

# Legislative Council

Thursday, 4 September 1980

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

## CONSTITUTION AMENDMENT BILL

### *Second Reading*

Debate resumed from 3 September.

**THE HON. J. M. BERINSON** (North-East Metropolitan) [2.43 p.m.]: This is a Bill to increase the number of State Ministers from 13 to 15. The proposal is opposed by the Opposition, on four main grounds—firstly, that the increases are not necessary; secondly, that it will be costly and wasteful; thirdly, that it will increase the existing dominance by the Executive of the Parliament; and, fourthly, that it will lead to a further imbalance of advantage as between Government parties and Opposition parties in respect of the support received from the public purse.

As to the question of necessity, I refer members to the fact, which I think by now at least will be well known, that it is only five years since the last increase in the Ministry to its present number of 13. What we are obliged to ask is: What in particular has happened between 1975 and 1980 which could justify this further expansion of the Executive? It is a simple question, and the answer is simple as well. The answer must be that nothing in particular has happened between 1975 and 1980 to justify this increase. By any measure the period between 1975 and 1980 has been a stagnant one, relative to the experience of the State in the post-war era. Population has been relatively static, and all the other measures of economic activity have been either sluggish or in positive decline.

That is a fact, whether we look at manufacturing industry, retail sales, or even mineral sales; or whether we look at measures like housing. Wherever we look, we see that we have had a sluggish period of economic activity. Of course, when we look to unemployment we are looking at a position of positive decline.

Over the same time, the State's dependence on the Commonwealth for funds—and hence its effective subservience to the Commonwealth in much of its policy-making—has been undiminished; and that in spite of the pretensions to the contrary of the Premier and his Government.

Against that background we again have to ask just where are all these burdens to justify the additional two Ministers. One place which will not provide the answer to that is the second reading speech provided by the Government—a very sorry document, to give it a reference. On the first page of the statement read by the Attorney General we were referred to three proposed justifications. The first of these, it was claimed, was “the growth and complexity of Government operations, generally”. The Government apparently regards that proposition as so self-evident that it does not need to elaborate on it. We do not have a single example; and given the general background to which I have referred, I do not believe a single example could be provided.

The Government then gives yet another very broad justification, referring to the “greater sensitivity that is emerging on environmental aspects of all projects”. One again is left to wonder just what relevance that has to an increase from 13 to 15 in the Ministry. If one looks at the Court Ministry one finds that already there is one Minister with virtually nothing else to do but to look at matters affecting the environment. It is not proposed that any additional Minister will share this responsibility, nor could that reasonably be suggested. We are again left simply wondering with this justification; and left on both scores without any positive basis for the proposal.

The third attempt at justification is the “undoubted need to give more direct attention to all resource development and energy matters”. In this respect I refer to the fact that even now, on a 13-member basis, we have no fewer than three Ministers in the field. The Hon. Peter Jones, MLA, is the Minister for Resources Development, Minister for Mines, Minister for Fuel and Energy, and Minister for Industrial Development and Commerce. He is not left on his own in this general area; the Premier also has the responsibility of Co-ordinating Economic and Regional Development, and the Hon. Andrew Mensaros is the Minister Assisting the Minister Co-ordinating Economic and Regional Development. These are all obviously interacting areas and they have the attention and energies of all or part of the time of three Ministers; and not only the three Ministers, but also the three departments attaching to them.

All in all, one looks at those three attempted justifications at the beginning of the second reading speech and comes away no more enlightened than when one started.

Moving aside from the arguments put forward in the second reading speech, I believe the House

is entitled to ask whether even some of our existing Ministers are fully occupied. It is easy to be misled by the appearance of some of the big spending departments; and the Premier in one of his recently published statements adopted this line by saying, "Look at these enormous departments like Health and Education which are spending enormous amounts of money, perhaps millions of dollars a week." But so what?

The fact is that it is often the largest spending departments which have the least amount of discretionary spending available to them, and hence the least scope for ministerial activity and responsibility. That is aside from the further important consideration, that also attached to the largest spending departments are invariably the largest supporting and almost automatically functioning bureaucracies.

On the possibilities of underemployment of Ministers, we might first of all look at at least two of the three Ministers who grace this House. This is said with no disrespect to the Minister for Lands and Forests; he is a man of undoubted personal virtue. However, let us consider his work load. He has two Ministries; and between them he can bless himself with the administration of no more than 22 Statutes. Let us consider some of them. I wonder how much time in the last six months, for example, the Minister for Lands and Forests has found it necessary to apply himself to the Sandalwood Act or the Caves House Disposal Act.

The Hon. D. J. Wordsworth: Strange as it may seem, it is quite a lot. We have had many meetings with the sandalwood producers. I have been to Kalgoolie to meet them. They are an important group of one of your member's constituents.

The Hon. J. M. BERINSON: I am sorry to learn what a burden the Sandalwood Act is to the Minister.

The Hon. N. F. Moore: You do not know very much about sandalwood, obviously.

The Hon. J. M. BERINSON: I do not even know much about Caves House disposal; but I suggest to members quite seriously that over the last six months it is reasonable to doubt that the Minister has been burdened greatly with the responsibility of administering the Caves House Disposal Act.

The Hon. V. J. Ferry: It is in a very good electorate.

The Hon. J. M. BERINSON: Other Acts administered by the Minister are the Closer Settlement Act, the Esperance Lands Agreement Act, the Irrigation (Dunham River) Agreement

Act, the Reserve (Woodman Point-Jervoise Bay) Act—

The Hon. P. H. Lockyer: How do you know he is not busy with them?

The Hon. J. M. BERINSON: I am guessing; but I think it is a reasonable guess.

The Hon. D. J. Wordsworth: Just ask your leader about Woodman Point.

The PRESIDENT: Order!

The Hon. J. M. BERINSON: If the Minister feels himself maligned, I will be the first to withdraw when he elaborates on the extent of his duties in this respect, and in respect of his duties relating to the Reserves (Concert Hall) Act, the Reserve and Road Closure Act, the Road Closure Act, the War Service Land Settlement Scheme Act, and the Zoological Gardens Act. Without going through all his Statutes, they represent half the total list the Minister has to administer.

I put it to members seriously that that is not the sort of burden which a Minister of his calibre would find unbearable. It is no wonder that we see him coming in, day after day, so dapper and relaxed. The explanation is obvious. The man is under no great strain. He has time every day to change his white collar, brush his hair, and come in always in a good mood and smiling happily. Why should he not be?

The Hon. V. J. Ferry: He is a Liberal.

The Hon. J. M. BERINSON: He has no stress and strain. The only anxiety he suffers, I suspect, is looking for adequate work.

The Hon. N. F. Moore: Nonsense!

The Hon. J. M. BERINSON: In all seriousness, I suggest it is impossible to go through the list of administrative duties of the 13 Ministers we now have, acknowledging that some of them have very great burdens, and not arrive at any conclusion other than that there is better scope within the existing number for a more even distribution of responsibilities, which would obviate any need for an increase in the Ministry.

There was one other attempt at justification in the second reading speech when the Leader of the House said—

There is another aspect of the matter; that is, the importance of not only ensuring that there are enough Ministers to adequately service all the portfolios involved, but that a greater number of Ministers makes it easier to have a wider range of age groups and experience to provide continuity in the event of retirements, sickness, or other changes in the Ministry.

That is like saying that as our football team of 18 needs three reserves, it should be entitled to have 21 players on the field all the time. That is a most pitiful argument. Carried to its logical conclusion, it means the Government should be providing for the inclusion of members of the Opposition in the Ministry. Even members opposite would not be prepared to suggest that there will never be a change of Government. When will there be a greater need for experience and continuity to which the Leader of the House referred than when such a change of Government occurs?

Look over on this side. We are, admittedly, only nine; but we are a very fine bunch of nine, if I may say so. All of us are active and conscientious. Some of us are keen.

The Hon. R. G. Pike: You are continuing the traditional modesty of your leader.

The Hon. J. M. BERINSON: There would not be one among the nine of us not prepared to serve on call; but among the nine of us together there is not a minute of State ministerial experience to bless ourselves with. If there was anything rational in this argument about looking to experience and continuity, we would be the first ones in line.

Of course, no-one will suggest that as a possibility. Neither should anyone expect, seriously, the same sort of proposition—

The Hon. R. G. Pike: And you would want the portfolio of Lands, obviously.

The Hon. A. A. Lewis: The Minister for sandalwood.

The Hon. J. M. BERINSON: I have no particular preference as to portfolio nor to the order in which we should be appointed, although alphabetical order would suit me quite well.

As I said before, this is a pitiful proposition. I am suggesting the Government ought to have been embarrassed, as I am quite sure the Leader of the House was, to deliver that sort of justification for a Bill as fundamental to the constitution of this Parliament and of this State as this Bill is.

Either the Government has the work to justify 15 Ministers or it has not the work to justify them. The very weakness of the arguments advanced in the second reading speech are as clear an admission as could be found that this Bill is not a Bill to provide for the better administration of this State; it is a Bill to keep the troops happy and never mind the condition of the army. It is a Bill to pacify those elements in the Liberal Party who are disturbed—not without justification—that the National Country Party, with a membership in the Assembly of three only,

has a membership of two in the Ministry. That really is what this Bill is all about—to keep the ratios reasonable, and not to keep the administration of the State reasonable.

All of this sleight of hand and manoeuvring might not be unacceptable if not for the fact that it is all done by way of a burden on the public purse. It is the public who will pay for the proposal. The cost will not be insignificant.

The Hon. N. F. Moore: I hope you do not use Dr Dadour's figures!

The Hon. J. M. BERINSON: No, I will not use Dr Dadour's method of calculation, which I think is slightly suspect. However, one is still left with a scandalous amount of expenditure, if the expenditure cannot be properly justified.

Members should look at the sort of expenditure we will have and I do not pretend to be able to quantify it; but I am able to say it will be far from insignificant. With every extra Minister we will have an extra ministerial office, an extra ministerial car, further ministerial travel, more ministerial telexes, a ministerial secretary, private secretary, liaison officer, Press secretary, and all the other paraphernalia of office. Just as we cannot have Punch without Judy, we cannot have a Minister without a department. That means a departmental head, a deputy head, an assistant to the permanent head, an assistant to the deputy head, and so on all the way down the line. There will be a great deal of extra bureaucratic apparatus which is inseparable from Ministers and which is always self-perpetuating and self-generating. That, I believe, is Gresham's Law No. 13; the unlucky number. And the people who are unlucky are the people who pay. They are not the Ministers, the members of the Government, or even members of Parliament; they are the taxpayers of this State and they will pay the bill.

That is all, by the way, from a Government which is supposed to be opposed to big government. This Government is big government. It is already swollen in size, and in spite of all the pronouncements to the contrary it shows no intention of decreasing its rate of expansion. In many instances, expansion can be justified, but expansion for the sake of pacifying its own members cannot be justified. It is for that reason that this Bill, as a whole, cannot be justified.

I turn briefly to the further two considerations I have outlined already. The first of them is the effect of this Bill on increasing the dominance of the Executive over the Parliament. I dealt with this last night and I will pass over it briefly. The effect of this Bill, for practical purposes, will be that Government parties with 29 members in the

Assembly will have 12 of their members in the Ministry, subject to the practice of Cabinet solidarity and subject to the whim of the Premier.

In turn, that means we will have a Parliament effectively dominated by the members of the Ministry and, in turn, dominated by the Premier through his powers of patronage. Since I dealt with that at length last night, I will not elaborate on it further, but it is a most serious situation. The Parliament has already declined as an effective instrument in the government of the State and every time a measure of this sort is agreed to, it must inevitably decline further.

I come finally to the question of the effect of Bills of this nature on the imbalance between the support for the Government parties out of public funds as opposed to the support to Opposition parties. Democracy is not just a question of everyone having a vote. There must be some sort of equality also between the abilities of opposing parties to present their respective views. To the extent that private support for one party or another leads to imbalance, that is part of the ordinary political process and is acceptable. But to the extent that an imbalance is created by using the resources of government available to one party only and not the other, it is not acceptable and it is improper. We have argued previously, for this reason among others—and if I can give advance notice, we will argue again—for public funding of all political parties which can demonstrate a reasonable level of public support.

The PRESIDENT: Order! I trust the member intends to relate the comments he is making to the Bill before us.

The Hon. J. M. BERINSON: Yes, Sir. I do not intend to go further than that. I merely use this further concern of the Opposition to demonstrate another aspect of our opposition to this Bill. What we have as a result of the ordinary system of government is the availability, at call, of the Public Service to the Government parties by one means or another, but not to the Opposition parties—that stands to reason. As well, in the lifetime of this Government we have had an unprecedented increase in the apparatus of Press secretaries set up supposedly for Government purposes, but no-one really tries to hide the real nature of those officers. They are not for Government purposes; they are for Government party purposes.

Every time we add a Minister, we extend the capacity of the Government parties, to present their views to the public in an effective way whilst denying that same capacity to the members of the Opposition. That is not just bad for the

Opposition parties; it is bad for the government of the State, because in the end what we are doing is depriving those sections of the public with a potential interest in supporting the Opposition parties, of a proper understanding of the policies of the Opposition as they relate to and are opposed to the policies of the Government.

The Hon. N. F. Moore: Is that the reason that they invariably vote against you people?

The Hon. J. M. BERINSON: They do not invariably vote against us, as the member well knows; but that is not the point. The point is, to the extent they do vote against us, at least a significant part of their decision must be coloured by the ability of the member's party, using the processes and facilities of government, to approach the electorate in a way which is not open to us. I do not believe members opposite would deny that proposition.

The Hon. N. F. Moore: The Tonkin Government made available to our party all these sorts of things, did it?

