

Legislative Assembly

Thursday, 17 September 1992

THE SPEAKER (Mr Michael Barnett) took the Chair at 10.00 am, and read prayers.

PETITION - FIVE YEAR OLDS

Full Time Schooling Opposition

MR KIERATH (Riverton) [10.06 am]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned, object to the introduction of full-time schooling for five year olds, and express our concern that:

- (a) those parents who do not willingly choose to have their five year old child attend full-time schooling will be forced to do so to maintain their education at the same level as their peers; and
- (b) taxpayers' money would be better spent reducing current class sizes to provide an improved student/teacher ratio, and in improving dwindling school resources.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 22 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The **SPEAKER**: I direct that the petition be brought to the Table of the House.

[See petition No 100.]

PETITION - NARROGIN REGIONAL HOSPITAL

Laparoscopic Cholecystectomy Surgical Procedure

MR WIESE (Wagin) [10.07 am]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned request the Minister for Health to intervene in the matter between the Health Department and the people of the regions serviced by the Narrogin Regional Hospital to ensure that the Hospital offers the laparoscopic cholecystectomy surgical procedure to suitable patients. We make this request to the Minister on the grounds that:

1. The Royal Australasian College of Surgeons recognises Dr Lai's competency to perform the procedure.
2. The doctors have provided from their own resources, most of the equipment. The operation has been performed at the hospital with the existing equipment.
3. The procedure is, in many cases, preferable to the traditional surgical method because the in-patient hospital time and the out-patient recovery time is considerably reduced resulting in less cost to the health system and the community as people return to the work force much sooner than when recovering from the open surgical method.
4. The cost to the Health Department of the new procedure is comparable to the previous method because most of the equipment does not have to be disposable and may be sterilised and used again.
5. Country people are being denied equality of access to the latest health technology by the Health Department's continued refusal to allow the procedure to be performed at the Narrogin Regional Hospital.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 1 215 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 101.]

PETITION - COLLIE COAL FIRED POWER STATION PROPOSAL

Rejection

MR BRADSHAW (Wellington) [10.09 am]: I present the following petition -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

The petition of the undersigned citizens of Western Australia respectfully sheweth that:

1. We wish to reject the proposed 600MW coal-fired power station to be built at Collie.
2. We wish you to urge SECWA to implement a peak level avoidance scheme.
3. We wish you to urge SECWA to explore more economical energy efficient and environmentally sound alternatives to meet our State's future energy requirements, such as:

cogeneration
combined cycle gas power stations
consumer level energy efficiency measures

Your petitioners therefore urge you to give this matter earnest consideration.

The petition bears 349 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 102.]

PETITION - IT'S OK TO SAY NO TO SEX CAMPAIGN

Health Department of Western Australia Support

MR WIESE (Wagin) [10.10 am]: I have a petition which is exactly the same as other petitions I have presented to the House. It reads as follows -

To: The Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned wish to indicate our strong support for the Health Department's "It's OK to Say No" campaign. We believe a campaign designed to inform sixteen to twenty five year olds of the risks and consequences of sexually transmitted diseases is long overdue, and should be supported by all Western Australians.

We also believe that any effort to convince our young people to make sensible and responsible decisions about their sexual behaviour is fundamental to the building of a sound community. We support the Hon Minister for Health, Mr Keith Wilson, and the decision which projects a positive message that everyone has the capacity to control his or her life.

We support the campaign to target sixteen to twenty five year olds with the focus on peer group influence as part of an extended programme to alert individuals as to the consequences of sexually transmitted diseases.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition bears 95 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

The SPEAKER: I direct that the petition be brought to the Table of the House.

[See petition No 103.]

STANDING ORDERS SUSPENSION - MOTION OF NO CONFIDENCE

*Premier - Public Accounts and Expenditure Review Committee Report into
Proposed Alkimos Land Grant to University of Notre Dame*

MR COURT (Nedlands - Leader of the Opposition) [10.12 am]: I move, without notice -

That so much of the Standing Orders be suspended as is necessary to enable consideration forthwith of the following motion -

That this House has no confidence in the Premier by reason of the findings of the Public Accounts and Expenditure Review Committee Inquiry into the Proposed Grant of Land at Alkimos to the University of Notre Dame.

