It was a zone allowance.

Hon P.H. LOCKYER: Yes, but today it means nothing; it is not enough. The time has come for the Government to examine ways - such as introducing allowances - to keep people in remote areas. People who pioneer this State are put at a disadvantage because they do not have the day to day advantages that people in the city enjoy. Places such as Port Hedland, Carnarvon, Exmouth and Broome should be considered. Places such as Meekatharra and Kalgoorlie may have some conveniences but it has not always been that way. Things were tough in the early days, and it is still tough when people are trying to make a dollar or two. The Government should consider the situation that people face when they need to instal air conditioners because of the extreme heat and then have to face a horrific electricity bill. As I have said, people should be encouraged to live in remote areas - not only to the north of the State but also to the east. The situation needs to be examined as a matter of priority because

people are not making ends meet and they are putting up with the excessive heat and the oppressive conditions, as well as a pilots' strike and a teachers' strikes which all make life difficult in those areas.

I regret that the Government has placed itself in such a financial mess, because this precludes it from allocating funds to needy areas. I know that the Government has a priority list and I urge the Government to consider as a high priority the dredging of the fascine in Carnarvon. For the benefit of members who may not understand the term, a fascine is a man-made inland waterway. The fascine is to Carnarvon what Cable Beach is to Broome. People who have visited Carnarvon would know that the rivers silt up. Prior to the recent State elections, the coalition parties, and the Government, gave an undertaking to dredge the fascine. Regretfully, since then, the Government has decided to allocate \$100 000 for a feasibility study in relation to that project. Blind Freddy could tell members the fascine needs to be dredged; people in their fifties tell me that they used to dive into the fascine and were not able to touch the bottom. We do not need the engineers or the boffins to tell us that if we dredge out the sand the fascine will return to its previous state. I will tolerate the allocation of \$100 000 for that feasibility study this financial year, but I want to see in next year's Budget a substantial sum of money allocated towards the fascine dredging project. This is very important for a town like Carnarvon which does not receive its deserved share, for a variety of reasons. It is essential that the people of Carnarvon be able to take advantage of their jewel in the crown; that is, the fascine.

In conclusion, I congratulate you, Madam Deputy President (Hon Muriel Patterson), on your election to that position. I hope you receive the courtesy you deserve while you occupy the Chair.

I support the motion.

**HON GARRY KELLY** (South Metropolitan) [9.35 pm]: I wish to comment on an issue of considerable importance to Western Australia and the subject of a question asked by Hon Phil Lockyer tonight; that is, the future of football in this State. My contention is that the State's entry into the VFL competition a few years ago has proved to be an unmitigated sporting and financial disaster. The local competition - the WAFL - has been devalued as a result and will suffer even more humiliation when the VFL draft for the 1990 season comes into play. A few weeks ago an announcement was made with much fanfare about the "draft" draft for the season 1990 and how it was designed to give a better deal to the Brisbane Bears and the West Coast Eagles. People commented on how generous the VFL was in putting together such a proposal. I have been informed that when the "draft" draft was put to the VFL clubs, 11 out of 11 of those Victorian-based VFL clubs rejected the draft arrangements. I guess that has been returned to the melting pot so the effect of the draft for next season on WAFL competition has yet to be seen.

The solution to football's problems will be solved at the national level. There is no point in restructuring, rearranging, reshaping or otherwise moving the furniture around the WA competition. These things should be done on a national level to put football on a firmer footing. Football in this State has regressed since the advent of the Eagles team, despite the so-called royalty payments that are supposed to be injected into the local competition by Indian Pacific Ltd. The actual contribution to the league has suffered - with lower gate-takings - because people are not going to matches, sponsorship for the local competition has been reduced and advertising at the grounds has declined. So the net income for football has been reduced even though there is a royalty from the Eagles of \$1 million per annum. This has not compensated for the losses, or the reduced stature of the competition, and the resultant reduced revenue-attracting nature of the competition.

The expanded VFL competition is just that; it never will be and never can be a national competition. A proposal has been put forward for the VFL to change its name to the AFL, the Australian Football League. Even though that proposition gives the "big V" the "big A", it will still be the VFL by another name. It will be a Victoria-centred and Victoria-driven competition, and that will be its downfall. We will never have a national competition of any merit if State domestic competitions do not survive. If the current direction prevails and we see the VFL grow - if Tasmania enters the competition, and most of the Tasmanian talent has done so - all the domestic State competitions will of necessity disappear.

Because of the traditional nature of Australian football, I suggest that football as we know it will wither because Australian football is a parochial club level sport. Until we get back to the grass roots with people being involved instead of the dollar being the determinant, football as we know it will not survive. Having said that, the first priority of each of the States is to make sure that their competitions - the WAFL competition which is now under the control of the Western Australian Football Commission, the South Australian National Football League competition, the domestic VFL competition and the Tasmanian competition - survive and grow in stature and the interest they create is maintained within the football public.

In Western Australia 18 months or two years ago a group called the Fight for Football Campaign was formed. It has campaigned for some time to put forward an alternative to the expanded VFL competition. One of the guiding lights of that campaign is John Colgan, a former champion South Fremantle player.

Hon Graham Edwards: Did they have any champions down there?

Hon GARRY KELLY: They still have champions.

Hon Graham Edwards: Didn't you see me in my red jumper and white shirt the other day?

Hon GARRY KELLY: I noticed.

John Colgan has written a number of papers, one of which is entitled, "W.A. Football - A way to go". As well as being a past player with South Fremantle, John is currently the director of football development for that club. By way of background he said in that document that the South Fremantle Football Club initiated the Fight for Football Campaign because, in its view, the VFL path - the expanded VFL competition - along which the then WAFL commissioners were taking WA football was destroying clubs' playing strength, finances and their roles generally in football. The VFL path accepted that the expanded VFL developed elite players and that the Football Development Trust, an excellent body that is doing good work among the juniors, nurtured, identified and trained State elite players. He said the leagues clubs' role in developing elite talent was being bypassed. I will refer to the matter of the FDT later. He also said that the football administrators had failed to recognise the importance of elite club competitions in the structure and development of Australian football. He said further that the WAFC was formed to charter a course for Western Australian football. I wish it well. So far, the announcements by the Football Commission have given all of us hope that football in this State is on the right path. He said that it was also of concern that football debt may be increased by the payment of a non-commercial price to buy back the Eagles' sublicence from Indian Pacific Ltd and that administrators appeared at times not to have any direction in terms of what they wanted to do for Western Australian football. It did not have an ethos of its own.

The other point made by the Fight for Football Campaign was the low priority that the commissioners were putting on their role to initiate a national debate on the future of football. That has since been redressed by the actions of the National Football League to which I will refer later. The philosophy behind Colgan's point of view is that the State elite clubs - the eight league teams in the WAFL competition - are the crucial element in the development of our unique game. He said that the WAFC must actively pursue a policy that creates a national competition and enhances a State elite competition, facilitates the WAFL clubs in carrying out their elite role and ensures that the Football Development Trust activities reinforce leagues clubs' roles. The FDT is charged with fostering the development of the game amongst juniors. To my way of thinking, confirmed by discussions I have had with John Colgan, there is a flaw in the structure of the FDT in that the FDT, in developing and nurturing young football talent which is good, is involved in setting up a State youth development squad which will then feed directly into the expanded VFL competition, presumably. That sort of structure bypasses the development role of the local clubs. It is no good the FDT developing young people's talents if they cannot play football. If they are associated with the local clubs, they can play in a competition which should be encouraged and progressed.

Hon Graham Edwards: I understand that is what is happening with the Football Development Trust and South Fremantle. I understand that they are involved in the development of junior football. They have done a great job at South Fremantle.