The Hon. J. M. BERINSON: It is true to say there is no Government in the history of this State which has used the privileges of government, the funds available to Government, and the facilities of the Public Service and bureaucracy in its own party interests to such an extent as the present Government. That is undeniable, and on the very question of Press secretaries, the distinction between the attitude adopted by the present Government and the Tonkin Government will well stand members' further examination.

I have outlined the four reasons this Bill is objectionable. The Government has not even attempted seriously to demonstrate that another two Ministers are necessary. It is self-evident that the exercise will be costly and wasteful. There can hardly be a doubt as to the further effect it will have in exaggerating the dominance of the Executive in our system of government, and it will add further to the imbalance of advantage as between Government and Opposition parties in respect of their abilities to put their respective views to the electorate in this State. On all those grounds, we oppose this Bill and I urge the House to reject it.

THE HON. W. R. WITHERS (North) [3.08 p.m.]: Yesterday I said to the Hon. J. Berinson that it was a delight to hear him speak and, after hearing his address today, I have not changed my mind. His eloquence, his balance, and his humour are very good and I would say, even if we do not agree with his views, it is a delight to have him in the House, because I am sure he will sharpen our wits.

If I were to stand here and offer my contribution in a manner to try to match the eloquence of the Hon. J. Berinson, I would be done like a dinner; so I will not do that, because the only advantage I have on my side is the presentation of facts which the member did not have. In fact, he had wild assertions dressed in beautiful eloquence.

The honourable member mentioned that between 1975 and 1980 the State virtually had remained static.

The Hon. D. K. Dans: "Stagnant" was the word.

The Hon. W. R. WITHERS: He said retail sales had remained static, and he referred to other commercial enterprises as having remained static. He said the economy and industry had remained static, but that is not true.

It rather surprised me that the honourable member did not relate to the effective representation of people. His party seems to want to get across to the population in general that its main concern is people. That is what this Bill is all about; the effective representation of people, but the honourable member forgot that.

He said that the population was static. If we look to the best volume available to us to indicate how our population stands, year by year, we look to the *Western Australian Year Book*. The year books of 1975 and 1980 show that within that period in Western Australia there has been almost a 12 per cent increase in the population.

The Hon. J. M. Berinson: You will find that increase is lower than any other five-year period since the war. That is the point I was making.

The Hon. W. R. WITHERS: How that increase can be regarded as static, I do not know. We all know that politicians use statistics for any purpose which suits them. Mr Berinson said that the increase was the lowest for many years. If the increase in population in the rest of Australia is compared with the increase in population in Western Australia it will be found that we have the highest population increase of any State expressed as a percentage.

The Hon. J. M. Berinson: You will agree that is not what I was referring to. I was comparing our Five-year period with previous experiences since the war.

The Hon. W. R. WITHERS: The increase during the last five years indicates that the population is not static because it increased by nearly 12 per cent. There will be more than a 12 per cent increase during the next five years, and

over the next 10-year period the increase probably will be something like 30 per cent.

The Labor Party supposedly represents people, but when members spoke to this Bill they did not mention people. There has been mention of party politics.

The Hon. J. M. Berinson: Did you miss the reference to employment?

The Hon. W. R. WITHERS: There was mention of a Minister for employment, and the employment of the people, but once again the reference to "people" came at the end.

In this instance the Government has done the right thing by increasing the Ministry so that the Government will be more efficient in its representation of the people of Western Australia. We are looking at a 12 per cent increase in population, and a 15 per cent increase in the Ministry. I consider the 15 per cent increase to be reasonable when considering that during the last five years we have had a 12 per cent increase in population in a period which the member opposite said was static. If we are to have an increase of 30 per cent in population, as has been projected, the Government is holding back on bureaucracy and expenditure by increasing the Ministry by two, or by 15 per cent.

The member opposite also said he considered there would be domination by Government and by the Premier. That might be the case in the party room of the Labor Party because according to pages 23 and 24 of the Labor Party Constitution, Labor Party members are bound by a Caucus decision. Regardless of what a Labor member thinks, when he comes to this House he is completely dominated by a Caucus decision in the party room. We do not act in that manner.

The Hon. Lyla Elliot: Do not forget the liquor Bill.

The Hon. W. R. WITHERS: I am quite willing to debate that matter.

The Hon. A. A. Lewis: When Mr Dans and Miss Elliott cross the floor, I will agree. Until then I agree with Mr Withers.

The Hon. W. R. WITHERS: Mr Lewis has proved my point. Members from this side of the House make their own decision in the party room. If they disagree with a Cabinet decision they can still vote in this House as they see fit.

The Hon. Lyla Elliott: As long as it does not affect the state of a Bill.

The Hon. W. R. WITHERS: That is not true at all. Members opposite should know that if a Bill looks as though it will be lost it does not get to this place.

The Hon. R. G. Pike: We saw what happened with the Labor Party when the homosexual Bill was debated.

The Hon. R. Hetherington: That is not a fact, but stupidity.

The Hon. W. R. WITHERS: The member opposite was not in the House at the time.

The Hon. D. K. Dans: What about getting back to the Bill?

The PRESIDENT: What about addressing the Chair?

The Hon. W. R. WITHERS: I pointed out that the honourable member made some assertions with beautiful eloquence, which I enjoyed.

The Hon. R. Hetherington: You have told us that several times now.

The Hon. W. R. WITHERS: I know it is hard to take when I keep telling members opposite how wonderful they are in their use of eloquence, instead of facts.

To sum up: This is a fair Bill because it will increase Cabinet by approximately 15 per cent when during the next few years—in the period mentioned by the Opposition—there will be an increase in population of approximately 30 per cent. The Government has brought forward a good Bill, and I support it.

**THE HON. TOM McNEIL** (Upper West) [3.16 p.m.]: I rise in opposition to this Bill. I made the point last night with regard to your ruling, Mr President. At that time I expressed some concern that the Hon. Graham MacKinnon and the Hon. Mick Gayfer felt your ruling was incorrect, but out of loyalty, as the older or more experienced members here, they were not prepared to dispute your decision. I think the matter goes a little deeper and it is probable that some gentlemen on the back bench on the Government side who did not offer a contribution to the debate—such as the Hon. Neil McNeill and the Hon. John Williams—obviously had some thoughts. However, they decided not to speak.

Continuing in the vein I expressed last night, the National Party finds the increase of two in the ministerial ability of the Government to be completely unnecessary. I do not believe such a move is justified. It must be obvious and of great concern to the people in the electorates that we will now have an additional two Ministers visiting, which will require considerably more running round on the part of members.

Far be it from me to mention football, but the subject was raised by the Hon. Joe Berinson. It seems to me a decision had to be made by the Premier and the decision was similar to that

which is made by the captain of a football team who wants to give several young players a chance. In order to take the weight off one's shoulders, one decides to increase the number of players in a team.

I have no knowledge of what goes on within the Ministry, but I think we will have a problem when we have 15 Ministers visiting our electorates. I am already involved in considerable running around when Ministers visit, and now there will be an additional two Ministers.

It has been suggested that if the Hon. Joe Berinson becomes a Minister, it will be in the portfolio of Lands. If I ever have the opportunity to become a Minister I would be quite happy to be the Minister for sport. I know that I could do a good job on the ASI with the inclusion of Australian rules football in sport.

The Hon. J. M. Berinson: The Government ought to give you a guernsey.

The PRESIDENT: Order! I would like the contents of this Bill to get a guernsey.

The Hon. TOM McNEIL: In a more serious vein—because this is a serious matter although we have allowed some amusement to enter the debate—it is obvious that many people will be either supporting or opposing the Bill. It is of great concern that all of a sudden it was decided to increase the Ministry. In *The West Australian* of Wednesday, 3 September, we find the following report—

Sir Charles said that during the election campaign he had foreshadowed the move without being specific, but anyone in their right mind would have realised that an increase would be involved.

I would say with a great deal of sincerity that a great many people in this House are not all that foreseeing and did not realise that such a move would take place. We all heard of the surprise in another place the other night when it was ruled that a constitutional majority for the Bill was not necessary. I would like to state that during the election campaign no-one envisaged an increase in the Ministry, and I am surprised that the Labor Party has not seen fit to question the Premier's statement more closely.

I oppose the Bill.

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney General) [3.21 p.m.]: I am sorry the Opposition is opposed to the Bill to the extent it is, and I include the Hon. Tom McNeil in that statement, as he has indicated his opposition to it.

I find myself in complete disagreement with the reasons put forward by Mr Berinson. He

instanced four particular reasons for his opposition, and I will deal with the last two first because he dealt with those very briefly himself.

Last night he spoke of the increase in the dominance of Parliament by the Executive. As I said then that is a rather broad statement, and it imports some degree of philosophical values. It is a view that has been canvassed in certain political and other circles—one hears it from time to time. It is an accusation which is levelled at all Parliaments, and it would have been levelled at this Parliament—along with all other Parliaments—quite apart from this present Bill. It is not something we are really in a position to do much about, if there is anything in the argument.

The other point made by Mr Berinson was that an increase in the Ministry would increase the imbalance between the Government and Opposition. I suppose every time a Ministry is increased some element of imbalance occurs, but at the same time no Treasurer, in carrying out his responsibilities to the State, could envisage that he could legitimately allow the same degree of expenditure to the Opposition on each occasion the Government found it necessary, for the purposes of government, to increase Government expenditure.

So really we do not need to look very deeply at those arguments that have been put up. It boils down to the fact that Mr Berinson regards an increase in the Ministry as unnecessary and wasteful. He compared the situations of 1975 and 1980. At first he mentioned 1970 and 1975, but he then corrected himself to 1975 and 1980. As I mentioned, the honourable member corrected himself, but there is some significance in taking the earlier date.

In fact, it is significant to take a much earlier date—namely, 1965—when the Ministry was increased to 12. In the period of 15 years between 1965 and 1980, there has been a tremendous change in the economy and general situation of the people of this State. Members may say the Ministry was increased in 1975 to 13 and this must have been right in 1975, and so we must start with that year. I wonder whether this was the right figure in 1975. I can remember very clearly that in 1974 I was of the opinion, and I expressed that opinion, that the Ministry ought then to be increased to 14. The Hon. John Tonkin had a somewhat similar view before the election in 1974 because he advocated an increase in the Ministry to 13. In fact, I think a figure of 14 was mentioned by some of his Ministers. Mr Tonkin intended to create a portfolio of the South West.

On reflection, I think the member will agree there has been a general need for an increase in the number in the Ministry over a substantial period. Whether it was increased adequately in 1975 is open to some doubt. In any event, I believe it can be fully justified that we require and need 15 Ministers in 1980.

It is all very well for people to say that the burden on Ministers is not very great, but I can assure the House that it is very great indeed. Ministers who do their jobs properly have a very heavy task to fulfil. It is not only a question of appearing in the Houses of Parliament, as members would well know. It is a question of all the work Ministers have to do in their own offices and departments, and all the other work which is not only work of a party political nature. Indeed, most of it has no relationship to a party at all.

The Hon. D. K. Dans: I can just imagine Mr Wordsworth out there with his adze in the sandalwood forest.

The Hon. I. G. MEDCALF: As Mr Wordsworth's name has been raised in this debate, can I just say how valuable it has been to have him in the portfolio of Lands. It has enabled him—

The Hon. R. Hetherington: To learn on the job!

The Hon. I. G. MEDCALF: —to examine in depth the very things a Minister should examine and which a Minister frequently does not have an opportunity to do. So many documents cross the Minister's table that he hardly has time to study them all properly. It has been said in another place that all Ministers have to do is to supervise and give instructions to underlings. In fact that is dead wrong; that is not the case at all. It is a fine thing to give instructions and detail when one knows how to do a job, but how does one find that out without doing the job oneself? One does not.

It is very necessary to have a spread of tasks. I believe this present increase has been a very valuable exercise. The Minister for Health and the Minister for Transport have only one portfolio each in this present Government. These Ministers held more portfolios in the last Government, but special specific reasons exist for this new system. The Minister for Transport has a very big job to do in all the many aspects of transport. He has many specific tasks to perform, and so has the Minister for Health, particularly in relation to the colossal expenditure in that area. The Minister for Health needs personally to come to grips with administrative problems which are otherwise decided departmentally and not by the Minister at all. Too much of that has been going on both in

the Federal and in the State sphere in years gone by.

As far as additional expenditure is concerned, some additional expenditure is indeed necessary and the honourable member referred to some of the expenditure which is legitimate. He referred to the Ministers having offices. It so happens we did have some offices available, but admittedly additional costs are involved. However, they are not quite as great as the honourable member suggested. It does not follow that a new department will be created for a new Minister. Nor does it mean that Ministers all have liaison officers and all the other paraphernalia that possibly does apply in the Federal sphere. I can assure the member that such things do not apply in the State sphere. For those reasons I believe the costs that might be entailed in this exercise have been considerably exaggerated.

I would also like to refer to a member of this House who was a Minister in the Tonkin Labor Government. This member shall remain nameless unless anyone wants me to name him, although I do not think there is any reason I should do so. This gentleman said that a Minister's job was the hardest job he had ever taken on in his life. He felt his three-year term was the most severe test he could have faced, and he could not have carried on for a further period. In other words, he was doing his job properly and efficiently and he found it a completely full-time job which engrossed the whole of his attention and faculties.

I suggest there is very good reason for the Government deciding to increase the Ministry, and I ask members to give their support to the Bill.

Question put and passed.

Bill read a second time.

#### *In Committee*

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. I. G. Medcalf (Attorney General) in charge of the Bill.

Clauses 1 and 2 put and passed.