MR PEARCE (Armadale - Leader of the House) [10.13 am]: The Government is prepared to accept the suspension of Standing Orders and to have this debate. It is necessary for the air to be cleared in relation to the Public Accounts and Expenditure Review Committee's report and the Government has no hesitation in facing up to the debate. I make the point that one would expect a no confidence motion of this type to come from the Opposition at the first available opportunity. We had the case yesterday when private members' business was pushed back to enable the tabling of the report and a lengthy debate. If the Opposition had its act together it would have moved its no confidence motion in its own time yesterday, which was the first available opportunity.

Mr House: The Premier complained about not having had time to study the report.

Mr PEARCE: I appreciate the extent to which the Opposition's tactics are driven by the editorial policy of *The West Australian*. It was important to hang around to wait and see what that newspaper had to say. Nevertheless, given that the definition of "first available opportunity" seems to the Opposition to be after what is published in the paper, the Government is prepared to make this the first available opportunity for this debate.

MR LEWIS (Applecross) [10.14 am]: I reject the comments of the Leader of the House. This is, indeed, the first available opportunity. It may not be the first available opportunity for the Premier because everyone in this House knows that the Ministers had that report some days -

Mr Pearce: There will be evidence to the Select Committee that your leader was talking to people last weekend. Be careful what you say about things like that.

Mr LEWIS: The Ministers had this report some days before it was tabled in this House. The first time members of the Liberal Opposition saw this report was when it was tabled yesterday at 2.30 pm. The fact is that this report contained 135 pages of in-depth evidence and we did not have the opportunity -

The SPEAKER: Order!

Mr LEWIS: This is the first appropriate opportunity to bring such a motion forward.

MR CATANIA (Balcatta) [10.15 am]: I take this opportunity to point out to members that the report was ratified by the Public Accounts and Expenditure Review Committee only at its last meeting on Wednesday at 9.30 am. I do not know what the member for Applecross is referring to.

The SPEAKER: Order! When I called order during the contribution by the member for Applecross I was going to say that we are debating a motion for the suspension of Standing Orders and members should confine their remarks to this motion and not introduce extraneous material. However, the material has been introduced and all members who have spoken have contributed in a small way. This is a motion without notice to suspend Standing Orders and it will need a majority of the House to succeed. If, when I put the motion I hear a dissentient voice, I will have to divide the House.

Question put and passed with an absolute majority.

MOTION OF NO CONFIDENCE - PREMIER

*Public Accounts and Expenditure Review Committee Report into
Proposed Alkimos Land Grant to University of Notre Dame*

MR COURT (Nedlands - Leader of the Opposition) [10.16 am]: I move -

That this House has no confidence in the Premier by reason of the findings of the Public Accounts and Expenditure Review Committee Inquiry into the Proposed Grant of Land at Alkimos to the University of Notre Dame.

The Opposition should not have to move this motion and it does so with deep regret that it has been placed in that position, but it is necessary. It has been made necessary by a Government which has failed to accept any responsibility for the damning findings from one of this Parliament's most important committees.

The majority report of the Public Accounts and Expenditure Review Committee found that the Premier had lied to the Parliament and that both the Premier and Deputy Premier misled the Parliament on a number of occasions. This Labor Party gave the public a very clear commitment following the WA Inc scandals. Former Premier Dowding commissioned the Burt Commission on Accountability and when that report was handed down he said that the Government would accept its recommendations and the Government professed to a commitment to be actively more accountable. It turned out to be a fraudulent commitment because the deals the Government was involved in continued. Eventually Premier Dowding was dumped by his party when the heat was turned up by a Government which was disgusted by its deceit.

The incoming Premier, the current Premier, said in an advertisement in the paper that -

"When I became Premier I promised to restore trust, openness and confidence in Government.

That confidence had been shaken because of mistakes of the past; mistakes which I believe we should acknowledge and learn from, to prevent them happening again.

People guilty of wrong-doing must be brought to justice.

And I am committed to justice . . . not cheap political gain.

Further on the advertisement said -

Like you, I am committed to revealing the truth.

If only that were the case!