Hon GARRY KELLY: I know, but I am talking only about the FDT charter. I know it is involved with the South Fremantle Football Club and this year it has adopted a new coaching and development structure, according to John Colgan.

Hon Graham Edwards: Accreditation of coaches and that sort of thing.

Hon GARRY KELLY: That is right.

As I said before, the National Football League has convened a football forum to consider the options and directions that Australian football should take. It will be held in Melbourne in November. It is hoped that the VFL, whose attitude is crucial in terms of the future of Australian football, takes the forum seriously and debates the issues raised by the other States and football organisations. It is most important that the primary roles of leagues clubs are accentuated and brought to the fore. The charter states -

The role of elite clubs should be recognised as

- (a) To nurture and identify talent within its zone
- (b) To develop the players individual skills and team skills
- (c) To apply scientific fitness and skill acquisition training
- (d) To provide players with physical education
- (e) To create unique club training techniques and playing styles

In short, it is to develop traditionally managed young players. The document also states that activities of the Football Development Trust should reinforce the role of league clubs by development through the clubs' development managers, support of elite squads at each league club and providing research data for club level scientific training.

The document refers to elements that create an elite club, the first of which is a high profile. After Saturday, South Fremantle will have a very high profile. The article states that there must be money and zoning, the development of young talent must take a high profile role within the club, and the training of players must be done on a scientific basis. The traditions of the club and club playing and training know-how must be encouraged. The document I have been quoting from refers to the development of Western Australian football.

The Fight for Football Campaign has also produced a document which is a blueprint for the development of Australian football. As I said earlier, if Australian football is to survive the domestic competitions in each State must be preserved and enhanced. If that is to happen it must follow that two competitions cannot operate side by side in each State. There is no room for an expanded VFL competition and the local WAFL competition to operate in Western Australia during the football season. The same is true of South Australia and Victoria. With regard to cost to the football supporter, as the cost of watching a VFL game is higher than the cost of watching a local competition game, the football supporter must choose whether to watch the WAFL game or the VFL game; he cannot go to both. Interest in both competitions will be diluted as well. The blueprint that the Fight for Football Campaign has put forward proposes a format for the emergence of a national competition which at the same time will preserve the State competition. I quote from these documents which describe the two basic formats -

Complementary or end-on model in which one competition precedes the other. In this model the fixtures for one competition are completed before the commencement of the other competition. Leading players take part in both state and national competitions.

The second format which is more or less the one now operating is -

An integrated model in which fixtures for the state competition and fixtures for the national competition overlap and are planned to be completed throughout the one football season. ... Leading players take part in only the national competition.

The end-on competition proposal will be put before the football forum in Melbourne in November by the FFFC delegates. The blueprint continues -

- (i) Adoption of a uniform football season, e.g. March-October (30 weeks) as the basis of articulation of state and national competitions is required. The fixtures for these two competitions should not overlap but should be end-on.

This will require reduction in the length of present state competitions. The lengths of the two competitions need not be the same, and in the initial implementation or during a phasing-in period the length of the national competition could be shorter than that for the within-state competitions.

- (ii) State commissions will determine which clubs within their states will complete in the national competition. Entry fees will be payable as determined by the Australian Football Commission.

This document proposes the creation of the AFC to control the national competition. It continues -

Present clubs could be considered eligible (if strong enough) to play in the national competition.

Alternatively, the national competition may comprise clubs which are formed through the amalgamation of teams in state competitions, as determined by the state football commissions. Provision for contracting limited numbers of additional players per club could be agreed.

- (iii)

No transfer fees are payable between state and national teams. Fees for in-state transfers will be determined by state football commissions.

The basis of the alternative model by the Fight for Football Campaign is end-on, where a national competition is conducted after the domestic competitions have been completed. That has the advantage of maintaining interest in local clubs and competitions, and kids can identify with local football heroes. Also the national competition which is completed at the end of the local competition is primarily a television event. In that way, it may be possible to avoid the horrendous costs involved in flying teams from one State to another. Perhaps the national competition may be staged in one city and televised to various parts of the country, with the venue for that national competition, which will be like a mega carnival, changing from year to year.

Hon Barry House: I wish you luck in trying to get the Victorians to agree to that.

Hon GARRY KELLY: They are up against it too. Victorian football competition is running into trouble and something must be done to break the nexus. I said earlier I hope the Victorian representatives make a positive contribution to the forum and do not act like the three wise monkeys. The game is bigger than any individual State competition and bigger than the egos of some individuals. If the national competition became a television event the revenue from television could be ploughed back into the development of the game. Be that as it may, time will tell. Unless that is done, or something similar to that is done so that the national competition is not competing against the domestic competition, the game of Australian rules football will not survive.

The Western Australian Football Commission has its work cut out. Football is in a parlous position and I think the package of financial and other support announced by the Minister the other day for Western Australian football will go a long way towards assisting football to get back on its feet. The one thing that worries me is the proposal to repurchase the sublicence of the Eagles from IPL. The Government has put a \$2.1 million guarantee in place which is not designed just to do that but also to give the commission flexibility in rearranging its finances generally. One of those matters relates to renegotiating the purchase of that sublicence.

I have heard figures quoted in the media and around the traps that the asking price for the repurchase of that licence is around \$4 million. I have seen valuations that put the figure at a lot less than that! If football pays \$4 million to repurchase that licence, it will be paying too much. What is a VFL licence worth? I suppose it is worth what someone is prepared to pay for it. I contend that \$4 million is too much. I am not an economist, or a pharmacist, but \$4 million went out of football in the State two years ago to buy the licence and we could now pay \$4 million to get it back, so that is \$8 million it has cost us. If it is not worth \$4 million, it is certainly not worth \$8 million, so I hope that the WAFC is careful in renegotiating the repurchase of that licence, having decided that is necessary for football in this State, because so far the advent of the Eagles and our having a team playing in the VFL has done nothing for the local competition at all. Money has been diverted from it.



The first \$4 million - and I hope there is not a second - went into propping up Victorian clubs in financial trouble. It prevented them from being restructured and in some cases from being amalgamated. It is Western Australian and Queensland dollars which have kept some clubs going in Victoria which would have otherwise collapsed. I wish the Western Australian Football Commission well in the job it has in restructuring and rejigging football in this State. It must not lose sight of the fact that its primary responsibility - which is mentioned in the constitution of the commission - is to ensure the maintenance, viability and strength of local, Western Australian league competition.

Before the Western Australian Football Commission tries to take any other initiative to expand in this State - into country areas, for example, which I am not convinced should be done - it must secure its base in the city. A lot of restructuring can be done in the city. There are eight league clubs pretty well scattered along the railway lines and there are huge urban areas in the city with no football clubs. Perhaps by negotiation some of the clubs could agree with the commission to relocate in some of these populous urban areas within the metropolitan region. That would be a step towards strengthening the base of football within the metropolitan area. Once that base is secure, the commission - and although the commission has the ultimate responsibility I think it is the football community as a whole - can look at what football will do for its future.

I turn back to the national competition and repeat what I said earlier: Anything we do in this State, the Western Australian Football Commission does, or the Western Australian Government does or tries to do in terms of helping football, will come to nought unless we get the national arrangement correct. If national arrangements do not support and complement the local competition, football is doomed as a major spectator sport. That would be a great pity because it is an indigenous game developed in Australia. It is a great spectator sport when played properly and it has brought enjoyment to many hundreds of thousands of people. It is a good conversation starter, especially when one is a South Fremantle supporter and they are doing as well as they are at present.

In conclusion I will refer to an article written by Bob Messenger which appeared in the *Daily News* in June. It was titled "In-fighting leaves fans on the outer" and in it he drew analogies between the effect on British soccer clubs of big money moving in and the alienation of those clubs from their traditional support bases and the effects of big money coming into football in this State. The last paragraph of that article states -

The advent of a VFL club in Perth was heralded as a positive thing. It could yet turn out to be a negative thing, if the WAFL is not allowed to do what is it formed to do on May 8, 1885, and which it did successfully for the 104 years - to run football in WA according to the way the people of this State want it run.