Clause 3: Section 43 amended—

The Hon. A. A. LEWIS: I move an amendment—

Page 2 line 9—Add after the word "fifteen" the following—

and in subsection (3) by deleting the word "one" in line 1 and substituting the word "four".

Having heard the arguments put forward by the Hon. Joe Berinson, it is obvious to me that he will support my amendment.

The Hon. F. E. McKenzie: Do not be too sure!

The Hon. A. A. LEWIS: I am never too sure of anything in this place. Mr Berinson may have been caucused in some way; I appreciate that occasionally it must happen in the Labor Party. However, I am only using the words he spoke as part of my argument.

The Hon. J. M. Berinson: I will be all ears.

The Hon. A. A. LEWIS: I am glad to hear that. Mr Berinson was talking about the powers of the Executive in the lower House and the proportion of the Executive to Government members in that place. If Mr Berinson accepts my amendment, the proportion will not be so heavily weighted in favour of the Executive, because part of the Executive will move to this place.

Mr Berinson's argument that the proportion of power in the hands of the Executive, compared with that held by the back-bench members in the other place was weighted in favour of the Executive was quite rational, and one of the reasons I have moved my amendment is to even things out a little.

As members may notice, I do not challenge the increase in the Ministry; I have my own opinions about that matter. However, I did slip up last night in not invoking Standing Order No. 311 on the second Constitution Bill; I wanted to point out that all Constitution Bills should be passed in a certain way.

Mr Berinson, with a very forcible argument, persuaded me last night, and again today, that the Executive : Government member ratio should be altered, which is one of the reasons I placed my amendment on the notice paper.

My other reason, which is directed to the Leader of the House, is that when we had 10 Ministers in this State, three were from the upper House. When the Ministry was increased to 13, four were from the upper House. In other words, on both occasions the Legislative Council was represented by a fraction under one-third of the total Ministry. Now, however, we are to have only one-fifth of the total Ministry.

If this Bill is agreed to in its present form, there will be 12 Ministers out of a total of 29 members of the coalition Government in the other place, and three Ministers of a total of 22 Government members in this place. In other words, nearly half the members in the Legislative Assembly are to be Ministers, while less than one-seventh will be Ministers in the Legislative Council.



I come back to Mr Berinson's argument: I believe we should retain the traditional proportions. Members probably noticed from my remarks last night that I am the sort of person who believes in tradition.

I am sure the Government will accept my amendment in complete agreement with the Opposition.

The Hon. J. M. BERINSON: I am very reluctant to disappoint Mr Lewis so early in my career in this Chamber, but I should indicate to him and to other members that I will not be supporting his amendment.

The Hon. A. A. Lewis: What a tragedy! I stood and supported you with a balanced argument, but you will not support me.

The Hon. J. M. BERINSON: I cannot really say how my colleagues will vote—

The Hon. D. K. Dans: I can!

The Hon. J. M. BERINSON: —because this amendment came to notice far too late for that dreaded body known as the Caucus to meet and consider it. Therefore, it is a matter for the good judgment of my colleagues, and I am sure we can all rely on that good judgment being exercised in a very proper way.

I am afraid Mr Lewis' proposal in no way meets the general problem of Executive dominance. It does not matter whether the proportions are 12 : 3 or 11 : 4; the question remains that there is to be a total of 15 Ministers within the parliamentary system.

The Hon. A. A. Lewis: But that was not what you were using as an argument.

The Hon. J. M. BERINSON: I am referring to another factor of the argument.

The Hon. A. A. Lewis: You are changing your ground.

The Hon. J. M. BERINSON: I am not changing my ground.

The Hon. A. A. Lewis: Of course you are. You said that the other place would have 12 Ministers of a total of 29 Government members.

The Hon. J. M. BERINSON: Very well; if Mr Lewis feels I am changing my ground, I will not. I will stay with the other place alone and point out that 11 Ministers of a total of 29 Government members is almost a dominating force. Even the existing number of 10 Ministers is a dominating influence. I do not know a great deal about company law or practice, but I think that the general understanding in terms of the Companies Act is that about 15 per cent of the shareholding

is capable of exerting considerable powers over a company.

My basic position is that even 10 Ministers in the Legislative Assembly constitute a dominating force, and that any increase in the number is undesirable. So whether it is 11 or 12 really is not basic to the argument I was putting in that respect.

The main reason I have to disappoint Mr Lewis goes to a fundamental proposition related to the standing of this Chamber within our system of government and within the parliamentary system of the State. I believe I would have made it clear, even if briefly in my first speech in this Chamber, that I have a certain view on the position which the Council holds in the parliamentary system. That view is that the powers of this Chamber, especially given the way in which it is appointed, are grossly excessive. They should not be increased by an additional recognition of Ministers in this Chamber. They should not be increased by any means at all. In my opinion, they should be decreased in the various specific ways I have outlined previously and which I need not repeat at this stage. It is for those combinations of reasons that I for one will not be supporting the amendment.

The Hon. R. J. L. WILLIAMS: I have had to give this subject a lot of thought because I have spoken on it many times. First of all, I have a complete sympathy with the amendment moved by the Hon. A. A. Lewis; I can understand his frustrations. Many back-benchers amongst my colleagues and in the Opposition have a sense of frustration within this Chamber. I make it clear that, like any other back-bencher, I aspire to the Ministry and to ministerial status. That is the name of the game.

I see as nonsense those words in the Act which the Hon. A. A. Lewis is attempting to amend which state "at least one". At the moment, we have three very competent colleagues selected to the Ministry, and we have the Hon. Norman Moore who has been selected as Cabinet Secretary. To expand this a little, we are only wanting in this Chamber to regularise the position which we have and not be at the whim of anyone to say, "the Act states only 'at least one', and they have annoyed me, so I shall take away two."

We should regularise the position to what we have now, and that is, three Ministers of the Crown appointed from this Chamber. If we say four, any mover of such an amendment would be accused of sour grapes. I do not go along with the Hon. A. A. Lewis, because with proportional representation we should actually say five. Any

amendment I moved would say, "at least three"; but I am not going to move an amendment as such.

Has any Government ever thought of the traditional method of appointing five Ministers, including the Premier-Treasurer, to Cabinet, and to keeping the rest of the Ministers outside? We do have a Cabinet system at the Federal level where there are many more Ministers. There is a Cabinet system in other States where there are many more Ministers, but only a few of them in Cabinet. I make this comment from a purely business and administrative viewpoint. I can see no reason that there should not be more than five Ministers, including the Premier-Treasurer, in Cabinet. I can see every reason in the world that there should be many more Ministers, and I see every reason in the world that there should be more assistants for Ministers in this place. I am not envious of my three ministerial colleagues, because I realise the burdens coming not only from the portfolios they administer, but also the portfolios they share and answer for.

I honestly and sincerely feel that our Ministers in this place are grossly overworked and, further, I understand that the stress and traumas laid upon them will serve to do just one thing—foreshorten their life expectancy. I say this seriously and with all humility: not enough research has been done into this aspect of these incumbents' lives.

I believe the Leader of the House has pointed out adequately that not only are they expected to handle their own portfolios, but that they are also expected to represent another 12 Ministers it would seem. They will be expected to take a further proportion of the social representation that is required both of the Ministry and of the Opposition and they will be expected, on top of that, to carry out their normal political work for the political parties to which they belong.

I make it very clear that I am seeking reforms in the best way possible. I am seeking reforms to ensure that Cabinet government continues in an efficient way; reforms to ensure that the status quo is preserved in this Chamber, because time and circumstances since that constitutional amendment was written have changed and we need these Ministers here.

The Hon. Peter Dowding: Would you support a change to the malapportionment of provinces?

*Sitting suspended from 3.49 to 4.03 p.m.*

The Hon. R. J. L. WILLIAMS: Prior to the afternoon tea suspension I said I felt certain that re-organisation must take place within our ranks

and that the *status quo* should be maintained in this Chamber.

I pay tribute to the Hon. A. A. Lewis because he has had the foresight to put this matter on the notice paper so that it could be drawn to the attention of the people concerned that an anomaly exists. I am sure his colleagues on both sides of the House are not completely happy with the situation. I commend the Hon. A. A. Lewis for his thinking on this matter.

It was an honest approach and is probably what many people would like to say, but are perhaps a little apprehensive about saying so because they do not wish to be accused of not doing the right thing. It is apparent to members who have been in this Chamber for some time that the Hon. A. A. Lewis could not be accused of not going straight for his target. He does so with honesty and sincerity and without seeking any gain for himself.

The Hon. G. C. MacKinnon: Like a German tank.

The Hon. R. J. L. WILLIAMS: Perhaps a German tank is a little mild. More like a Centurion tank with leopard armament, so that he has the best of both worlds.

If this amendment to the motion put forward by Mr Lewis serves no other purpose than to bring to our notice that something has to be done to streamline the Government and Government procedures—with the necessary flow down or up, depending on which side of the House one sits, through the various departments—then he has done a service to this State.

I do not agree that we should discuss the matter while considering this amendment, but I would hope that the Leader of the Opposition will ensure that this figures high on the discussion list in the Opposition's Caucus.

I feel we could achieve much more benefit by discussing this matter outside this Chamber because then everyone outside this Chamber could join in. It is unfortunate that certain members of this place—no matter on what side of the Chamber they sit—because of the oath they took when taking office, cannot enter into discussions of this nature because it may affect them personally. We do not expect them to enter the discussion, but they can do so outside this place. They can express an opinion and do something about the matter. That is what I want done.

I want something done about it as the Hon. A. A. Lewis has also indicated. The honourable member wants something done about this matter because he wishes to ensure that in future what he

has echoed in sentiment is put into practice. I think that is the valuable lesson we have learnt this afternoon.

I am speaking for no-one else but myself. I turn now to the Hon. A. A. Lewis and say that I am indebted to him for bringing this matter to the attention of the Chamber. I am indebted to him for his integrity of purpose and I am indebted to him for reminding me that every Government—no matter what its colour may be—should be looking at the most efficient way—

The Hon. A. A. Lewis: Are you softening me up to then say you will not vote for it?

The Hon. R. J. L. WILLIAMS: If I am then I would be the first person to do so, apart from the honourable member's wife. The only thing soft about the Hon. A. A. Lewis is his teeth, and they are fairly hard.

I implore members of this Chamber to give this matter some thought and to give this matter thought outside this Chamber. If members do that they will benefit the State.

I am certain the Leader of the House will draw this matter to the attention of the Executive without rancour and without any feeling of dictation from the "old men's home" or the peculiarities of the old men's home, but as a constructive and positive piece of work which is designed to keep us looking forward in the 1980s.

However, I must add that as the Hon. A. A. Lewis predicted, I support his sentiments to the full, but I consider there is a variation that it should not be here. I will not be able to vote for the Hon. A. A. Lewis' amendment.

The Hon. R. G. PIKE: I move—

That the amendment be amended by deleting the word "four" in line five and substituting the word "three".

In the first instance when the Hon. Sandy Lewis spoke to me about his amendment I was inclined to agree with his proposition. I stand here today, and I stand on record always, as being as supportive as I can be at all times of the role of the Legislative Council, and I differ from some of the comments made by the Hon. John Williams in regard to the Hon. Sandy Lewis by saying it can be said of him that he uses the bludgeon and not the rapier, but he is capable of using both.

However, I associate myself generally with the comments made by the Hon. John Williams, because they have given me the opportunity to think the matter through since Mr Lewis mentioned it to me last night. In the process of doing that two points occurred to me. I apologise to members of the Opposition for using their

names, but I am very much aware that when the Hon. Bob Hetherington came to this Chamber at the very first meeting of the Parliamentary Labor Party to determine the guernseys, he was elected deputy leader of the party in this place. I would have thought that by any yardstick the erstwhile Hon. Roy Cloughton would have got that guernsey, but that was not the case.

Then when the Hon. Joe Berinson was elected to this place—whilst admittedly with accolades of competence and experience which preceded his arrival—at the first meeting of the Parliamentary Labor Party he replaced the former deputy leader of the party in this place.

I ask the Committee to consider what this means. It means that the will of the Parliamentary Labor Party is imposed on the Labor members in the Legislative Council. It also means—and this is why I am moving the amendment to the amendment—that as the platform of the Labor Party is to gut the Legislative Council, therefore at some time in the future, notwithstanding the ambition of the present Labor members in this House to become Ministers, which is reasonable and human, the will of the totality of the Parliamentary Labor Party will again be imposed upon its members. Under this provision I am sure that in accordance with the determination of members opposite to gut this Chamber we will find that in order to downgrade it, to denigrate it, to frustrate it, and to decimate it in the eyes of the public they will reduce the representatives of the Ministry in this place from three to one.

The Hon. R. Hetherington: You are becoming a gutter.

The Hon. R. G. PIKE: That can be done under the existing Constitution. I am so often reminded of the aspirations and ambitions of members opposite, notwithstanding the performance of the Labor Party in Western Australia, and notwithstanding its history in this State, that I feel what I have outlined would indeed be the scenario.

When I was first elected to this place I was concerned to discover that the portfolios allocated to it were diminishing under our Government from four to three. Nobody here can gainsay the fact that that was a reduction in the privilege, position, power, and influence of the upper House. More importantly, it is clear to me that if Mr Lewis' amendment is carried as it stands, it would not pass the Legislative Assembly; because if I am nothing else in politics I am both pragmatic and empirical.