We have now had time to examine the Public Accounts and Expenditure Review Committee's report, and contrary to the comments made by the Leader of the House he knows this is the appropriate time for this motion to be debated. The report revealed a Government which has been frantically dealing behind the scenes but publicly giving the impression that no deals have been done. It is a bit like a duck that is swimming smoothly across the water, but underneath the water it is paddling madly. This is the impression the Government is creating.

One major lie has been revealed in this report; that is, that the Government was dealing in a major commercial proposition with the University of Notre Dame Australia well after the legislation had passed through this Parliament and well after commitments had been made that no deals were being considered. The current Premier and the Deputy Premier both told the Parliament that the slate was wiped clean in the early 1990s. In May 1990, months after that commitment was made, the deal was still on the table and being negotiated by the Government. It was only the financial collapse of the Barrack House Group that brought this matter to a head. As I said, we were under the impression that no commercial deal was being negotiated but, following the collapse of the Barrack House Group, the truth started to emerge. It was a huge deceit, no matter how the Government tries to paint it.

Mr Catania: Who read the report to you? How do you come to know so much?

Mr COURT: Not only did I read the report of that committee but also I sat in this Parliament

when certain commitments were made by the Premier and the Deputy Premier. I know only too well what has been said in this Parliament, and now that I have seen this report I know only too well what the true situation was.

Mr Catania: Are you saying you personally were not aware of what was going on?

Mr COURT: I certainly did not know what was going on. I want to spell out the situation quite clearly to the members opposite who asserted that I knew these commercial dealings were going on.

Mr D.L. Smith: Answer his specific question.

Mr COURT: If members opposite will listen, I am about to tell them. Together with Hon Max Evans, I attended a briefing in relation to the establishment of the University of Notre Dame Australia based at Fremantle. At no time during that briefing were we told of any commercial deal in place. Does that answer the question?

Several members interjected.

Mr COURT: I recall the member for Vasse saying in this place that it would be good if part of the campus were located in his electorate because he had something in mind for the Margaret River Hospital site.

It is to the credit of the Public Accounts and Expenditure Review Committee that it persevered and spent almost a year examining these matters. It was not a short, quick study. On 15 October 1990 the Deputy Premier submitted to Cabinet Treasury advice that the Government guarantee was not bankable. The Government is trying to tell us that no commercial deal was in place and yet Treasury gave advice that the Government guarantee was not bankable. We were told the profits from this joint venture would be used to help fund the university and that the Government would take its share of the profits, but the Government had been advised that it was no longer bankable. At that stage the Government realised it had a problem on its hands because it had given certain undertakings to the university. The Government is trying to say the dealings that took place between the senior Ministers and the university were not authorised undertakings. Again, this is very clearly disputed in the report.

Mr Taylor: By whom?

Mr Catania: It predicates on one witness who refuted that.

Mr COURT: I will comment on that aspect shortly. This whole matter has highlighted the fact that we cannot take the Government's word on these matters. It is trying to say that the then Deputy Premier should not have been believed. Is that the case with the current Deputy Premier? If the Deputy Premier were discussing a deal, should the people with whom he is negotiating work on the assumption that he should not be believed?

Mr Taylor: They should work on the assumption that it will go to the Cabinet.

Mr COURT: We were told yesterday that the Premier, who was then Minister for Education, was always opposed to the deal and did not want it. However, she put on a pretty convincing performance in this House telling us not only then but also some time later that she was a very strong supporter of this deal. The Catholic Church must be wondering who it should believe in this exercise. When the Government found itself with a commercial deal that had collapsed with the collapse of the Barrack House Group, it resorted to providing a land grant. The report states that the initial recommendation from the Deputy Premier was for a 500 hectares grant, but Cabinet eventually agreed to 150 hectares.

The most serious offence that we, as members of Parliament, can commit under the Westminster system by which this Parliament operates, is to either lie to or mislead the Parliament. It has been clearly demonstrated that that has been the case in this instance. As a member of this Parliament, who has sat through the debates, questions, second reading speeches and assurances by the Government, I feel I have been betrayed in this matter by the information I was given by Ministers opposite. We are asked to take this Premier's word on very important issues. However, we must now doubt her word in view of what has been revealed in this report. The Government has decided to implement what is known as the Burke-Dowding strategy; that is, try to tough it out.