That is the important thing. Clubs which are taken over by businessmen and run as businesses lose their soul and their identity with their supporters and people eventually lose interest in them. I do not think we want football to go that way. It would be a pity if football got away from the people who have traditionally nurtured it and supported it. I will not read all of this article into *Hansard* but seek leave to have it incorporated.

[The material in appendix A was incorporated by leave of the House.]

[See page No 2392.]

Hon GARRY KELLY: Before I leave the subject of football, with due respect to the Chinese calendar and irrespective of what that calendar says, I am sure that, come Saturday at five o'clock, it will be the year of the Bulldog.

Hon Doug Wenn: That was terrible.

Hon J.M. Berinson: It wasn't that bad.

The DEPUTY PRESIDENT: Order! The member on his feet should be heard in silence.

Hon GARRY KELLY: I will now make a few comments about the ongoing teachers' dispute. I am moved to do this because of some of the comments made by Hon Philip Lockyer. As he knows, I was a teacher, and while teaching I was reasonably active in the union, particularly at a branch level. I was involved in a number of disputes. The dispute in which the teachers are involved with the Government and the ministry now is one which, I agree, requires something to break the log jam. I do not know what that something is - I do

not think the ministry does, and I am sure the union does not - but something must be done to break the log jam and get the parties talking.

Hon N.F. Moore interjected.

Hon GARRY KELLY: The Minister is speaking to the executive of the union tomorrow.

Hon N.F. Moore: She led them up the garden path.

Hon GARRY KELLY: That is not true!

Several members interjected.

The DEPUTY PRESIDENT: I cannot hear the member. He should address the Chair.

Hon GARRY KELLY: The Teachers Union has a claim for a 15 per cent across the board wage increase. That increase is outside the national wage guidelines. The union can take a special case to the commission to get that 15 per cent, but it wants the Government to support it. The Government will not support it. The union does not need the Government to support it; it can take its case to the commission itself. It is not 15 per cent that the union is asking for; it is 6 per cent in accordance with the national wage guidelines in two instalments of three per cent, subject to an agreement regarding restructuring, and -

Hon R.G. Pike: Do you support them?

Hon GARRY KELLY: The claim from the Teachers Union is not for 15 per cent, but for three per cent in accordance with a national guidelines, and then 15 per cent across the board, plus another three per cent, making 21 per cent.

Hon R.G. Pike: Do you support the teachers?

Hon GARRY KELLY: No, I do not. I told Hon Phil Lockyer that the Minister has said that the teachers need an increase in salary - and she has stated that; she has made offers to the teachers. The union should convey to its members the import of the Government's offer and explain what would happen if their wildest dreams came true and the Government offered 15 per cent across the board plus a six per cent national wage increase. The union should explain what effect that would have on the wages situation in this State and eventually in the country. Some unions are in a much stronger bargaining position, and they would get much more than 15 per cent across the board in any wages break-out. Professional groups like teachers would be left for dead.

Hon Barry House: Like the workers on the North West Shelf.

Hon GARRY KELLY: The President of the Teachers Union says he does not want to be constrained by the centralised wage fixing system. This system is the only protection groups like teachers have, because without that sort of protection they would be left behind in any wages explosion resulting from increases of this sort.

The executive of the Teachers Union was elected by the membership of the union, but they are not prepared to take on the role of leaders. It is all very well to be elected and say, "We have to go back to the membership and report to them." But sometimes leaders in a union, or in any other organisation, must make decisions and take them back to their members. They must convince their membership of the way to go. The leaders of the Teachers Union have not been prepared to do that. They have tended to vacillate, and there has been a vacuum. Progress is always difficult in a vacuum. I hope that when the Minister addresses the union executive its members will give her a hearing and listen to what she has to say. I hope that they will faithfully convey the sense of what she is saying to their members so that the members of the union can decide on the basis of the facts presented by Carmen Lawrence to the executive.

With those comments I support the motion.

Debate adjourned, on motion by Hon Barry House.

#### ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [10.14 pm]: I move -  
That the House do now adjourn.

*Adjournment Debate - Read, Mr John  
South West Development Authority Appointment - No Advertising*

**HON R.G. PIKE** (North Metropolitan) [10.15 pm]: The House ought not to adjourn before taking note of the following information. It has come to my notice in the last few hours that the Labor Government of this State has given an appointment to Mr John Read, the former member for Mandurah, with the South West Development Authority with a salary of \$48 483 a year. The position was not advertised.

Several members interjected.

Hon John Halden: This is a witch hunt!

**HON R.G. PIKE**: I can inform the House that as a consequence of a previous invitation I made in this House about Labor Party appointments, there has been an overwhelming response from the Public Service about which members will be hearing in the near future.

I asked if the position to which John Read was appointed had been advertised, and the answer was no, the position was not advertised. We now find that Mr Tom Jones, the former member for Collie, has been appointed as a consultant to the State Energy Commission of Western Australia in Collie. We do not know his salary, but we do know that the position was not advertised. We also know that Mr Graham Burkett, the former member for Scarborough, is now a consultant to the Minister for Housing and Planning, Mrs Beggs. We do not know his salary and we do not know whether that position was advertised.

I am informed today that the people in the Maylands State electorate, which is represented by the Premier, Peter Dowding, are now calling him the noble Maylands windbag. The people in this State are also saying in regard to these Labor Party partisan appointments that never has mediocrity been so well rewarded as it has been by this present Labor Government.

Another charge is being made that Labor politicians and the Labor Party are - I must be careful with my pronunciation here - all pith and wind. The fact of the matter is that this Labor Government has choked the Public Service with nepotism. I heard this evening that, as a result of the rumoured demise of the Premier of this State, the Parliamentary Dining Room is considering offering him a job, but it was decided not to because the result would be more gravy on the Labor members than on the plates.

During the last war the Maginot line in France represented an absolute concrete barrier which neither the Nazis nor anybody else could cross. We all know that Hitler simply went around that line. What I am saying to the House is that these appointments by this Labor Government, by this Premier - this bastardisation and emasculation of the Public Service - are such that the Maginot line of the integrity, decency and honesty of this State has been bypassed by Peter Dowding and by the Labor Government. This House ought not to adjourn until it has a fundamental realisation of what nepotism and influence peddling the Labor Government represents.

*Adjournment Debate - Quo Vadis Reserve, Byford - Future - Government Intentions*

**HON DERRICK TOMLINSON** (East Metropolitan) [10.21 pm]: I want to draw to the attention of the House before it adjourns the concerns of some constituents of East Metropolitan Region in respect of the Government's intentions regarding the future of the Quo Vadis reserve at Byford. The Quo Vadis reserve was originally the Plaistowe country home, which at various times has been a children's home and which was purchased by the Government in 1970. In 1975 it was gazetted as a C class reserve. It was vested in the Alcohol and Drug Authority and until two years ago it was used as an Aboriginal alcoholics' hospital.

I have a question on notice - question 448 - for which I anticipate I shall be chastised because I addressed it to the Minister for Lands. I believe now that I should have addressed it to the Treasurer through the appropriate Minister. However, perhaps the House will bear with me because the matter was very confusing to a new member. This matter was first brought to my attention shortly after the election on 4 February. My inquiries indicated that the reserve was vested in the Alcohol and Drug Authority under the responsibility of the Minister for Health. When I pursued the matter I found it was in fact vested in the Minister for Lands who had offered it to all the other Government departments. At that stage the Minister had made a decision, and I was told that a transfer of responsibility was pending.