Therefore, while Mr Lewis' amendment is very worth while in its own right, I would say it would go to the Legislative Assembly, be debated with despatch, and then be despatched. Thus his amendment would fail and the Bill would be returned to the upper House, and we would be back to square one. I make the point that inasmuch as my amendment on the amendment regularises, establishes, and marks the status quo of the existing Ministry of three in this place, I do not think the other House will reject it. My amendment on the amendment will regularise the existing position and in so doing we will ensure and enhance the position of the upper House; because we are dealing with a very important matter when we deal with the Constitution of Western Australia, as was so ably pointed out last night by the Hon. Joe Berinson, even if some of his facts were in my opinion not quite on the ball.

I make a personal appeal to members of the Chamber to support my amendment on the amendment. While I indicated to Mr Lewis that I would support his amendment when he first spoke to me, after thinking it through last night I saw it as an excellent opportunity to regularise and make permanent the fact that at least three Ministers should always be in the upper House, thereby ensuring that a future Labor Government cannot change the position. Recognising that in the future we could have another Labor Government in this State, and bearing in mind I have already demonstrated how the will of the Parliamentary Labor Party is imposed on its members, notwithstanding their ambitions and intentions, my amendment on the amendment will ensure that the status quo in this Chamber is retained.

I ask members to support my amendment to the amendment. Remember what happened when we were elected in 1977, when this Chamber lost one portfolio. My amendment will prevent a future Labor Government which is dedicated to gut the upper House from reducing the number of Ministers to one.

#### *Point of Order*

The Hon. R. J. L. WILLIAMS: Mr Chairman, I draw your attention to Standing Order No. 163. I believe the amendment on the amendment is out of order.

The CHAIRMAN: It is my view Standing Order No. 163 refers to a substantive notice of motion which is delivered to the table when the Committee of the whole House is not in session. I believe the amendment is in order.

#### *Committee Resumed*

The Hon. G. C. MacKINNON: I am interested in this debate because over the years I have given a lot of thought to everything it entails. I know we are really talking to the wind because it has been indicated by the Hon. Joe Berinson that the Labor Party will not support it.

The members of the ALP are making a mistake in their basic philosophy and logic. I will demonstrate that in a moment. Nevertheless, despite the waste of time, there are one or two matters I would like to mention.

What the Bill says now is that there must be some Ministers in the Legislative Council; and that gives the Legislative Council a certain form and pattern. The pattern of the constitution, the way it is made up—one has to be very careful of one's words—makes it what it is. More and more, this Chamber is becoming very similar to another place. Indeed, that is the ultimate aim of the Australian Labor Party, as I read it. ALP members want a unicameral system. They want both Houses joined. Unless I am vastly mistaken, it seems the ALP might have been wise to encourage an increased Ministry in this Chamber, which would have made this Chamber more similar to the other place, leading ultimately to an easier amalgamation.

My beliefs are totally opposed to that view. Therefore, whilst I am prepared to support the amendment moved by the Hon. A. A. Lewis, I do so reluctantly. There is very good reason for giving serious thought to a totally different Legislative Council. Indeed, there is good reason for eliminating all Ministers in the Legislative Council. Of course this would inhibit the ambition of certain people because there would be two major jobs only in the Legislative Council—the Leader of the Government and the Leader of the Opposition. Bills could be handled by individual members who showed interest, or who were chosen by lot, or by any other method. It would be necessary to eliminate questions, which would have to be handled by members of the Legislative Assembly. This would lead to the Legislative Council being attractive to a different type of member. I am sure it would lead to a greater degree of independence of spirit. Indeed, it would make the Chamber different.

This could take a number of different courses. One of my favourites has been brought about by my natural opposition to the Australian Labor Party when it wanted to be rid of the Council and to put all power in the Assembly. At one time, the Legislative Council was the sole repository of authority. I thought the time had come when it

should return to that position. There should be an election once every three years to elect the Assembly members, who would then elect a leader. The leader would select or have elected his Cabinet; and the members of the Assembly would then go home for three years. The Ministers would appear in this House to introduce their Bills; and all the legislation would be passed in the Legislative Council, which would have a six-year term. Therefore, the Council would be more removed from electoral forces. All the authority would return to the Legislative Council, as the wheel turned a full circle. That proposition is worth thinking about.

At present, the Bill says there shall be some Ministers in the Legislative Council. For much of my time here, there were two Ministers only. I was the initial third appointment when the number was made three. The Hon. Ian Medcalf was the appointment when the number was made four; and then it was reduced to three again.

Presently we are at the whim of a leader. Some leaders have high regard for the Legislative Council, and some have lesser regard. I think the position ought to be clarified. Four is a good number, and it highlights the matter.

I believe the time will come when this matter ought to be considered. I have long been of the belief that there would be real advantages in the Legislative Council becoming a Chamber without Ministers, with a leader, and with questions eliminated. There would be infinitely more discussion on all sorts of points. The Hon. Neil McNeill suggested to me at one time that the leaders could make statements, which could be discussed. That would mean that the Chamber would be different.

In this sense, I believe the Hon. J. M. Berinson and the ALP are doing a disservice to their ultimate aim for this Chamber by not supporting Mr Lewis's amendment, for the reasons I have stated. Purely and simply, the matter should be considered. I support Mr Lewis.

#### *Point of Order*

The Hon. A. A. LEWIS: Whose amendment are we discussing now? Last time, Mr Chairman, you read out Mr Pike's amendment. I cannot remember ever having dealt with an amendment on an amendment. In the past, the Chairman put one amendment, and then put another one.

The CHAIRMAN: I will clarify the question before the Chair. The Hon. R. G. Pike moved an amendment on the amendment as follows: to delete the word "four" in line 5 with the aim of substituting the word "three". The question

before the Chair is that the word proposed to be deleted be deleted.

#### *Committee Resumed*

The Hon. I. G. PRATT: I oppose the amendment. As the words stand at present, they require one member of the Legislative Council to be a member of the Ministry. This is reasonable because there needs to be one person here who is answerable to this House for the doings of the Government, for the conduct of the Ministry, and to answer questions. It is essential that Ministers can be questioned here.

In the present situation within the Government parties for determining the members of the Cabinet, the members elect a leader, who then chooses his Cabinet. Other parties have a different system. However, while we are the Government, and while we subscribe to this system of choosing the Cabinet, it is essential that we give to the Premier, whoever he may be from time to time, the utmost choice in choosing his Cabinet from among the members who have the greatest ability.

If restrictions are placed on the choice for the Cabinet, the standard of the Cabinet becomes lower and it does not rely on the ability of members. It relies on the restrictions placed upon the determination of the members.

If we were to pass an amendment specifying a certain number of the Cabinet who had to be members of the Legislative Council, we would be placing restrictions on the Premier in his choice.

It has been said that it is the ambition of everyone to be a member of the Cabinet. It is not mine. I would have to have the Premier come to me and convince me that the State needed me before I would have any ambition in that way. My prime object as a member of Parliament is to serve the people who elect me. That is the duty of every member of the Parliament, before he starts worrying about whether he will be a Minister.

We have the ideal system. We elect a leader, and he chooses the Cabinet. He chooses with the least number of restrictions on his choice. As I said, there has to be someone here to answer for the Government. I see no reason to change the system.

The Hon. I. G. MEDCALF: I have listened to the comments made by members, I have seen the amendment on the notice paper moved by the Hon. Sandy Lewis, and I have also noted the comments made by the Hon. Bob Pike. I strongly urge members to have second thoughts about the proposition they are putting to the Chamber today.

A change in the Constitution is a very serious matter and one that should not be embarked upon lightly. The amendment proposed today is a change to the Constitution and any such change should not be made on the spur of the moment. I know the Hon. Sandy Lewis mentioned this last night and he may have been thinking about it for some time, but even the very form of the words he has used to effect this amendment are not at all satisfactory.

The A. A. Lewis: Not to you.

The Hon. I. G. MEDCALF: The words do express the amendment in a way that four executive offices may be held by members of the Legislative Council, unless it is decided that the singular includes the plural.

The Hon. A. A. Lewis interjected.

The Hon. I. G. MEDCALF: If the member thinks he is right and can rely on his own opinion, that is all he need worry about.

There is a question of the Constitution Act itself, which expresses this very proposition in exactly the same words. We are not proposing to amend the Constitution Act, only the Constitution Acts Amendment Act. So we would have one proposition in the Constitution Acts Amendment Act and another in the Constitution Act.

The Hon. A. A. Lewis: You can easily bring it in.

The Hon. I. G. MEDCALF: We cannot, because we are not amending that Act. This amendment introduces all sorts of complications—and I am referring to section 6 of the Constitution Act—which the honourable member's proposition does not take into account. I ask members: Is it proper, without adequate thought, to amend the Constitution in this way?

The Hon. A. A. Lewis: It is interesting that the Leader of the House said last night that we were not amending the Constitution and used that as an argument to support the President's ruling, which I do not debate. The Attorney General is like Mr Berinson; he has turned right over and said we have to be very worried about altering the Constitution.

The Hon. I. G. MEDCALF: The honourable member has completely misunderstood the situation. The reference last night was to changing the constitution of the Legislative Council or the Legislative Assembly. Those were the words we were debating. I was referring to changing the Constitution. We are amending the Constitution Act. It does not alter the fact that what I said was correct. If we were to accept the amendment moved by the Hon. Sandy Lewis, or,

indeed, the amendment referred to by the Hon. Bob Pike, we would in either case be amending a section of the Constitution Acts Amendment Act without amending the corresponding words which appear in section 6 of the Constitution Act. That introduces complications, and the Constitution is not an area in respect of which we want any more complications than we have already. We have illustrated in the Bills before the House recently that there are complications which we are trying to straighten out. We do not want to increase those complications and, therefore, I urge the Hon. Sandy Lewis and the Hon. Bob Pike to give some thought to where their amendments may take us and to the complications which they may be introducing into the situation.

The Hon. John Williams, in his very pertinent comments, referred to the frustrations from which Mr Lewis suffers. I can understand the frustration that members suffer from time to time in connection with their business in the Legislative Council; I am well aware of the kinds of things members have been talking about. But I do not subscribe in any way to the diminishing of the status of the Legislative Council. I do not believe in that; I believe in the opposite. But perhaps there is a right way of going about things; there is a proper way of doing things. By a direct confrontation of this kind with the Legislative Assembly, it is most unlikely that the member will succeed in doing what he is attempting to do. Not only is it most unlikely he will succeed, but it is indeed certain he will not succeed. For those reasons I urge members not to support the amendment which has been moved.

The Hon. A. A. LEWIS: I have heard some paltry arguments in my time. I do not know the frustrations of the Leader of the House, but I could give him a list of mine. I commented earlier that I did not think the Hon. John Williams knew what my frustrations were. But frustrations are not what this is about.

First of all, the Attorney General said that this was a change to the Constitution, but then he backed off a bit because he was challenged and said we were altering numbers. Blimey, have a look at sections that we are already altering! We are altering the number of Ministers from 13 to 15. The fact that the Constitution Act has to be altered does not worry me one little bit. If we cannot make amendments to legislation in this place—and I do not treat this Bill as a Constitution Bill, because that matter was decided by the House last night when debating the President's ruling—

The Hon. I. G. Medcalf: It is still a Bill to amend the Constitution.

The Hon. A. A. LEWIS: The Attorney General should not bring in all the little legalities. Last night he wanted it one way, today the other. This is what I am arguing about. I am just an ordinary citizen, and an ordinary citizen ought to be able to read the Constitution Act and the Constitution Acts Amendment Act and know what they mean without having this legalistic approach, because those Acts are for the average citizen, the person who has elected us to this place. So when we get into those legal nit-picking arguments to draw members away from the main story, I cannot agree with the Attorney General.

This is a simple matter. I have not made up my mind whether or not I shall accept the amendment Mr Pike has moved to my amendment. It appears the Leader of the House wants to oppose anything that back-bench members try to do. We have gone about this matter in a straightforward manner. I have given notice to the Leader of the House and he admitted I told him about this last night. That was the first time I thought about the issue.

The Hon. I. G. Medcalf: I said that you only thought about it last night.

The Hon. A. A. LEWIS: I only thought about it last night, because we were speaking about Standing Orders. I read the two Bills concerned and I asked myself, "Why should the House put up with this situation?"

If the Leader of the House would prefer, I shall introduce two private members' Bills covering both of these matters, because they are not constitutional Bills. We do not need an absolute majority to pass them. If the Leader of the House wants it that way, I will do it that way; but I do not believe his argument has any validity.

It is easy to say what the Executive does and does not want. I understood this was a House of Review. On a number of occasions I have rebuked the ALP because of its Caucus method of voting.

The Hon. Lyla Elliott: It is very democratic.

The Hon. A. A. LEWIS: The Hon. Lyla Elliott may think it is democratic, and I do not intend to deny her the right to her opinion. Occasionally I get a little upset when I am told that some members on this side of the Chamber do not have consciences, and when we are asked why we do not vote the other way. We are accused of not doing that by certain people on my right who represent the left.

I have always voted the way I think I should and I have never flinched from raising matters which I believed should be mentioned. However, if we are to have this sort of control on the conservative side of Parliament—

The Hon. R. Hetherington: You have to keep your rubber stamp in firm hands.

The Hon. A. A. LEWIS: That may be; but I want to "leap into the 80s" under the firm understanding that the reasons I was elected to this place were that I was elected on a Liberal Party ticket to a House of Review and that, as a Liberal member, I am allowed to make my decisions for myself. I understood, when I was elected, that I would not be told by the Executive or by a junta how I should vote and on what type of legislation I may and may not move amendments. If I am wrong in my understanding of the basis on which I was elected to this place, I am sure the Leader of the House will tell me.

It is within my power as a member of the House to move my amendment, and I have done so. I believe we have had some very constructive debate on this matter and in fact the Hon. J. M. Berinson wriggled off the hook. The comments made by the Hon. R. J. L. Williams were first class. I am disappointed he and the Hon. R. G. Pike are not going to vote for my amendment. However, I do not always expect to win. I am having the time of my life getting rid of my frustrations; although my frustrations are extremely limited, because I rarely get frustrated.