Mr Marlborough: It is not a bad strategy; it has worked against you for eight years and you will probably be in Opposition for another eight years.

Mr COURT: The strategy of members opposite is to attack, bully and denigrate.

Mr Marlborough: What are the lies and what is the truth? Look at the transcript of the Royal Commission about what you said.

Mr COURT: I will stand on my record in this Parliament and the work the Opposition has undertaken in exposing one of the most corrupt Governments this State has ever seen. Yesterday in this House the Premier made a despicable speech denigrating three members of the Public Accounts Committee. On "The 7.30 Report" television program last night the Premier ridiculed the committees of this House. She does not deserve to be a member of this House. If she accepts the Westminster standards under which this House operates she should not stay in this House. You, Mr Speaker, can carry out your job in this Parliament only if we, as members of Parliament, are prepared to accept the standards under which the Westminster system operates. It is the same with our democracy. We cannot expect a democracy to work effectively if the members of Parliament are not prepared to be accountable to the Parliament. Over the years a number of precedents have been set when members have either lied to or misled a Parliament. The high profile ones that come to mind are the Profumo affair, where a Minister lied and was eventually caught out; Stonehouse; and Carrington, who really did not mislead the Parliament in relation to the Falklands invasion but was prepared to accept responsibility for the information that came from his department and took a proper course of action by standing down.

Mr Taylor: The Falklands invasion!

Mr COURT: The Deputy Premier laughs, but these examples relate to the principles involved; that is, that a Minister is prepared to accept responsibility for his or her actions. That is something members opposite are not prepared to do.

Mr D.L. Smith: That former great committee has been disgraced!

Mr COURT: Are they the Minister's words?

Mr D.L. Smith: Yes. You believe people should be found guilty without a trial and with no opportunity to be heard.

Mr COURT: The Public Accounts Committee was established in 1970 and is regarded by members of this House -

Mr D.L. Smith: Used to be.

Mr COURT: It was regarded by all members of this House, up until yesterday, as one of the most important committees of this Parliament. Never before has a Government set out to denigrate not only the findings and members of that committee, but also the whole committee structure. When that committee brought down a majority report outlining how the Premier has lied to and misled the Parliament members opposite decided they no longer wished to accept the operations of that committee. As a result, they set out to denigrate it. What members opposite are saying in effect is that that committee may as well be abolished. Is that what members opposite want?

Mr Pearce: No, we want it to get back to proper operation, not political operation.

Mr COURT: "Proper operation" under the definition of the Leader of the House is a committee prepared to cover up a Premier and Deputy Premier lying to and misleading this Parliament. What an absolute disgrace!

Several members interjected.

Mr COURT: I turn now to the cowardly way this Government set about its damage control exercise. We saw a pathetic attempt to use a so-called endowment grant to other universities to remove a bit of the heat. Homeswest still has not been told the details relating to that proposal.

Mr McGinty: Tell the truth! That is incorrect.

Mr COURT: Is the Minister for Housing saying that Homeswest has full knowledge of the price it will get for that land?

Mr McGinty: It was fully briefed over several weeks leading up to it. You have misled us in what you have said. Get your facts straight!

Mr COURT: Is the Minister saying Homeswest knows the value it will get for that land?

Mr McGinty: Yes.

Mr COURT: What is that value?

Mr McGinty: It has been valued at \$24 million.

Mr COURT: Is the Minister saying Homeswest is aware of that detail?

Mr McGinty: It gave me the details several weeks ago, so you are misleading everyone in this place.

Several members interjected.

The SPEAKER: Order! The member for Peel will come to order.

Mr COURT: We have been told by the Premier that this land has been rezoned.

Mr Pearce: Getting off that are you? Bit of double standards when you are talking about people misleading the House. It is incumbent on you not to do that.

Mr COURT: Let me finish. We have been told that the land has been rezoned. Is that correct?

Mr Taylor: The major amendment is before this House.

Several members interjected.

Mr COURT: The Premier said on television last night that it had been rezoned.

Mr Taylor: It has gone through Executive Council.