When the matter was again brought to my attention in July, I discovered it was vested in the Minister for Works and Services, and that Minister was looking at the reserve being vested in the Minister for Aboriginal Affairs; it was then to be given to the responsibility of the Aboriginal Lands Trust.

On 10 July I wrote to the Minister for Works and Services drawing attention to apparent looting of the facilities at that hospital. The letter was acknowledged by the Minister's personal private secretary on 14 July. On 29 August I received a reply from the Minister for Lands confirming that it was intended to vest the Quo Vadis reserve in the Aboriginal Lands Trust. However, on 12 September it was brought to my attention that the asset management task force had approached the Shire of Serpentine-Jarrahdale about a proposition to rezone that land; hence my question on yesterday's Notice Paper was addressed to the Minister for Lands. I suspect now that I should have addressed it to the Minister representing the Treasurer in this House.

However in the time that this was happening, I was approached by several constituents. On the one hand there were people who wanted to make or who had made submissions about the use of Quo Vadis; on the other hand there were people who approached me as a member of the Legislative Council with concerns about the rapid deterioration of that very valuable public asset. Yesterday I received from one of those constituents a copy of an article contained in the *Comment News* of 19 September. It is reported in that article that the asset management task force was considering the option of dividing part of the Quo Vadis land into special rural lots for housing. The article indicates that the suggestion put to the Serpentine-Jarrahdale Shire Council was that the 51 hectares of land in that reserve should be broken up into three parcels. The article reads as follows -

One parcel of land, about 25ha, would be subdivided into special rural lots for housing, one parcel would be incorporated into the adjoining State forest and the third parcel, which contained the Quo Vadis building would be divided into two.

Apparently the task force has given no indication of its intentions and hopes for the two pieces of land which adjoin, one of which contains the old Plaistowe home. The constituents who have approached me have made some very serious comments; indeed they are seriously concerned about the Government's action in this matter. As a result of the seriousness of their concerns I think it is necessary for this matter to be taken on board by this Government. There are five categories in which I think the comments made to me might be placed. The first is an accusation that the Government has mismanaged that property. It is a beautiful country home set in one of the most picturesque valleys in Byford. It comprises 51 hectares of first class rural land in the Darling Range. Since the house was abandoned by the Kulila Aboriginal group, which ran it as a centre for alcoholics, it has been left open and systematically pilfered of very valuable stoves, generators and workshop equipment including metal lathes. As a result of that apparent pilfering, and because of stock from the property wandering onto other people's properties and causing a great deal of nuisance, there have been accusations that the Government has mismanaged the property. I think that is a serious matter which the Government must answer, particularly since the evidence of pilfering is real. I asked that the matter be referred to the police and the Minister's reply indicated that it had been referred to the Armadale police for watching and to the CIB for investigation. It is a serious matter.

The second concern expressed to me is about the decision of the Government to divest itself of this very valuable public asset. The third concern is about the recommendation for consideration that this land - this picturesque valley, this very valuable 51 hectares - be, on the recommendation of the Asset Management Task Force, subdivided into residential rural lots. That is contrary to the town planning scheme of the Shire of Serpentine-Jarrahdale. It would destroy the valley and has been hotly opposed by the local residents. There is concern also that there has been some apparent secrecy in this matter. I do not claim that there has been secrecy but all the people who have made submissions to the Government have had answers to the effect that the intention is that it will be vested in the Aboriginal Lands Trust. Now they find that an agency of the Government is investigating a subdivision. Most important of all, there is the accusation that the Government is looking to selling off this very valuable public asset simply to get itself out of a financial pickle. These are very serious accusations, and I hope that the Government takes them on board and does something about them.

*Adjournment Debates - Pike, Hon Bob - Read, Mr John - Appointment Criticism*

**HON J.M. BERINSON** (North Metropolitan - Leader of the House) [10.30 pm]: I briefly refer to the comments of Hon Bob Pike. In recent days we have become used to the development of personal denigration in this Chamber, and Hon Bob Pike is a leading practitioner and has made it into an art form.

**Hon R.G. Pike:** We heard it tonight from Hon Tom Stephens.

**Hon J.M. BERINSON:** Even though we have become used to it, we do regret the nature of the attacks which Hon Bob Pike made in respect of three people who are not in a position to answer.

**Hon D.J. Wordsworth:** He did not attack them at all. He attacked the Government.

**Hon J.M. BERINSON:** And those people who have given service to this State deserve better. Frankly, I am not aware of the details of the three positions to which Mr Pike referred, but I do not have the faintest doubt that if Mr Pike were to go and ask the people of Mandurah whether they believe anybody could serve them better than John Read, they would say no.

**Hon George Cash:** Why did he not win the seat?

**Hon Barry House:** How about Roger Nicholls?

**Hon J.M. BERINSON:** If Mr Pike was to go to Collie and ask them whether they could think of a person with more experience and more to offer in the industry of that town than Tom Jones - he has retired from parliamentary duties - the answer would be no. Likewise, if he were to go to Scarborough and ask people there whether they thought Graham Burkett served them well he would get an unqualified yes.

**Hon R.G. Pike:** Do you not think it would have been fair for the position to be advertised?

**Hon J.M. BERINSON:** It would be fair if Mr Pike would acknowledge the capacity of these people. As it happens two of them lost their seats, which was an indication of a certain judgment by the electors in those areas on political issues. Despite the loss of seats by two of them and the retirement of a third, I defy anyone in this House to suggest that that indicates any loss of respect, or absence of respect, for those people by the electors who know them best. These electors know that they are not only good people in their own rights, but are also efficient and effective and fully qualified for the duties they are now performing. For Mr Pike to come with all his personal attacks is regretful, but unfortunately it no longer causes any surprise.

I cannot deal with the Quo Vadis question as I simply do not know enough about it, but I will refer Mr Tomlinson's comments to the Minister for consideration. Also in relation to those comments, it seems that the Opposition is constantly repeating the argument that any time the Government looks to dispose of any assets, it believes that it is a WA Inc hangover financial problem. We have heard all about that from Mr Pandal tonight. Other members of the Opposition say that the reason taxes have gone up is the same and some of them have gone to the trouble of showing that new taxes more than match these shortfalls in revenue due to these particular circumstances. So, on one hand the taxes are to pay for it, and on the other hand Mr Pandal is saying that savings are there to pay for it. Therefore, we seem to be paying for it twice.

**Hon D.J. Wordsworth:** That is right.

**Hon J.M. BERINSON:** In doing that the Opposition has ignored all the real, permanent, long term questions regarding the constant, regular decline in Commonwealth contributions to the State.

**Hon George Cash:** We know what the Commonwealth thinks about your management ability.

**Hon J.M. BERINSON:** The constant attempts to encase anything, either positive or negative, into the single reason basket illustrates nothing more than lamentable ignorance - if it is not ignorance, it is absolute determination.

**Hon George Cash:** Will you be offering jobs to Liberal Party members when they lose their seats?

Hon J.M. BERINSON: The question of Quo Vadis has to be considered on its merits; I do not deny that. But to have this regular argument that the State cannot dispose of its assets which is raised every time the Asset Management Task Force provides any recommendations is difficult to understand. The argument is that the Government should not be flogging off bits of the farm; we are not flogging off bits of the farm, we are looking at the Assets Management Task Force recommendations to dispose of unused or underused Government assets. Not only that, we are looking for their disposal in a way that will be productive after disposal. In other words, they will provide land for housing opportunities or for industry opportunities; that is putting the assets of the State to the best possible use in both respects. Let us please not hear about the Government's modest introduction to underused or unused asset disposal.

Hon George Cash: Is it getting you down?

Hon J.M. BERINSON: We are looking at a miserable \$50 million to \$55 million, and I have news for members of the House that next year we will be looking for more.

Hon George Cash: I bet you will.

Several members interjected.