The Hon. D. K. Dans: What are you talking about?

The Hon. A. A. LEWIS: All members should think again about this matter. I believe the Leader of the House and the Deputy Leader of the Opposition should have regard for the comments made by the Hon. G. C. MacKinnon, that perhaps we should return to being a House of Review.

The Hon. R. Hetherington: We have never been one so we cannot return to being one.

The Hon. A. A. LEWIS: Of course we have never been a House of Review, because the Labor Party votes according to Caucus. How can we be a House of Review when that occurs? The Hon. Robert Hetherington is drawing a long bow and the little gentleman behind him is trying to help him.

The CHAIRMAN: Order! The question before the Chair is that the words proposed to be deleted be deleted. I ask the member to confine his remarks to that matter.

The Hon. A. A. LEWIS: I am talking about who should and who should not be deleted.

The Hon. R. Hetherington: The long bow is becoming a bit of a crossbow.

The Hon. A. A. LEWIS: The Hon. Robert Hetherington needs the small gentleman behind him to help him draw it.

This is a serious matter. I understand the problems of the ALP and also those of individual members of the ALP. Using a little telepathy, I can understand what is behind the thinking of the Hon. R. J. L. Williams and the Hon. R. G. Pike. I believe Mr Pike will withdraw his amendment. However, I had the impression that the Leader of the House doubted whether it was in our capacity to take such steps as we have taken and I certainly hope that type of argument is discontinued.

The Hon. R. G. PIKE: Acquiescing with the telepathy of the Hon. A. Lewis, I seek leave to withdraw my amendment to the amendment. I have taken cognisance of the comments made by the Leader of the House and have reached the determination that I will consider pursuing this as a separate amendment at another time.

The CHAIRMAN: The question is that leave be granted to withdraw the amendment to the amendment. Is leave granted? Leave is granted.

#### *Point of Order*

The Hon. G. C. MacKINNON: What was the question that you put, Sir? I thought it was that leave be granted and, if that is so, one dissentient voice nullifies that question.

The CHAIRMAN: In order to clarify the position, I take the point made by the member, and I will put the question again. The question is that leave be granted to withdraw the amendment on the amendment. Is leave granted?

#### *Committee Resumed*

Amendment on the amendment, by leave, withdrawn.

The CHAIRMAN: The question now before the Chair is the original amendment moved by the Hon. A. A. Lewis.

The Hon. I. G. MEDCALF: I would like to assure the Hon. A. A. Lewis that I have never tried to tell him what he can do and cannot do and if he believes that I have, then he is under a misconception. I would certainly not like him to be under any misunderstanding because he is at liberty to move any amendment he wishes within the Standing Orders. I would be the last person to try to persuade him to do otherwise and that goes for any member of the Chamber. Any member is at liberty to move any amendment within the Standing Orders. There is no question about that. It is the prerogative of a member of Parliament

and I would be very fierce in championing that prerogative if it were necessary.

With regard to the members of the back bench, I have been a member of the back bench for many years and having exercised my prerogative I am keenly aware of the importance of that prerogative and of the importance of the members of the back bench. There is no question in my mind about that. I do not have any hangups about it.

With regard to the importance of the role of the members of the back benches in the Legislative Council I assure the Hon. A. A. Lewis that I am aware of their importance. They play a significant part in the Parliament and no doubt will continue to do so.

I believe the proposed amendment has been dealt with by the honourable member quite adequately, but I must confess that the proposed amendments would present problems of an insurmountable nature and would not be a practical possibility.

I would suggest to the honourable member—as I understand some of the background to this—that there are better ways of achieving the end which he seeks. I urge members to vote against the amendment.

The Hon. A. A. LEWIS: I understand that I heard the Hon. Robert Pike say that he would produce a private member's Bill and follow this matter through.

The Hon. R. G. Pike: I said I would pursue the matter in another place.

The Hon. A. A. LEWIS: I thought the member said he was planning to bring the amendment forward. I seek leave to withdraw my amendment.

Amendment, by leave, withdrawn.

Clause put and passed.

Title put and passed.

#### *Report*

Bill reported, without amendment, and the report adopted.

#### *Third Reading*

Bill read a third time, on motion by the Hon. I. G. Medcalf (Attorney General), and passed.

#### **ADDRESS-IN-REPLY: TENTH DAY**

##### *Motion*

Debate resumed from 3 September.

**THE HON. LYLA ELLIOTT** (North-East Metropolitan) [4.55 p.m.]: I wish to support the motion moved by the Hon. John Williams, but I



would like to comment on some of the sections of the speech and other matters which occurred on opening day.

Firstly, I would like to refer to the action of the Hon. Des Dans in speaking on the adjournment of the House on that day. He spoke on the need for electoral reform.

Ever since the Australian Labor Party came into existence in this State it has played the game of politics according to the book and according to tradition. It has participated in this Parliament in a responsible way. However, ever since the Daglish Government in 1904—almost 80 years ago—the ALP has never had control of this Chamber despite the fact that people made it clear on a number of occasions that they wanted a Labor Party in power. Of course, we all know why this is. I will not go into the reasons again. They have been aired in this Chamber on many occasions. We have had to deal with the dreadful undemocratic system which exists.

The Hon. G. E. Masters: Why is it that the public seem to give fewer votes to elect members to this Chamber than they do to the other place? As far as the Liberal Party is concerned it always does better. The public support it in greater strength.

The Hon. LYLA ELLIOTT: That is a rather weak argument.

The Hon. G. E. Masters: The figures indicate that.

The Hon. LYLA ELLIOTT: The public do not support the Liberal Party in greater strength. In the last election the Hon. Joe Berinson and I received a higher vote than the Assembly members—it was 2 per cent higher, with the exception of one electorate where the vote was about equal. I think I polled about 2 per cent more than the Assembly members within the province. That is a red herring of course.

The Hon. G. E. Masters: It is not.

The Hon. LYLA ELLIOTT: The members opposite are well aware of the figures, and the electoral boundary situation and the ridiculous situation where the Hon. Joe Berinson and I represent 85 000 electors and other members can represent 6 000. I will not deal with this matter because I have other comments I wish to make.

The Labor Party, since its inception, has played the game according to the book. It has never put a foot wrong, it has always done the right thing and observed the dignity of the occasion. I believe that there was nothing wrong with the step taken by the Hon. Des Dans on opening day. It was a minor way in which the Labor Party could

register its disgust at the very unfair and undemocratic situation. It was one public occasion on which it was possible to draw to the attention of the people the situation which exists.

Because the Hon. Des Dans had the temerity to tell the public about this matter and had the temerity to keep some people from afternoon tea for a few minutes, he was taken to task by the Leader of the House—the Hon. I. G. Medcalf—who said, "It was regrettable that the Opposition had broken with tradition and delivered a flagrantly political speech on a public and ceremonial occasion".

All I can say is that Mr Medcalf's memory is very short because it is only three years ago that one of his own members delivered a disgraceful and provocative political speech in this House. That member did so in his maiden speech. He did it on opening day and the Opposition had to sit there and take it. It was nothing more than a sustained attack on the Australian Labor Party, from beginning to end. The Opposition had to sit there and take it. It was far worse than what the Hon. Des Dans did.

The Hon. Des Dans was merely stating the truth and drawing to the attention of the public a situation that indeed existed. He was taking the stand that *The West Australian* newspaper has done on many occasions. That newspaper has spoken from the same position.

I remind members opposite that their own Mr Pike committed a far worse offence in his maiden speech in 1977. If anyone cares to read what he said then they would realise that was far worse than what the Hon. Des Dans did. So Government members should not talk to the Opposition about a break in tradition.

The Hon. R. G. Pike: That speech dealt with the Federal Liberal Party. It was not partisan.

The Hon. LYLA ELLIOTT: It was a provocative speech from the beginning to the end.

The PRESIDENT: Order!

The Hon. R. G. Pike: I recommend that the honourable member read it again.

The Hon. LYLA ELLIOTT: Even Mr Pike's own colleagues were disgusted at his stand.

I come now to the Lieutenant-Governor's Speech under the heading "The Economy". True to form, this Government has once again looked for a scapegoat to blame for the State's economic problems. When the Whitlam Government was in office we had to listen continually to criticism of that Government. I well remember the 1975 Governor's Speech which was sprinkled with all sorts of criticism of the Whitlam Government. I

might add that Government was extremely generous to the State Government during its term of office and the State Government was able to distribute all sorts of largess which, actually, was money made available by the Federal Government.

The Hon. R. Hetherington: It was a political speech put into the Lieutenant-Governor's mouth.

The Hon. LYLA ELLIOTT: That is right.

The Hon. R. Hetherington: It was no different from the speech delivered in this Chamber in 1975.

The Hon. R. G. Pike: Are you saying that the Governor's Speech should not be political?

The Hon. J. M. Berinson: That is what Fraser says.

The Hon. LYLA ELLIOTT: This Government continually is looking for scapegoats to blame. The Whitlam Government was continually blamed, but Labor is no longer the Federal Government so now this State Government places the responsibility for the State's economic problems on the unions and the working people.

Several members interjected.

The PRESIDENT: Order! The honourable member is trying to conclude her speech.

The Hon. LYLA ELLIOTT: I am having some trouble trying to get it started! I am also having great difficulty in getting to the point because of the interjections.

I could not help noticing that as the Lieutenant-Governor was reading his Speech he made a number of references to wage and salary earners, and working people. I became quite angry because once again it was shown the Government had no time for working people. The Government made it clear in the speech delivered in this place that it had to find another scapegoat. I ask members to note the number of references to wage and salary earners which appeared in the Speech. In the first paragraph under the heading "The Economy", mention is made of "mounting wage pressures". Another paragraph mentions "maintaining a tight rein on currently emerging wage-cost pressures". Another paragraph refers to "irresponsible demands for increased wages, salaries, and conditions". Another paragraph refers to "significant additions to labour costs".

Under the heading "State Finances" reference is made to "significant salary and wage award increases". The third paragraph under the same heading refers to "excess expenditure attributable mainly to salary and wage award increases". Of course, we could not have a speech without reference to industrial unrest.

Under the heading "Resources Development and Energy" mention is made of "industrial unrest". Under the heading "Labour and Industry" there is reference to "the incidence of industrial disputes".

The wage and salary earners of this country are not causing the economic problems. In fact, since the Fraser Government came into office there has been a substantial drop in the living standard of working people while, at the same time, the Federal Liberal Government has handed over millions of dollars to the business sector.

During the period of the first four Fraser Budgets a sum of \$4.2 billion was handed to the business sector of this country by way of tax concessions, subsidies, and assistance grants of various kinds. The point I am making is that the money for those concessions was taken from the working people and handed to big business.

I will refer to tax collections, which have almost doubled under the Fraser Government. The last Whitlam Budget provided a tax revenue of \$17.6 billion. The last Fraser Budget provided for a total tax revenue of \$32 billion. The Federal Liberal Government has transferred the wealth from the great majority of the wage and salary earners to big business.

Between the 1975-76 and 1979-80 financial years the tax on wage earners increased by 59 per cent. During the same period, the income of wage earners increased by 49 per cent. During the same period the tax paid by self-employed people increased by 30 per cent while their incomes increased by 68 per cent. Company taxes increased by 35 per cent, while company income increased by 55 per cent.

Those figures confirm what I have been saying, that there has been a transfer of wealth from the working people—the majority of people in the country. The State Government has contributed significantly to a reduction in the living standard of the working people in this State as a result of excessive increases in State taxes and charges. There is no doubt that towards the end of the current financial year, I submit, we will see the imposition of a State income tax. That is quite clear.

The Hon. G. E. Masters: What gives you that impression?

The Hon. LYLA ELLIOTT: I have asked two questions in this Chamber regarding the intention of the Government to introduce a State income tax or surcharge. When I asked the second question the reply repeated the answer supplied when I first sought the information. The second question I asked was—

Further to the answer to question 71 on 13 August 1980, is the Government considering the introduction of a State income tax or surcharge in the present financial year?

The Attorney General replied—

I cannot add anything to the reply I gave to question 70 on Wednesday, 13 August; namely, that the Government has no present intention of introducing a State income tax or surcharge.

The reply to my question did not state that the Government had no intention of introducing a State income tax or surcharge during the financial year. That was the question. The answer I received indicated that the Government was not prepared to commit itself. I fear that before the end of the financial year we will see the imposition of a State income tax.

The Hon. G. E. Masters: That is pure scaremongering. Your party is very good at it.

The Hon. LYLA ELLIOTT: We will see.

The Hon. G. E. Masters: You are making wild accusations, and that is quite wrong.

The Hon. F. E. McKenzie: What about the cost of Noonkanbah?

The Hon. LYLA ELLIOTT: Taxes will have to be increased by \$2 million to cover the expense of Noonkanbah.

At page 5 of the Lieutenant-Governor's Speech, under the heading "Agriculture", sympathy was expressed to the farmers who had suffered losses from drought, cyclones, and floods. Of course, my sympathy goes out to those farmers who suffered great losses as a result of the vicissitudes of nature. However, there was not a word of sympathy for the working people who have lost their jobs and lost their livelihood, not only through drought, cyclones, and floods, but also because of the unrestricted export of live sheep. At least 1 000 meatworkers' jobs have been lost in this State alone because the Government refuses to do anything to encourage within this State the processing of meat for export.

The Hon. R. G. Pike: They simply will not eat frozen meat. Mohammedans like to cut the throat and eat the meat while it is fresh. They need to be re-educated.

The Hon. LYLA ELLIOTT: It shows how little Mr Pike knows about this subject, as with many other subjects. He has apparently not heard of chilled meat.

The Hon. R. G. Pike: On that ground you are a long way out.

The Hon. LYLA ELLIOTT: There are firms in this State which have export markets in the Middle East waiting for chilled and frozen meat, particularly chilled meat.

The Hon. R. G. Pike: Tom Knight has spoken about that.

The Hon. LYLA ELLIOTT: Mr Knight has spoken about that in this Chamber, so he agrees with me.

The Hon. R. G. Pike: The vast market is for fresh meat.

The Hon. LYLA ELLIOTT: Mr Pike does not know anything about this. I wish he would stop interjecting.

Borthwicks has informed me in a telephone conversation that it has markets for all the chilled and frozen sheep meat it could lay its hands on. I want to know what this Government is doing to get the Commonwealth to lift the air freight restrictions, which are stopping this industry. There are other actions the Government should be taking in this matter and I am very concerned because the Midland Abattoir is in my electorate and many jobs were lost when that was closed down. The Government should be taking action to achieve the maximum processing of meat in this State.

I suggest the Government take a leaf out of Labor's book. When the Tonkin Government was in office the then Minister for Agriculture actually visited the Middle East for the purpose of investigating the construction of cool stores to handle processed Australian meat, and he and the Tonkin Government gave the proposition full support. Unfortunately, we were not in office long enough to be able to put it into operation, but in the last two elections it has been Labor policy to support this principle. The Tonkin Government also established the Live Sheep Export Committee which consisted of representatives of shippers, producers, the Meat Industry Employees' Union, and the Government. The committee set a ratio of live sheep to processed sheep and I understand it was functioning very successfully. But it functions no longer and I think it should be revived.

The Government should also take an example from New Zealand, which has banned the export of live sheep since 1978. While exports of processed meats from this country have reduced in quantity, New Zealand has been building up her exports.

The Hon. T. Knight: You know why, don't you? The shipping rates from New Zealand are half those from Western Australia with 5 000 extra miles to travel and 12 days' extra steam.

The Hon. LYLA ELLIOTT: Mr Knight has already made his speech on this matter. I suggest the New Zealand situation has come about because the lobby of the processors there is stronger than that of the farmers, but it is the reverse in this country. If we did not have such a strong rural lobby and representation in this Parliament, it might be a very different proposition.

I want the Government to have another look at this question because the jobs of at least 1 000 meat workers are at stake. It would be possible to process more meat in this country if there were more co-operation between Governments and more will on the part of this Government to do something about it. Many more jobs would be provided in the industry.

The Hon. T. Knight: The Government is supporting the effort to get air freighting going.

The Hon. LYLA ELLIOTT: I do not know why Mr Knight is interjecting. I thought I was supporting him. Is he not concerned about unemployment in Albany?

The Hon. T. Knight: Yes. I said the Government is supporting me in my efforts to get the air freighting going.

The Hon. LYLA ELLIOTT: I was very disappointed to see no reference to women's issues under the heading "Proposed Legislation". I hoped the Government, after all the representations it has received from women's groups for so long, would have finally come around to seeing the need to introduce anti-discrimination legislation. Western Australia and Queensland are the only two States which have no legislation against discrimination on the ground of sex, and they are the only two States which do not have a women's adviser or women's policy units in the various departments. Legislation is needed not only from the standpoint of eliminating discriminatory practices in areas of working conditions and finance; it also has an educational function.

The New South Wales Anti-discrimination Board answers hundreds of requests for speakers for tertiary institutions, schools, unions, management, and community groups of all kinds, and it also provides the resources for research into this area. The New South Wales board was given the job of examining all State Government laws, policies, and practices which could be regarded as discriminatory. I am told that as a result a number of changes have taken place in that State.

I ask members to have a look at the situation here. How many principals of high schools in Western Australia are women? One! How many

heads of Government departments are women? None! How many women judges do we have? None!

The Hon. W. M. Piesse: How many Government Whips do we have?

The Hon. P. G. Pental: Fifty per cent are Government Whips.

The Hon. LYLA ELLIOTT: Here is a very good example. I am sure everyone in this Chamber would agree Miss McAleer is doing an excellent job as the Government Whip. That proves that women are just as intelligent and conscientious as men. Agreed?

The Hon. P. G. Pental: Agreed.

The Hon. P. H. Lockyer: Agreed.

The Hon. LYLA ELLIOTT: Then why do we not have more women in senior positions in Government departments?

The Hon. P. G. Pental: Why not in politics, in the Labor Party and the Liberal Party? I think the answer lies with those organisations themselves.

The Hon. LYLA ELLIOTT: It is not a question of legal discrimination. It is a question of discrimination in attitudes and policies. We need to change the attitudes as well as everything else. If a thorough check were made of legislation on the Statute book, no doubt many instances of discriminatory legislation would be found which are not apparent at the moment. However, the important area is discrimination in policies and attitudes, and I submit this is the kind of thing which is responsible for discouraging women from seeking high office.

The Hon. R. G. Pike: Can I ask the honourable member—

The Hon. LYLA ELLIOTT: No. I have not time.

The Hon. R. G. Pike: Some will not leave their families and children.

The Hon. LYLA ELLIOTT: Mr Pike no doubt believes the sole job of women in this world is to have children.

The Hon. R. G. Pike: You may not speak for yourself but that is the reason in many cases.

The Hon. LYLA ELLIOTT: I will not answer nonsensical interjections. It is quite obvious that women make up 50 per cent of the population—

The Hon. W. R. Withers: They make up all of it.

The Hon. LYLA ELLIOTT: —and they do not all get married. Some continue with their careers.

The Hon. P. H. Wells: It should be on ability and suitability—not sex.

The Hon. LYLA ELLIOTT: When women make up 50 per cent of the population, there is no good reason there should not be more women as heads of departments, principals in high schools, or in prominent positions in professional life. I submit that it is very important we should have a board to provide the necessary research and resources to change this situation.

I want to refer now to unemployment. This is a very serious problem for both men and women, but I suggest it is particularly serious for women. At the moment the unemployment problem is reaching disastrous proportions for young women. The Lieutenant-Governor and Administrator, in his Speech, referred to the OECD as providing some sort of guideline for this country's greater success in beating inflation. I would like to refer to the unemployment situation of some of the OECD countries to show that in comparison Australia has a disgraceful record in youth unemployment. The story appeared in the 2 November 1979 issue of *The Australian Financial Review*. It stated—

Australia's youth unemployment problem is at least third worst among OECD countries . . .

Of 15 OECD countries Australia last year and early this year had the third worst youth unemployment rate. Only Finland and Spain showed higher rates

What a disgrace! This Government and the Federal Government should be ashamed. Of course, the situation in this State is even worse than that in the other States of Australia. There are 52 unemployed young people for every job vacancy in this State, whereas the Australian average is 32 unemployed young people for each job vacancy.

Let us look at the situation of unemployed Australian males and females. The last available published figures supplied by the Australian Bureau of Statistics were for June 1980. In this State 4 610 males and 6 558 females in the 15 to 19-year age group were unemployed. The latest available published figures for job vacancies are those of May 1980, and we find there were 1 100 job vacancies for males, and only 600 job vacancies for males or females of all ages. So members can imagine how many jobs are available for the 15 to 19-year-olds.

The Hon. R. Hetherington: Not many.

The Hon. LYLA ELLIOTT: The unemployment situation for women is even worse than the official ABS figures reveal. A survey

conducted last year by the New South Wales Council of Social Service confirmed what many of us suspected—that the unemployment amongst women is very bad indeed. Twice as many women wanted work than was indicated in the ABS figures. Of the 1 216 women interviewed, 52 per cent said they would accept any kind of work. Another 40 per cent said they wanted office, shop, factory, unskilled, or domestic work. It is in these very areas that job opportunities are disappearing. This is happening for a number of reasons; for example, advanced technology and automation in offices and factories, and the fact that large self-service stores are putting the small shops out of business. These large stores employ a minimum of labour. I am sure most members here have been frustrated when trying to find something in a large store; there is never anyone around to help. Certainly they are not employing as much labour as they should, or as much labour as they once did.

Computers and word processors are taking away the jobs of clerks and typists. Due to computerisation, between 1975 and 1977 banks reduced the recruitment of school leavers by 40 per cent. When I was young most girls leaving school would look to a career as a secretary or a typist. I did this myself; before coming to Parliament I spend most of my working life as a secretary. Typists presently represent about 10 per cent of the total female work force which now exceeds two million. It is estimated that one word process operator can displace four typists. This means that the installation of word processors could put 150 000 jobs at risk.

It is extremely important that the Government, unions, management, and everyone who has a role to play in this area, should encourage girls to take up apprenticeships in other trades as well as hairdressing. Girls could also seek qualifications in such areas as computer technology, electronic engineering, and other professions not traditionally open to women.

Members might remember that I asked a question yesterday about apprenticeships in this State. The answer revealed that in 1979, of a total of 13 074 apprentices, only 923 were females. The great majority of these females were in the hairdressing trade. In 1980, of a total of 13 138 apprenticeships, 992 were held by females—again mostly in the hairdressing trade.

Of the 923 female apprentices for the year ended 30 June 1979, 875 were hairdressing apprentices. The next highest number of apprentices was 19 cooking apprentices, and then there were one, two, or three apprentices in

various other trades. Girls could enter numerous trades.

The Hon. P. G. Pendal: You do realise there is no legal barrier to girls entering any apprenticeship in Western Australia?

The Hon. LYLA ELLIOTT: I have said already that very few legal barriers need removing.

The Hon. P. G. Pendal: So it is an attitude.

The Hon. LYLA ELLIOTT: It all comes back to attitude and policy.

The Hon. P. G. Pendal: That is right.

The Hon. D. J. Wordsworth: How many men are apprenticed hairdressers?

The Hon. LYLA ELLIOTT: I do not think that is relevant, but if the Minister really wants to know, I will find the information. Of 887 apprentices for ladies hairdressers, 793 were females.

The Hon. D. J. Wordsworth: What about the men?

The Hon. LYLA ELLIOTT: There were 112 apprentices in male hairdressing 82 of whom were females. I give that information to Mr Wordsworth, but I really think it is quite irrelevant.

The Hon. D. J. Wordsworth: Discrimination against men!

The Hon. LYLA ELLIOTT: How can the Minister say that when of the 13 000-odd apprenticeships, fewer than 1 000 are held by women?

The unemployment rate amongst 15 to 19-year-old girls is about 50 per cent higher than the unemployment rate amongst 15 to 19-year-old boys. Mr Wordsworth's question was quite frivolous and irrelevant.

The point I am making is that a much bigger slice of those 13 000 apprenticeships should be available to young women entering the work force.

The Hon. P. G. Pendal: That is my point; they are available to young women and you have admitted yourself it is a question of attitude.

The Hon. LYLA ELLIOTT: Well, they should be encouraged to take them and I would suggest at the moment they are discouraged from taking them. I think I have made my point; I could read out all the various trades that young women could enter, but I think that would be time-wasting and unnecessary. I might add that unemployed young people under the age of 18 years are expected to live on \$36 a week because the Federal Government refuses to give them the cost-of-

living increases. They are now living on \$27 below the poverty level. The latest figures issued by the Institute of Applied Economic and Social Research show that the poverty level for a single person not in the work force is \$63 a week. So at \$36 a week these young people are \$27 below the poverty level. Young people of 18 and over have just received the "generous" increase of \$2 a week, taking them to \$53.45 which still means they are almost \$10 a week below the poverty level.

I move on now to the question of child labour. My attention has been drawn to a rather startling situation. Amendments made to the Child Welfare Act in 1976 and the Industrial Arbitration Act in 1979 have left some large gaps in respect of controlling the employment of children. Although the Factories and Shops Act contains provisions referring to the employment of children in such establishments as factories, shops, and warehouses, which are defined in the Act, there are other areas in which children can be employed and there appears to be no legislation banning their employment or providing control over it to prevent exploitation.

Prior to 1976, section 108 of the Child Welfare Act provided three areas in which children could not be employed. One of those was the entertainment industry. However, that provision was removed from the Act in 1976. In addition, when the Industrial Arbitration Act was rewritten last year the definition of "worker" was removed and replaced by a definition of "employee", and reference to age was dropped. Under the old provision the definition of "worker" included any person of not less than 14 years of age, but that was removed when the new definition of "employee" was added.

This means we have a situation in which although there is control over the employment of children in certain areas, such as factories, shops, and warehouses, there are other areas in which there is no control, such as the entertainment industry and a number of others.

What concerns me and the person who raised the matter with me is the entertainment industry. For instance, there is nothing to stop a night club employing under-age persons. I was given the example of a case not so long ago in which young girls aged from 11 years upwards were working in a show each night until 11.30, for 44 hours a week.

The Hon. P. H. Wells: Does not that come under the Liquor Act?

The Hon. LYLA ELLIOTT: No, because it was not in a night club; this was a pantomime,

and the girls were doing all that work on top of their normal school work. They were required to work long hours and Actors Equity could take no action. As the relevant provision has been removed from the Child Welfare Act, there is now no restriction on the employment of children in this area.

I think that is a matter which should be looked at urgently by the Government. Obviously the legislation has a glaring weakness, and it is disturbing to think children could be exploited.

The Department for Community Welfare has no right to interfere unless a complaint is made and a reasonable case is presented which it can investigate under its general powers of inspection. It does not have the staff to enable it to go around continually inspecting these places, anyway. I think the Act needs to be tightened up and I ask the Government to give urgent attention to correcting this anomalous situation.