Hon J.M. BERINSON: Although I am not a great admirer of the Greiner Government, one thing I have to admire about it is that it has flogged \$1.1 billion worth of assets.

Hon P.G. Pandal: I am not surprised, after Wran.

Hon T.G. Butler: And they said they would not do it.

Hon J.M. BERINSON: Our modest introduction to a similar program apparently is to our discredit. That is about equal in its approach to logic as Mr Cash's earlier efforts today when he argued, and to my astonishment persuaded the majority of the House, that because the House did not introduce a Bill six months ago, it should now be put off 12 months into the future! That is about the level of logic we are facing from the Opposition in relation to our asset management program. It is a good, desirable program and the only thing wrong with it is that it is long overdue.

Question put and passed.

*House adjourned at 10.39 pm*

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# IN-FIGHTING LEAVES FANS ON THE OUTER

by Bob Messenger

DARE I offer a simplistic, outsider's view of what's happening in WA football?

To me, the power struggle between the WA Football League and Indian Pacific over the composition of a football commission highlights a threat to the sport locally, despite yesterday's apparently amicable settlement.

Once again I would point to the example of British soccer, where the takeover of long-established clubs by the "money men" has been blamed for leading to a sense of disaffiliation among supporters.

And this, in turn, led to pitch invasions and crowd riots.

Traditionally, British soccer clubs were formed from a local working-class membership base and, in the main, were seen to genuinely represent the area in which they played.

When the money men moved in, they looked on these clubs somewhat differently from the people who used to run them - the people who had an equal say at annual general meetings and voted their own kind on to committees to run the clubs.

The prime concern of the money men was to make money out of the clubs. To do that, they needed the clubs to be successful, and for that they more often than not needed to spend heavily to import players.

And they had no time for democracy in the control of football.

The upshot was that the people who used to support the club and who believed they should have some say in the way the club was run, began to feel disaffiliated.

The pitch on which "their" club played was no longer held sacred and they took out their frustration on it and on the terraces.

## Proof

This theory was first put forward back in 1971 by Ian Taylor, a sociologist in Bradford who contributed a paper titled Soccer Consciousness and Soccer Hooliganism in a book called Images of Deviance.

Taylor's study of the subject has yet to be countered. Indeed, the more recent case of Robert Maxwell's takeover of Oxford United not only gave proof to his findings, but showed that supporters of Oxford feared he was right.

The case in WA football has striking similarities.

WA football clubs were formed on the same traditional basis as British soccer clubs - everyday people not only establishing them, but retaining a direct say in how they are run.

In turn, they had a say in how they were represented on what was the State's controlling body, the WAFL.

Men like John Cooper and Harry Morgan, therefore, are - or were - among the representatives of the people in the running of WA football.

Indian Pacific is a business and the pecking order within it is decided somewhat differently from a football club. The "people" have no say.

It should be clear, then, that any lingering impression of IPL dictating terms on the composition of the commission is fraught with dangers for the game as a whole.

At risk is the sense of control local football supporters have in their game. Lose that and the game not only loses some of its base support, but the overall grasp of an affiliation to football.

The State Government, which for a while seemed to stand back and let the WAFL and IPL get on with their little in-fight, should be taking more positive action than simply promising to pour money into the game.

It appeared to be happy to allow IPL to hold up the formation of a commission while the company and the WAFL struggled to come up with a formula that was "acceptable to all".

But "acceptable to all" must mean all the people, not necessarily just the directors of IPL.

We have already had Police Minister Ian Taylor warning about the potential for hooliganism in WA football, so we should also have had some Government direction on maintaining democracy in the running of the game.

The advent of a VFL club in Perth was heralded as a positive thing. It could yet turn out to be a negative thing, if the WAFL is not allowed to do what it was formed to do on May 8, 1885, and which it did successfully for the 104 years - to run football in WA according to the way the people of this State want it run.

# QUESTIONS ON NOTICE

**STRAPP, MR KEVIN - SOUTH WEST DEVELOPMENT AUTHORITY**  
**DIRECTOR**  
*European Trip*

427. **Hon PETER FOSS** to the Minister for Racing and Gaming representing the Minister for South-West:

- (1) What were the reasons for the trip to Europe and Ireland by the South West Development Authority Director, Mr Kevin Strapp, in November 1988?
- (2) What were the costs involved in the tour?
- (3) Were there any immediate benefits to the south west or Western Australia as a result of the tour?
- (4) I refer the Minister to reports on ABC Radio in the south west at the time that "up to \$40 million of investment and trade in the south west resulted from the tour". Is this correct and can the Minister give details of the nature and amount of such investments?

**Hon GRAHAM EDWARDS** replied:

The Minister for South-West has provided the following -

- (1) To "market" the south west in Britain and Europe by conducting investment seminars and promotional meetings. The aim was to highlight the potential of the region for investors and promote the region's products to new markets.

- (2) \$15 246.62.

- (3) Appointments were made with importers looking to buy such things as south west wines, jarrah furniture, fine wood crafts and flowers.

At Australia House in London 140 people attended a seminar about the business migration program and investment opportunities. Many have since visited Western Australia and the south west.

Enormous interest was also shown from companies in Shannon, Ireland, in joint venture manufacturing to enable penetration into South East Asian markets.

- (4) No.

## BUNGALOWS - "OFF SEASON" RATES

### *Future Rates*

454. **Hon P.G. PENDAL** to the Leader of the House representing the Minister for Planning:

- (1) Is it correct that up until now "off season" rates for bungalows have been 50 per cent of standard rates; for example, \$55.25 for a small bungalow?
- (2) Is it correct that in future "off season" rates will apply only to a small group of people such as pensioners etc?
- (3) Does the new minimum rate for non-pensioners represent an overall increase of 103 per cent?
- (4) If so, was a gradual increase considered?
- (5) Are such increases in line with the Premier's assurances that increases will never be above the inflation level?

**Hon J.M. BERINSON** replied:

The Minister for Planning has provided the following reply -

- (1) Yes.

- (2) Off season rates will apply to the large group of pensioners, seniors



and Health Care Card holders who constitute a significant proportion of winter season visitors to the island.

- (3) The rate structure has been changed and direct comparisons are not valid.
- (4) Not applicable.
- (5) The Premier's assurances related to household tariffs only. However, the overall tariff increases have been restricted to well below CPI levels since the previous tariff increase in March 1986.

#### ROTTNEST ISLAND - MOTOR VEHICLES

##### *Statistics - Rottnest Island Authority Ownership*

455. Hon P.G. PENDAL to the Leader of the House representing the Minister for Planning:

- (1) How many motor vehicles are on Rottnest Island?
- (2) Are all owned by the Rottnest Island Authority?
- (3) If not, how many private vehicles are on the island?
- (4) Are RIA employees permitted use of authority vehicles out of work hours?
- (5) If so, why and under what circumstances?

Hon J.M. BERINSON replied:

The Minister for Planning has provided the following reply -

- (1) 78.
- (2) No.
- (3)

Rottnest Island Authority	51
Other Government	8
Private (permanent lessees)	11
Temporary contractors	8
	78
- (4) Yes.
- (5)
  - (i) Standby: Plumber, electrician, carpenter, supervisor, Kingstown personnel, Administration Services Manager on standby after hours.
  - (ii) Emergency: Royal Flying Doctor Service - lighting airstrip after hours.  
Summertime - bushfires.
  - (iii) Recreational: Strictly controlled use is permitted late afternoon/early evening and early morning for recreational pursuits.

#### GOLDCORP - CLIENTS

##### *Insurance Companies - Referral Practice*

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

- (1) Through its dealings with clients, does GoldCorp make a practice or have a charter in referring clients to any specific insurance company or insurance brokers?
- (2) If so, will he nominate the particular insurance company or insurance brokers which GoldCorp prefers its clients to deal with?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

(1)-(2)

It is assumed the member is referring to refining clients of the Gold

Corporation subsidiary the Western Australian Mint. The Western Australian Mint has advised it does not refer clients to any specific insurance company or insurance brokers and has no preference as to whom its clients deal with on insurance matters.