I now move on to the heading of "Resources Development and Energy" in the Lieutenant-Governor's Speech. On page 4 of the Speech the Lieutenant-Governor talks about the significant growth in coal production that will occur as the State Energy Commission converts its oil-fired generating capacity. What we were not told is that the stubbornness and shortsightedness of a previous Liberal Government has cost and is costing the taxpayers of this State millions of dollars.

The Labor Party and the trade union movement were strongly opposed to the installation of oil-burning units at Kwinana in the 1960s, and asked that coal be used instead because it was a resource that was plentiful in the State and would be cheaper to use. But the Government would not listen and went ahead with the installation of oil-fired units. Now it has to convert those units back to coal at a very high cost to the taxpayers of the State. The cost for the conversion of the first two units was \$32 million, and the conversion of the next two units will cost \$39.1 million; so over \$70 million of the taxpayers' money has been wasted because of a blunder made by a previous Liberal Government. It is no wonder electricity charges are so high in this State.

The next paragraph of the Lieutenant-Governor's Speech tells us that work is well advanced on construction of a Kalgoorlie pilot plant for the State's first uranium project at Yeelirrie. The nuclear power issue is one of the most important issues confronting not only Australia, but also the entire world today. We can

see a real and terrifying prospect of a nuclear conflict that could very well involve Australia.

The Court Government has made it quite clear that it wants to push this State headlong not only into the nuclear fuel cycle from mining onwards, but also into the horrific possibility of becoming a nuclear target.

The Hon. P. G. Pental: That is nonsense!

The Hon. F. E. McKenzie: How can you say that, with Cockburn Sound?

The Hon. P. G. Pental: The Court Government has said we should conduct sufficient research into the matter so that should a time arrive when we should go nuclear, we are able to do so.

The Hon. LYLA ELLIOTT: Everything the Opposition says which the Liberal Party tells us will never happen eventually does occur. There is no question that if this Government remains in power for long enough, we will have a nuclear power station.

The Hon. N. F. Moore: Only if it is required.

The Hon. I. G. Pratt: You are looking forward to our having a long term in office.

The Hon. LYLA ELLIOTT: I hope that what honourable members opposite are suggesting is correct, and we do not have a nuclear power station; let us look on the bright side. However, I believe members opposite should try to convince their leader that we should not construct a nuclear power station. They seem very anxious to interject. If the Government is not ready to go into nuclear power, it must have doubts about it.

The Hon. P. G. Pental: The whole world has doubts about fossil fuels. You people would put us back into candle-lit caves.

The Hon. LYLA ELLIOTT: We have an abundance of coal. Do members opposite believe we should use it?

The Hon. P. G. Pental: Indeed I do.

The Hon. LYLA ELLIOTT: Is that using a candle in a cave?

The Hon. P. G. Pental: We should use all forms of fuel. This Government has a better energy policy than any other Government in Australia.

The Hon. LYLA ELLIOTT: For years we have been fed the propaganda that the nuclear industry is safe. Spokesmen for the industry have ridiculed suggestions that it poses a threat to both present and future generations whenever people have raised the possibility of accidents, leaks, and danger to the ecosystem, not to mention the serious problem of waste disposal.

However, recent newspaper reports about accidents, leaks, and other problems serve to confirm that critics' fears are well founded. I am sure I do not need to remind members of the near catastrophe which occurred at Three Mile Island last year.

The Hon. P. H. Wells: How many lives were lost?

The Hon. LYLA ELLIOTT: That is the only argument members opposite can use.

The Hon. I. G. Pratt: Is that not how one measures a catastrophe?

The Hon. LYLA ELLIOTT: I said a "near catastrophe".

The Hon. R. Hetherington: How many do you want killed?

The Hon. N. F. Moore: None, and none was.

The Hon. LYLA ELLIOTT: Just because we do not have any dead bodies, members opposite seem to think it was a trivial occurrence. The *Bulletin of the Atomic Scientists* did not think so. In an article in December 1979 headed "Institutional responses to Three Mile Island" the following statement appears—

Three Mile Island presented American society and the world with dramatic proof that nuclear reactors can fail catastrophically.

They seemed to think it was a potential catastrophe, whether or not lives were lost, so the member's interjection was silly.

The Hon. P. G. Pandal: Personally, I believe risks are associated with nuclear energy. However, one takes a risk every time one crosses the road.

The Hon. R. Hetherington: Get up and make a speech about it.

The Hon. LYLA ELLIOTT: In my file of Press cuttings relating to nuclear energy is an article which appeared in *The West Australian* of 10 June 1976 under the heading "Deadly storehouse or not?" This article was written at about the time the debate commenced on whether we should construct a nuclear power station. The article was written by Patricia Morgan, a London correspondent for *The West Australian*. She discusses the position at Windscale in the following terms—

A biting wind had nothing to do with the sudden chill I felt at Windscale nuclear plant as I looked up at one of the world's deadliest storehouses of radioactive waste.

Staring down the barrel of a gun that just might go off must be a comfortable sensation

compared with being near stuff that could put the human race out of business.

It is precisely that sort of non-scientific, fearful response which British Nuclear Fuels Ltd, the commercial branch of the Atomic Energy Authority specialising in the lucrative business of reprocessing used fuel, wants to damp down in the public mind.

Windscale, it says is safe. The environmentalists, who fear the place is becoming a "nuclear dustbin", don't believe it.

Later in the article, she continues—

What goes on at Windscale—the risks and the safety measures—will be duplicated in WA if a talked-of recycling and waste disposal establishment is set up there. So it is a place that vitally concerns Australians who have never heard of it. And future generations of Australians.

Towards the end of the article a Dr A. Tagg, safety physicist with BNFL is quoted in the following terms—

Dr A. Tagg, a safety physicist with BNFL says people in the Windscale district have lived with the nuclear programme for 30 years and are not worried, though they like to be told what is happening and what safety precautions there are.

"I came from another part of England to Windscale, so I voted with my feet," Dr Tagg said. "I am happy to live beside the plant. Some people are genuinely worried but I don't know a single physicist employed in a nuclear establishment in this country who has left the industry.

"Some people are frightened by thunderstorms, some by open spaces. There are a few people we could never convince."

So, we have here a safety physicist ridiculing the fact that people are frightened of nuclear power and British Nuclear Fuels Ltd saying that Windscale is safe.

That was in 1976. I am sure all members would recall reading an article in the *Daily News* on 1 August this year under the heading, "Huge leak at British N-plant". The article states as follows—

Nuclear inspectors have revealed details of a massive leak of radioactivity at the Windscale atom complex.

It took eight years before the leak was detected and plugged in March last year.



By then, more than 100 000 curies of pure radium had seeped into the ground at the complex in Cumbria, in the north of England.

About 1 700 cubic metres of soil within the site is contaminated.

Anybody who dug down into the ground might receive a fatal dose of gamma rays within an hour. But the topsoil is not contaminated and is acting as a shield.

So it goes on. Of course, there are other stories in other newspapers. That is one example of a power plant where people were assured that it was safe and there were no problems, yet four years later we found there had been a serious leak for eight years.

The Hon. P. G. Pendal: What has been the consequence?

The Hon. LYLA ELLIOTT: Would Mr Pendal be happy to live in the vicinity of that power plant, when it had been leaking for eight years, if his wife were pregnant?

The Hon. P. G. Pendal: Of course I would not be happy. I am asking is there any evidence—

The PRESIDENT: Order! I ask honourable members to cease interjecting. They know the Hon. Lyla Elliott realises that questions have to be answered before six o'clock; and she is endeavouring desperately to complete her speech so we do not have to return after tea.

The Hon. LYLA ELLIOTT: Thank you for drawing my attention to that, Mr President. As I have more than 10 minutes of my speech left to make, and as the Leader of the House wishes questions to be answered before we adjourn, is it in order for me to seek leave to continue my remarks at the next sitting of the House?

The PRESIDENT: It is in order for the honourable member to seek leave to do whatever she wishes to do.

#### *Leave to Continue Speech*

The Hon. LYLA ELLIOTT: I seek leave to continue my remarks at the next sitting of the House.

The PRESIDENT: The Hon. Lyla Elliott seeks leave to continue her remarks at the next sitting of the House. I remind honourable members that one dissenting voice would preclude her from doing so.

Leave granted.

Debate thus adjourned.

## QUESTIONS

Questions were taken at this stage.

### ADJOURNMENT OF THE HOUSE

**THE HON. I. G. MEDCALF** (Metropolitan—Leader of the House) [6.08 p.m.]: I move—

That the House do now adjourn.

#### *Noonkanbah Station: Hoax*

**THE HON. W. R. WITHERS** (North) [6.09 p.m.]: After looking at the *Daily News* of today's date, I must point out it is about time the people of Australia found out that we are undergoing the greatest hoax Australia has ever seen in regard to the Noonkanbah issue. It is not a humorous deception; it is a most mischievous one. It is a deception so mischievous, we have never seen the like of it before.

On page 6 of the *Daily News* the Reverend Cedric Jacobs puts forward some reasonable suggestions to the Government and I hope they are heeded; but I should like to point out also that the questions I asked tonight should put the matter to rest once and for all. However, I doubt very much whether I will receive accurate answers to all those questions.

The Hon. Peter Dowding: Your credibility rating is extremely low, because you misled the House.

The Hon. W. R. WITHERS: Once those questions are answered accurately, the matter will be laid to rest once and for all.

The Hon. Peter Dowding: I have not misled the House and you cannot prove that I have; whereas you have, and you have admitted it.

The PRESIDENT: Order! If the member does not cease these interjections I will deal with him under the appropriate Standing Orders. I suggest he allow the member to complete his speech.

The Hon. W. R. WITHERS: I have never misled this House and I would like the member to remember that. I quoted from a statement which was wrong and that was corrected. I have never misled this House.

I would like the people of Australia to know a hoax is being perpetrated and it is about time they were told about it. When the questions I have asked are answered, we will know the situation. If they are answered honestly, we will know once and for all whether or not it is a hoax.

Question put and passed.

*House adjourned at 6.12 p.m.*

## QUESTIONS ON NOTICE

### TRAFFIC: MOTOR VEHICLES

#### *Licence Fees: Pensioners*

152. The Hon. F. E. McKENZIE, to the Minister representing the Treasurer:

- (1) Is it a fact that unless an invalid pensioner is in receipt of the full amount of the invalid pension, that pensioner is not eligible for the motor vehicle licence fee concession?
- (2) Is the Treasurer aware of the apparent anomaly whereby a person who becomes eligible for a pension from an overseas country receives it, and who suffers a slight reduction in his Australian invalid pension as a result, then loses the concession completely?
- (3) If "Yes" to (2)—
  - (a) is any action being taken to correct the situation; and
  - (b) when is it likely to become effective?

The Hon. I. G. MEDCALF replied:

- (1) Yes. Only persons classified by the Department of Social Security as civilian invalid pensioners and who are in receipt of a full pension qualify for a concession vehicle licence.
- (2) No. But I am advised that an anomaly did exist where the civilian invalid pension was reduced due to the applicant becoming eligible for an overseas pension resulting in the loss of his concession vehicle licence.

This has now been rectified and the concession continued in these circumstances. If there are any other anomalies, perhaps the member would care to provide details.

- (3) Answered by (2).

161. *This question was further postponed.*

### CYCLES

#### *Use: Encouragement*

163. The Hon. LYLA ELLIOTT, to the Minister representing the Minister for Police and Traffic:

- (1) Will he confirm that the Road Traffic Act confers a right for the use on the

road of any form of conveyance or object that can be drawn or propelled, either by manpower or non-manpower?

- (2) Is there any historical basis for this right of use?
- (3) Is there any legal obligation on the part of the Main Roads Department or local authorities to provide safe road facilities for people who wish to use non-motorised transport such as bicycles?
- (4) Is the Minister aware that the vehicle standard regulations covering the dimensions of pedal cycles are so restrictive that persons who wish to use bicycle transport for business purposes are prevented from doing so, thereby forcing them to use motorised vehicles or to become unemployed?
- (5) In view of the Federal Government's campaigns to encourage Australians to use less fuel and get more exercise, will the State Government review the vehicle standard regulations with a view to enabling the modification of pedal bicycles for business purposes?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes. Under the Road Traffic Act a vehicle includes every conveyance capable of being drawn or propelled on wheels or tracks. However, every such conveyance must comply with the relevant requirements of the vehicle standards regulations (VSR) 1977 before use on the road is permitted. The VSR does contain provisions for vehicles drawn by animal power and also for pedal cycles.

Notwithstanding the foregoing, on certain roadways—e.g., freeways—restrictions are imposed on the use of particular vehicle types—e.g., pedal cycles—in the interests of smoother traffic flow.

- (2) Yes. In earlier times the control of vehicle standards was virtually non-existent. However, as traffic volume and type has increased on the roads, it has been necessary to tighten standards. It should be noted that present vehicle

standards do not preclude the use of less sophisticated vehicles such as pedal cycles and animal drawn carts; they are simply required to meet certain standards which are necessary to ensure reasonable safety to all road users in today's high volume and faster moving traffic.

- (3) If the member is referring to special facilities for bicycles, the Minister for Police and Traffic has been advised that neither the Main Roads Act nor the Local Government Act make provisions for this purpose.
- (4) The Minister for Police and Traffic advised that he is not aware of any unemployment caused as a result of the vehicle standards regulations covering the dimensions of pedal cycles. The term "business purposes" needs to be clarified. If the business involves a pedal cycle in the towing of another vehicle or the carriage of an excessive load, it is considered that such a vehicle is not suited for such purposes in today's traffic. The vehicle standards regulations are quite adequate for a pedal cyclist who wishes to use his bicycle as a form of personal transport.
- (5) No.