**LAND - LEONORA AREA**  
*Aboriginal Groups - Government Sale*

497. Hon N.F. MOORE to the Minister for Lands:

- (1) Has any land been granted or sold by the State Government to any Aboriginal group or groups in the Leonora area in recent months and, if so, to whom was the land granted or sold and on what tenure?
- (2) If the land was sold, what was the purchase price?

Hon KAY HALLAHAN replied:

- (1) The Department of Land Administration is not aware of the granting or sale of land to any Aboriginal group or groups in the Leonora area in recent months. However, a range of State Government departments may have been involved in land dealings with Aboriginal groups in the area. If the honourable member could give more specific details, further inquiries will be made.
- (2) Not applicable.

**GOVERNMENT HOUSE - THE GOVERNMENT HOUSE FOUNDATION**  
**NEWSLETTER**

*Museum Conversion Report - Future*

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

I refer to the report in the No 8 newsletter of The Government House Foundation dated September 1989 and the suggestion that Government House will be turned into a museum, and ask:

- (1) Will the Premier confirm whether this is the case or whether the building will continue its tradition as a Vice Regal residence?
- (2) If the report is correct will the Premier say what led to such a far-reaching decision?
- (3) Where will future Governors reside if not at Government House?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

(1)-(3)

The matter of Government House being turned into a museum is not under discussion.

**ROTTNEST ISLAND - ACCOMMODATION**  
*Christmas School Holidays - Applications*

502. Hon P.G. PENDAL to the Leader of the House representing the the Minister for Planning:

I refer to applications for accommodation on Rottnest Island during the coming Christmas school holiday period and ask:

- (1) How many applications, accompanied by deposits of \$100, were received for accommodation over the Christmas school holiday period?
- (2) How many applicants for this period failed to be allocated accommodation?
- (3) Why has there been a delay in returning the \$100 deposits to applicants failing to gain allocation?

Hon J.M. BERINSON replied:

The Minister for Planning has provided the following reply -

It is not possible to provide details relating only to the coming Christmas school holidays. However for the period 29 November 1989 to 7 April 1990 -

(1) 3 500.

(2) 1 750.

(3) All unsuccessful applicants have been refunded their \$100 deposit. The delays were caused by the volume of applications. Changes are being made to the Rottnest Island Authority's systems and procedures to ensure quicker processing of applications in future.

### QUESTIONS WITHOUT NOTICE

#### EDUCATION - YOUTH GUARANTEE *School Leavers - Government Commitment*

226. Hon DOUG WENN to the Minister for Youth:

Would the Minister outline whether there is an ongoing commitment to the youth guarantee for school leavers?

Hon GRAHAM EDWARDS replied:

I am pleased to respond to the member and I thank him for notice of the question. The youth guarantee remains the centrepiece of the Government's youth policy. The guarantee offers assistance to all 1989 school leavers to obtain a place in further education, training or employment. The guarantee and other aspects of the youth policy emphasise the importance with which we regard young people and their transition from dependence to independent adulthood. This is the third year that the guarantee has been offered to school leavers. Its success can be measured in the overall reduction in unemployment in this State and in particular in the decrease in youth unemployment. In August 1989 we recorded our lowest youth unemployment rate on record.

In 1989-90 the Government will continue its commitment to the youth guarantee for school leavers with an allocation of \$250 000. We will offer a program of information, advice and support to assist young people to make the transition from secondary school in an informed and realistic way. The guarantee is coordinated by the Youth Affairs Bureau with the cooperation of State departments like the Department for Employment and Training, the Ministry for Education and the Commonwealth Government, community groups and industry.

#### ROTHWELLS LTD - McCUSKER, MR MALCOLM *Inquiry Terms of Reference - Petrochemical Project Rescue Involvement*

227. Hon GEORGE CASH to the Attorney General:

Will the Attorney General assure the House that the terms of reference of the inquiry being carried out by Mr Malcolm McCusker, QC will include the authority to investigate the imputation that the petrochemical project was part of a dealing to assist the survival of the Rothwells' organisation?

Hon J.M. BERINSON replied:

The terms of reference were, I believe, tabled in this House, but without a supplementary schedule which was treated as confidential on the advice of Mr McCusker. I would really have to refresh myself on the detail of the question that the honourable member has asked. If he puts the question on notice I will take the first opportunity to do so.

**ROTHWELLS LTD - McCUSKER, MR MALCOLM**  
*Question without Notice No 227 - Response Assurance*

228. Hon GEORGE CASH to the Attorney General:

Further to my previous question, will the Attorney General give an assurance to the House that tomorrow afternoon during question time he will respond to the question I asked?

Hon J.M. BERINSON replied:

I will certainly do my best, but pressures are extraordinarily heavy at this stage of a parliamentary session and it may have to wait until Tuesday.

Hon George Cash: Can I help you?

Hon J.M. BERINSON: I indicate that if I cannot respond adequately by tomorrow I will certainly do so by Tuesday.

**STATE FINANCE - BUDGET**  
*Western Australian Government Holdings Ltd - \$39 Million Excess Expenditure*

229. Hon PETER FOSS to the Minister for Budget Management:

I draw the Minister's attention to an amount of nearly \$39 million which was incurred last year in respect of an item which was not included in the Budget for WA Government Holdings Ltd. I ask -

- (1) When did he first learn of the proposal which lead to this Budget excess expenditure?
- (2) At that time, what was the amount of the expenditure that the Minister understood to be involved?
- (3) When did the Minister first learn the excess would be of the magnitude of nearly \$39 million?
- (4) Why did not the Minister cause to be brought before the other place a supplementary appropriation to cover the amount of the expenditure?

Hon J.M. BERINSON replied:

(1)-(4)

I cannot possibly recall the dates on which knowledge of these matters came to my attention, nor am I sure of the process by which they were implemented. The question requires detail of an order that requires me to ask the member to place the question on notice.

**ROTHWELLS LTD - McCUSKER, MR MALCOLM**  
*Ministers of the Crown - Inquiry, Examinations under Oath*

230. Hon GEORGE CASH to the Attorney General:

- (1) Has he, or to his knowledge have any Western Australian Ministers of the Crown, in particular the Premier, the Deputy Premier and the Minister for Economic Development and Trade, been examined under oath by special investigator, Mr Malcolm McCusker, QC as part of ongoing investigations?
- (2) If not, is he aware of any requests by Mr McCusker to interview any WA Ministers of the Crown in relation to the current inquiry?
- (3) If so, will he provide the details?

Hon J.M. BERINSON replied:

(1)-(3)

Whatever else I have thought about Hon George Cash from time to time it has never occurred to me he has a bad memory. His memory must be appalling. It is only in the last week of our sitting - in the last day or two - that I indicated to him that questions of this nature are totally improper. As much as I would like to respond to them directly, I will always respond to them in the following terms: As I have previously indicated, questions of this nature are improper. Inquiries, whether by police, Corporate Affairs, or other

investigatory authorities are inappropriate for public comment unless proceedings are initiated or, where proceedings are not initiated, the matter is the subject of official report.

This must be at least the sixth time that answer has been given. The reason it has been given is because the nature of the question is improper and outrageous. I am telling Hon George Cash again that if he persists in that type of outrageous and unfounded question he can expect nothing more than the standard response. It is his standard question and the response is an absolutely proper one. I know that he regards himself as a real professional, but in terms of goading me to move from this position, I assure him he is an amateur.

#### PRISONERS - DRUG USE

##### *Urine Compulsory Testing - South Australian Decision*

231. Hon P.G. PENDAL to the Minister for Corrective Services:

- (1) Is the Minister aware of the South Australian decision today to introduce compulsory urine testing to detect drug use among prisoners?
- (2) Given that this system has apparently been introduced into the Western Australian prisons would the Minister indicate, in general terms, the effectiveness of compulsory urine testing and whether -
  - (a) it has stemmed the flow of drugs into and out of Western Australian gaols;
  - (b) whether the testing has detected such drug use among prisoners; and
  - (c) if so, by approximately how many?

Hon J.M. BERINSON replied:

(1)-(2)

In answer to the first part of the question I am not aware of the South Australian decision announced today. I am sorry that is the case because without being aware of that announcement I am not aware of the extent to which the South Australian Government is proposing to take the compulsory testing program. I almost gained the impression from Hon Phillip Pendal that there may be some suggestion that there is to be some sort of universal compulsory test.

Hon P.G. Pendal: It was either to be random, or done by taking samples from prisoners suspected of drug use.

Hon J.M. BERINSON: In respect of the second part of that program, the introduction of such a system in South Australia would not suggest anything new to our administration. We have had a capacity to test and a program requiring compulsory testing in particular cases. As to the effectiveness measured in numbers, I can only say that that is about the equivalent of my being asked without notice the famous question about the number of petty sessions cases in the Pinjarra court.

Hon P.G. Pendal: Have any been charged?

Hon J.M. BERINSON: Of course they have. I can recall a number of instances where the testing of prisoners on the basis of suspicion that drugs had been taken resulted in positive tests and subsequent charges. It is just that I could not possibly put a figure on that. If Hon Phillip Pendal would like me to pursue this matter further, I would be happy to do so. The introduction of drugs into prisons is naturally regarded as a most serious offence requiring the most stringent preventative and precautionary measures. That is a very important part of the prison administration's duties and nobody needs to impress on them the efforts which have to be made to ensure the maximum success of that program.

**FEDERATED HOUSING COLLECTIVE - ESTABLISHMENT**  
*Employees - Intent*

232. Hon MURIEL PATTERSON to the Leader of the House:

- (1) When was the Federated Housing Collective formed?
- (2) How many people are employed by it?
- (3) What is the intent of the collective?
- (4) What association has the Federated Housing Collective with Homeswest?

The DEPUTY PRESIDENT (Hon J.M. Brown): Unless there has been advance notice of a question to be referred to another Minister concerning Homeswest I advise the honourable member she should put her question on notice, and it will receive due attention.

**LAND - AD VALOREM TRANSFER FEES**  
*Government Intention - Justification*

233. Hon BARRY HOUSE to the Minister for Lands:

I refer to the Government's recently announced intention to introduce an ad valorem transfer fee structure -

- (1) How can the Minister justify the increased charge above the base rate for the transfer service?
- (2) Does she intend having discussions with the Western Australian Chamber of Commerce and Industry (Inc) with a view to rescinding or modifying the proposal to introduce ad valorem transfer fees?

Hon KAY HALLAHAN replied:

(1)-(2)

That system of fees was arrived at as a seemingly fair means of establishing a recoup of costs. Certainly there have been expressions of concern by the WA Chamber of Commerce. I have not been inclined to review our intention and therefore have not been inclined to meet with the chamber on this matter.

**ROTHWELLS LTD - McCUSKER, MR MALCOLM**  
*Attorney General, Discussions - Inquiry, Two Work Days a Week Reference*

234. Hon PETER FOSS to the Attorney General:

I refer to my question 214 of yesterday -

- (1) At any stage during the discussions between the Attorney General and Mr McCusker did a reference arise to Mr McCusker's working only two days a week?
- (2) Is he aware whether Mr McCusker is working only two days a week on his investigation?

The DEPUTY PRESIDENT: I refer the honourable member to Standing Order No 142(c). There seems to be a great similarity between the question the honourable member asked yesterday and the one he has just asked today.

Hon PETER FOSS: I submit that the question is different from the one asked yesterday when I asked whether there was an assurance. Today I am asking whether in any way there was reference to his working only two days a week. The Attorney General said that he did not recall such an assurance and I am now asking whether it came up in any other context in the course of their discussions.

Hon J.M. BERINSON replied:

(1)-(2)

With respect to your earlier comment, Mr Deputy President, I think the questions are different. I think I was asked yesterday whether I gave an assurance that Mr McCusker would not need to spend more than a certain

amount of time on his investigation. I think today I am asked whether the amount of time that Mr McCusker spends on this investigation has ever been discussed between us. The answer is yes. I believe that, at least in the early stages of his work, Mr McCusker indicated that he was satisfied that spending one and a half to two days a week on his investigation was adequate for his purposes. On every occasion the matter of his time has been raised we have both agreed that his time is available on an "as required" basis and it is fully understood, I am sure, that his brief covers all additional required time beyond that. In case I did not mention it yesterday, Mr McCusker has confirmed his availability on an "as required" basis to the NCSC and through the commission to the Ministerial Council.

**ROTHWELLS LTD - McCUSKER, MR MALCOLM**

*Inquiry - Work Time*

235. Hon PETER FOSS to the Attorney General:

Is he aware what amount of time Mr McCusker has in fact been devoting to his investigation?

Hon J.M. BERINSON replied:

I have not asked for an account of the time that he has spent on his investigation. I am absolutely confident that he would devote as much time to those duties as they require. I do not need a weekly or monthly account of the hours he has devoted to that purpose in order to have any assurance on that question.

**SPORT AND RECREATION - WESTERN AUSTRALIAN FOOTBALL COMMISSION**

*Government Guarantee - West Coast Eagles Purchase*

236. Hon P.H. LOCKYER to the Minister for Sport and Recreation:

Is it envisaged that the \$2.1 million guarantee the State Government has given to the Western Australian Football Commission will be used to raise funds to buy back the West Coast Eagles?

Hon GRAHAM EDWARDS replied:

It is not a matter of buying back the Eagles but one of, I guess, buying back the sublicence that goes hand in hand with the team. The securing of the future of football, including the purchase of that sublicence, is a matter that now needs to be determined by the Football Commission. The Government has put in place a number of measures, including the guarantee, which will assist the Football Commission to secure that future. I do not know whether I have been explicit enough, so perhaps the member might care to expand his question or ask a supplementary one. The determination of that question - that is, the buy back of the sublicence - is one that needs to be pursued by the commission.

**WESTERN AUSTRALIAN MUSEUM - PERCY MARKHAM COLLECTION**

*Vintage and Veteran Car Sale - Charitable Trust*

237. Hon PETER FOSS to the Attorney General:

- (1) Would the Attorney General, in his inherent capacity of supervisor of charities, ascertain whether the vehicles donated or granted to the Western Australian Museum were subject to a charitable trust?
- (2) If so, will he take action to enforce that charitable trust, or refer the matter to the Minister for Justice?

The DEPUTY PRESIDENT (Hon J.M. Brown): Is the member referring to the vehicles?

Hon PETER FOSS: Yes.

The DEPUTY PRESIDENT: A Bill before the House now considers that matter, therefore the member cannot ask that question.

**PETROCHEMICAL INDUSTRIES LTD - WESTERN AUSTRALIAN  
GOVERNMENT HOLDINGS LTD**

*Solicitor General's Advice - Attorney General, Larger Scheme Awareness*

238. Hon GEORGE CASH to the Attorney General:

I refer to the advice received by the Attorney General from the Solicitor General dated 16 August 1988 under the heading "WA Government Holdings Petrochemical Industries Ltd", paragraph 2 of which states -

A draft Deed of Undertaking between WAGH and Petrochemical and a draft form of Guarantee by the Treasurer has been provided to me by Messrs. Robinson Cox. These are part of a larger scheme under which WAGH is to acquire a substantial interest in petrochemical which is to develop and operate a major Petrochemical works in the State.