### ROAD

#### *Gabriel Street-Oats Street Link*

173. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Transport:

- (1) Is the Minister aware that certain residents and ratepayers of the City of Belmont are endeavouring to prevent a road linking Gabriel and Oats Streets, Kewdale, from being completed?
- (2) Is he aware that a ratepayers' meeting to discuss the issue is to be held in Belmont on Monday, 8 September 1980?
- (3) Should this meeting recommend the construction be not proceeded with, but the council decide against this advice, has the Minister any jurisdiction to intervene and prevent further works if so requested?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) The Minister is not aware of the details of this issue as it is a road under the control of the City of Belmont.
- (3) No.

### MINING

#### *Gold: Taxation*

174. The Hon. P. H. LOCKYER, to the Minister representing the Minister for Mines:

- (1) Has the Minister sought assurance from the Federal Government that gold mining proceeds will not be taxed?
- (2) Can he assure prospectors and gold mining producers that no tax is envisaged?

The Hon. I. G. MEDCALF replied:

- (1) and (2) No. Neither I, nor the office of the Minister for Federal Affairs, are aware of any move by the Commonwealth Government to prepare legislation to tax goldmining.

### EDUCATION: HIGH SCHOOL

#### *Northampton*

175. The Hon. TOM McNEIL, to the Minister representing the Minister for Works:

Would the Minister please advise the nature of work carried out by his department to the Northampton High School, and the amounts of money involved in this project over the past five years from 1975-1979?

The Hon. G. E. MASTERS replied:

The detailed costs of maintenance expenditure on Northampton High School over the period 1975 to 1979, including day-to-day repairs, are not separately recorded and would involve many man days to research. However, \$19 800 was expended on external and internal repairs and renovations in 1976 whilst \$12 000 was spent on re-surfacing of bitumen paved areas in 1976-77.

# LAND

## *Building Blocks: Kalgoorlie*

176. The Hon. R. T. LEESON, to the Minister representing the Minister for Housing:

How many serviced building blocks does the State Housing Commission have at its Adeline development in Kalgoorlie?

The Hon. G. E. MASTERS replied:

207 serviced blocks.

# TOTALISATOR AGENCY BOARD

## *Computer Breakdown*

177. The Hon. F. E. McKENZIE, to the Minister representing the Chief Secretary:

- (1) Why were Totalisator Agency Board patrons ordered to leave TAB agencies on Friday evening, 29 August 1980, and the agencies' doors closed behind them?
- (2) Because of general public displeasure over this unpopular action of the TAB, will the Minister ensure that in future when the TAB computer breaks down, that patrons are allowed to enter, remain, or depart until the fault is rectified?
- (3) When the computer failed on Friday, 29 August 1980, why wasn't the "back up" system brought into use?

The Hon. G. E. MASTERS replied:

- (1) A lightning strike on Friday night caused a power failure which affected the ABC, TAB, and the Perth area generally. It was not known how long it would take the State Energy Commission to rectify the problem.
- (2) No. Circumstances would dictate the action to be taken.
- (3) The computer did not fail on Friday, 29 August 1980. Because of the uncertainty surrounding this particular power failure, the manual back up system was not brought into operation.

178 and 179. *These questions were postponed.*

# TOTALISATOR AGENCY BOARD

## *Computer Breakdown*

180. The Hon. F. E. McKENZIE, to the Minister representing the Chief Secretary:

- (1) Will the Minister advise how the Totalisator Agency Board "back up" system operates in the event of the computer breaking down?
- (2) Is it a fact that the computer is regularly developing faults, and TAB punters are being inconvenienced because they are unable to place their bets because the "back up" system is not speedily brought into operation?

The Hon. G. E. MASTERS replied:

- (1) Back up is achieved by utilising a multi-processing system and, when necessary, a manual support system.
- (2) Computer uptime approximates 99.8 per cent therefore, TAB patrons are not seriously inconvenienced.

# TOTALISATOR AGENCY BOARD

## *Turnover: Country Agencies*

181. The Hon. TOM McNEIL, to the Minister representing the Chief Secretary:

- (1) Is the Minister aware that on 28 August 1979, an article on the front page of the *Belmont Times* claimed the average weekly turnover of the Belmont Totalisator Agency Board was \$39 065 for the first two weeks of that financial year, making this agency the 18th biggest in Western Australia?
- (2) As this information came from the Totalisator Agency Board computer and was thus available to the local newspaper, does the Minister wish to reconsider his answer to my question 24 of 28 August 1980, in which I requested details of country TAB agencies, and the ministerial answer was, "The information sought is not readily available, and if extracted would be incomplete."?

The Hon. G. E. MASTERS replied:

- (1) Yes.
- (2) Full information for the year 1978-79 is not available. The last seven months of this year could be extracted; however, it would not be of value as it is incomplete.

## TOTALISATOR AGENCY BOARD

*Agencies in Hotels*

182. The Hon. F. E. McKENZIE, to the Minister representing the Chief Secretary:

- (1) With the introduction of Totalisator Agency Board agencies inside hotel premises, what encouragement or assistance will be afforded to hotels in country centres wishing to have the facility installed in their premises where no other agency exists in the town?
- (2) Will hotels in country towns without an agency be given priority establishment rights over those in the metropolitan area and country towns where an agency is situated within 3 km of the hotel?

The Hon. G. E. MASTERS replied:

- (1) Marketing policies, availability of equipment and other resources dictate when and where agencies are to be established. The approval of the Minister is required in every case.
- (2) Answered by (1) above.

## NOONKANBAH STATION

*Sacred Sites: Identification*

183. The Hon. PETER DOWDING, to the Minister representing the Minister for Cultural Affairs:

Further to the reply to question 150 on 2 September 1980—

- (1) Did the Trustees of the Museum, or any officer of the Museum, report to the Minister any difficulty in ascertaining that the area referred to is of current ritual significance?
- (2) If "Yes"—
  - (a) upon what date;
  - (b) by whom was the report made; and
  - (c) what were the terms of the report?

The Hon. D. J. WORDSWORTH replied:

- (1) Not in relation to investigations upon which the Museum's report was based in 1979.

Museum staff were unable to visit the station in June this year to investigate sites that might have been affected by use of an access road and other activities associated with the drill site. This was reported to the Minister in memoranda

from the Museum dated 5 June and 12 June 1980.

- (2) (a) to (c) See answer to question (1).

TENDER BOARD OF  
WESTERN AUSTRALIA*Tenders: Apprentices*

184. The Hon. Peter DOWDING, to the Minister representing the Minister for Works:

Further to the answer to question 134 on 2 September 1980—

- (1) What are the names and addresses of the 24 electrical firms referred to?
- (2) What are the names and the number of apprentices employed in each case, of the 12 firms referred to as employing apprentices?

The Hon. G. E. MASTERS replied:

- (1) Garland & Co., Lot 1014, Coolawanyah Road, Karratha.  
Dampier Electrical Co., 18 Shimon Place, Karratha.  
Karratha Electrical Co., P.O. Box 259 Karratha.  
H. Schlipper Electrical Services, Lot 5183, McKay Street, Port Hedland.  
L. N. & A. E. Mills, Lot 1021, Pinnacles Street, Port Hedland.  
Kilpatrick Green Pty. Ltd., McGregor Street, Port Hedland.  
Norris Electric, Pinnacles Street (LIA), South Hedland.  
Geraldton Electrical Co., Hardy Street, Port Hedland.  
Schulz Electrics, 9 Anderson Street, Port Hedland.  
D. F. & J. F. Brown, 10 Greene Place, South Hedland.  
Wedge Field Electrical, P.O. Box 2227, South Hedland.  
I. W. & L. Haworth (I. D. Electrical Service), 656 Lockyer Way, Roebourne.  
NORCAPE Electrical, Pelias Street, Exmouth.  
Three 'D' Electrics (D. Newton), 219 General Street, Marble Bar.  
W. H. & G. D. Banton, Lot 1184 Bloodwood Drive, Kununurra.  
C. A. & W. D. Hoffman, 68 Konkerberry Drive, Kununurra.

Ord Electrics, 211 Mango Street,  
Kununurra.

Roebuck Autos and Electrics, Lot  
24, Hamersley Street, Broome.

Derby Electrical, Knowsley Street,  
Derby.

I. S. & M. MacFarlan, Post Office  
Box 174, Derby.

North-West Electrical, Post Office  
Box 43, Derby.

Wyndham Electrical Services, Post  
Office Box 61, Wyndham.

M. J. Watson, C/- Post Office,  
Hall's Creek.

G. J. Johnson & Co., Post Office  
Box 2, Fitzroy Crossing.

(2) Name of Firm	Number of Apprentices
Garland & Co.	5
H. Schlipper Electrical Services	3
Kilpatrick Green Pty. Ltd.	12
Norris Electric	3
Geraldton Electrical Co.	7
Norcape Electrical	2
C. A. & W. D. Hoffman	1
Roebuck Autos & Electrics	1
Derby Electrical	1
North-West Electrical	1
Wyndham Electrical Services	1
D. F. & J. F. Brown	1

## HOUSING: TEACHERS

### *Pilbara and Kimberley*

185. The Hon. PETER DOWDING, to the  
Minister representing the Minister for  
Education:

Further to the answer to question 119 on  
2 September 1980, does the department  
provide accommodation for male  
teachers who become married during  
their period of service in the Pilbara and  
Kimberley?

The Hon. D. J. WORDSWORTH replied:

Already answered by part (4) of  
question 119.

The general scarcity of Government  
housing in the north-west is the limiting  
factor in accommodating a teacher who  
marries during the year.

## POLICE

### *Shaker Morton: Letter*

186. The Hon. PETER DOWDING, to the  
Minister representing the Minister for Police  
and Traffic:

Further to the answer to question 141 on  
2 September 1980—

- (1) Is the offence of sedition committed  
by the publisher of seditious  
material?
- (2) Is the publisher of the *Kimberley  
Echo* known to the police and easily  
ascertainable?
- (3) Why have inquiries taken nearly  
four months in relation to the  
laying of charges against a  
publisher?
- (4) (a) Have inquiries been made in  
the Derby area to identify  
"Shaker Morton";  
(b) if not, why not; and  
(c) if so, what inquiries have been  
made?

The Hon. G. E. MASTERS replied:

- (1) This question seeks a legal opinion  
which the Minister is not able to  
provide.
- (2) Yes.
- (3) Answered by (1) above.
- (4) (a) Yes.  
(b) Answered by (4)(a).  
(c) General inquiries in the course  
normally applied to police  
investigations.

## ROAD

### *Tom Price Caravan Park*

187. The Hon. PETER DOWDING, to the  
Minister representing the Minister for  
Transport:

Further to question 144 on 2 September  
1980—

- (1) (a) Has the Minister any figure  
for the cost of upgrading the  
caravan park crossing referred  
to; and  
(b) if so, what is it?
- (2) If "No" to (1) (a), will he obtain an  
estimate of the cost of such work?

The Hon. D. J. WORDSWORTH replied:

- (1) (a) No.  
(b) Answered by (1)(a).
- (2) Yes.

## QUESTIONS WITHOUT NOTICE

## CONSTITUTION

*Acts: Consolidation*

49. The Hon. H. W. OLNEY, to the Attorney General:

Has any consideration been given to consolidating and re-enacting the Constitution Act and the Constitution Acts Amendment Act? I refer in particular to the anomaly he pointed out today whereby section 6 of the Constitution Act and section 43 of the Constitution Acts Amendment Act contain an identical provision and an amendment to one would not necessarily amend the other.

The Hon. I. G. MEDCALF replied:

It has been a cause of concern to me for some time that the Constitution of the State comprises the Constitution Act and the Constitution Acts Amendment Act. These Acts—one dated 1889 and the other 1899—raise some complex problems for members of the public and members of Parliament who have occasion to study them. I have had in mind for some time that we ought to try to do something about this matter, but I have, unfortunately, met with a certain amount of what might be called extremely old-fashioned opposition which indicates that the Constitution is inviolable and should be touched by no-one. The matter is of concern to me and it is still a matter of current consideration.

## POLICE

*Shaker Morton: Letter*

50. The Hon. PETER DOWDING, to the Minister for Fisheries and Wildlife:

My question relates to the answer given to part (3) of question 186 answered by the Minister on behalf of the Minister for Police and Traffic. Will he observe that part (3) is not answered by the answer supplied by him? Will he take

steps to obtain an answer and supply it to me at the next opportunity?

The Hon. G. E. MASTERS replied:

In answer to the Hon. Peter Dowding, I should like to say I still consider the question to be one of legal opinion and, if that is the case, I refer him to Standing Order No. 154. However, I shall certainly pass on his remarks to the appropriate Minister so that they may be considered further.

## POLICE

*Shaker Morton: Letter*

51. The Hon. PETER DOWDING to the Minister for Fisheries and Wildlife:

Will the Minister inquire and report to the House why it has taken nearly four months for charges to be laid against the publisher of material which appears to be seditious?

The Hon. G. E. MASTERS replied:

I have already answered the member as I thought fit. I again say I will pass on his comments to the appropriate Minister and I expect he will provide an answer.

## LAND

*Hampton Areas Pty. Ltd.*

52. The Hon. PETER DOWDING to the Minister for Lands:

I refer the Minister to question 111 on page 645 of *Hansard*. The Minister was good enough to supply me with a letter containing the answer to some of the material included in my question. Will the Minister reply to my question in the House so that the matter is incorporated in *Hansard*?

The Hon. D. J. WORDSWORTH replied:

I am not in a position to know the text the member is referring to or the details I wrote in the letter to him. If he puts the question on notice, I will be able to look at the matter.