Will the Attorney General advise the House on his understanding of that larger scheme?

Hon J.M. BERINSON replied:

As has previously been indicated, the advice from the Solicitor General was forwarded to me as a courtesy and by way of a copy. It was not for me to pursue the questions in that document as the advice had also been forwarded directly to the initiating office, as my earlier answer has indicated.

Hon George Cash: Are you suggesting you are not aware of the larger scheme to which the Solicitor General refers in the advice that tendered?

Hon J.M. BERINSON: I can only hazard a guess at this time. I am reasonably confident that I would not have been aware at that time, 16 August 1988, of the larger scheme.

Hon George Cash: I am asking the Attorney General to advise the House what he understood to be the larger scheme referred to by the Solicitor General.

Hon J.M. BERINSON: What I understand now to be the larger scheme?

Hon George Cash: Yes.

Hon J.M. BERINSON: For the purposes of this question I can only say that at the moment, without asking for advice from other Ministers or referring again to that opinion, I simply cannot comment. It is not a scheme in which I was involved in the course of preparation or negotiation, nor have I been so closely involved with relevant matters as to be able to link an isolated statement in a copy of an opinion forwarded to me as a matter of courtesy to allow me to answer that question sensibly. To be fair to myself, I cannot answer the question sensibly because the question is not put in a way which lends itself to a sensible answer.

Hon George Cash: I shall put the question on notice and refer to the advice you received.

Hon J.M. BERINSON: The member is perfectly at liberty to put the question on notice, and to the extent it is a matter within my responsibility to answer I shall answer it.

Hon George Cash: Perhaps you don't want to know about the larger scheme.

**MARRIAGE GUIDANCE COUNCIL - MARRIAGE EDUCATION ADVICE**  
*Government Allocation*

239. Hon CHERYL DAVENPORT to the Minister for The Family:

Can the Minister inform the House whether the Marriage Guidance Council received \$200 000 for marriage education as reported in *The West Australian* on Monday, 11 September 1989?

Hon KAY HALLAHAN replied:

This has caused some concern in the community among groups providing



marriage and education services. The Government allocated \$200 000 for this purpose in its Budget this year, quite an increase on previous allocations. The Marriage Guidance Council has asked for an increase of 100 per cent on its previous allocation of \$15 000, and \$30 000 has been approved. The council is pleased with that, but it was not happy with the attribution of \$200 000 to it and the resulting resentment on the part of some other agencies as a result of the error in *The West Australian* which was later corrected.

Regarding the \$200 000, members may be interested to know that an advertisement will appear asking for expressions of interest in that funding, and decisions will be made about that allocation. Up to \$20 000 will be provided to support the activities of the National Marriage and Family Week in our State. That is a significant increase on previous years. It recognises the fine work of the committee concerned in the organisation, which has provided valuable educative and preventative services to people approaching marriage. In the past, seminars, informal activities, church services, and public meetings have been conducted which have catered for professionals and community members. That group will no doubt welcome the allocation.

In the light of comments made earlier today with regard to members on our side of the House asking questions, I thank the honourable member for her question and I hope members opposite will not discredit information on marriage education and guidance, or indeed on local government or the aged, which are matters on which I have received questions in this session.

#### LAND - AD VALOREM TRANSFER FEE

*Western Australian Chamber of Commerce and Industry (Inc) - Ministerial Consultation*

240. Hon BARRY HOUSE to the Minister for Lands:

I seek clarification of a previous answer. Is the Minister not inclined at this stage to consult further with the Western Australian Chamber of Commerce and Industry on the ad valorem transfer fee structure? Does that mean a straight no, or is the Minister still considering it?

Hon KAY HALLAHAN replied:

I did not realise I had given an ambiguous response. The member's question indicated that there had been further negotiations with the chamber. I have not consulted with the chamber at all. I said I had had approaches from the chamber in correspondence. My answer is that I have nothing further to add. I do not intend reviewing that fee structure.

Hon Barry House: So that means no?

Hon KAY HALLAHAN: It is pretty clear.

#### CHILDREN'S COURT OF WESTERN AUSTRALIA BILL (No 2)

*Proclamation*

241. Hon J.N. CALDWELL to the Attorney General:

In the last Parliament we passed a Bill containing regulations regarding the Children's Court. Can the Minister say whether that has been proclaimed and, if not, why not?

Hon J.M. BERINSON replied:

The Bill has not been proclaimed, but the Government has announced that it will be proclaimed to take effect on 1 December. In advance of that date a number of very important preliminary administrative arrangements have been made; most important I believe has been the appointment of Judge Jackson of the District Court as the initial judge of the Children's Court. He is engaged in work related to the establishment of that court and its procedures. There are regulations which have to be put in place as well; it was felt that, in consultation with the judge, the period to 1 December would be desirable for an orderly establishment of what is a very important new facility.

I think it would have been obvious to members when the Bill was first debated that while we have always had a Children's Court - and we will have a Children's Court arising from that Bill - we are really dealing with a significantly different structure, one within which the powers of the judicial officers are increased substantially, and all in all we expect to have from the new court a substantial and very positive influence on the administration of juvenile justice in this State. There has been some delay, but 1 December will see all of those matters in place.

I would add one other thing because it is not unimportant; in fact it reflects the importance of the change which the new Children's Court involves. That is, the Government's commitment to proceed immediately to the planning and construction of a new Children's Court building. That was originally to go with the Magistrate's Court on the Hay-Irwin site, but the advice we received was that this would involve a delay of up to three years. That was regarded as unacceptable and the Government has therefore agreed to take on board the new Children's Court as a separate and more urgent project.

#### MINISTER FOR BUDGET MANAGEMENT - DEPARTMENT EXPENDITURE

##### *No Appropriation - Payment Date*

242. Hon PETER FOSS to the Minister for Budget Management:

I refer to the expenditure by the department of the Minister for Budget Management of \$38 848 603 without the Appropriation of this Parliament.

- (1) When was that money spent?
- (2) Why did the Minister prior to spending it not come to the Parliament for a supplementary appropriation?

Hon J.M. BERINSON replied:

(1)-(2)

Although I say so myself, I really do my best to answer questions without notice. However the subject matter of these questions have to be within reasonable bounds. How on earth am I expected to know the date of a payment, even of a payment as large as that? I have to confess I would have to satisfy myself by reference to the record that I had anything to do with that payment at all because, as it happens, there is no such thing as a department of budget management. What we have is the Treasury, which services both the Treasurer and the Minister for Budget Management.

Hon P.G. Pendal: What do you actually do?

Hon J.M. BERINSON: Hon Phillip Pendal has asked that question many times and he has never been satisfied with the answer.

Hon P.G. Pendal: Would you promise us one thing? Would you show us your abacus?

The DEPUTY PRESIDENT (Hon J.M. Brown): Order!

Hon J.M. BERINSON: The long and the short of it is that a question of this nature simply and self-evidently requires notice. If Hon Peter Foss wishes to pursue it that is the course he should take. If Hon Phillip Pendal is not satisfied with my numerous previous detailed indications of the nature of my duties as Minister for Budget Management, he is welcome to open that question again.

Mr President, I believe that even members of the Opposition could not complain about their run today. I ask that the business of the House be brought on.

#### WESTERN AUSTRALIAN MUSEUM - PERCY MARKHAM COLLECTION

##### *Vintage and Veteran Car Sale - Charitable Trust*

The DEPUTY PRESIDENT (Hon J.M. Brown): Order! I may have misled Hon Peter Foss. I advise that questions may be put to Ministers and members,

except the President, which relate to any Bill, motion or other public matter connected with the business of the Council, and for which the member has been charged with responsibility.

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