Mr COURT: We have seen this Government in damage control mode before. I remember when Carr, Buchanan and Troy were dumped from this Government. I can remember the words spread around denigrating them before that action occurred. We have seen this Government in action before! The most cowardly thing about this report is that the Government decided that the former Deputy Premier, Mr Parker, would cop the flak in relation to this exercise. He would be the scapegoat! I will read part of the report which shows that the Government has decided to use him as a scapegoat. The chairman of the committee is reported in this morning's paper as saying his behaviour was - and I forget the words; what words did the member use when referring to David Parker's handling of this matter?

Mr Catania: "Irresponsible and improper".

Mr COURT: David Parker is recorded as saying -

I want to be crystal clear that everything I did was not my doing it . . . in everything I did I was authorised to do it and I was doing it on behalf of other people.

The other most cowardly thing that came out of this happening is written in the minority report. We were told by this Premier and former Premiers Dowding and Burke that one should not make personal attacks on members of this Parliament. The Minister for Transport was quite rightly concerned yesterday about things that may have been said about members of her family. However, one has to cop that sometimes in this business, and some of us cop it more often than others. The chairman of the committee says in his minority report about a former member of his party -

The member for Morley has a deep personal commitment to a point of view on the Notre Dame issue - a commitment which contributed to his decision to leave the Labor Party.

This is a personal attack. The chairman continued -

Since that time he has been obsessed with the vindication of his decision, an obsession that has clouded his judgement and lead to his manipulation by the other authors of the majority report.

Mr McGinty: That's being kind to him.

Mr COURT: The Minister for the Swan Brewery says, "That's being kind to him"! Is the chairman of the committee still saying the member's judgment was clouded on this issue.

Mr Catania: On this issue, yes, absolutely!

Mr COURT: Is the member saying that the member for Morley was not a fit person to sit on that committee?

Mr Catania: I did not say that at all.

Mr COURT: The member cannot have it both ways. The Government blames Mr Parker, who is not here, and denigrates and personally attacks one of its former colleagues.

Mr Catania: He is a good friend of mine and three months ago I told him to his face he was obsessed. I repeated that officially yesterday.

Mr COURT: We have seen this all before. It is like history repeating itself. It is like statements such as, "There are no guarantees. There will be no guarantees. There are no commercial deals being done." We saw this with the member for Fremantle who tried to tell us that a proper tender process was carried out for the Swan Brewery development. He tells us one thing in the Parliament but does a completely different thing outside. All I can say is that nothing has changed; whether it be under the Burke, Dowding or Lawrence regimes, members opposite still refuse to be accountable to this Parliament. Members opposite can twist and turn, but the facts have been presented clearly to this Parliament. The economy of this State is deeply in recession. It should not be. We all want to restore the health of our economy and restore confidence to investors. That confidence took a savage beating during the WA Inc years. Sadly, that confidence will remain dented because we have a Premier who is not prepared to accept her responsibilities and be fully accountable to the Parliament. The Premier and the Deputy Premier seem to think that they are above taking the appropriate action in this matter. They try to say that the report is completely wrong. They are not prepared to outline the fact that considerable dealings were taking place, and that the whole matter came to a head when the Barrack House group got into financial trouble and the banks and other parties had to start calling on their funds.

There are a number of precedents in relation to lying in the Parliament, and you, Mr Speaker, have referred to them on number of occasions. I refer to a 1987 precedent by Speaker Wall, which states -

The offence of calling another member a liar, or implying that another member of the House is a liar, is an offence against the House not an offence against the other person; it is an offence against the dignity of the House and the assumption that its members behave truthfully and honourably. For the Chair to allow that accusation to go unchecked would not be an injustice to the member accused but an injustice to the whole House.

We have in this case a Premier who has been found by the majority of the members of a committee of this Parliament to have lied to this Parliament. We cannot expect the dignity of this Parliament to remain, and we cannot expect you, Mr Speaker, to carry out your responsibilities and duties properly in this Parliament, if we as members of this Parliament are not prepared to abide by the Westminster standards under which we operate - standards which have been developed over many years.

It is unprecedented for a committee of this Parliament to find that the Premier of the day lied to the Parliament and that the Premier and the Deputy Premier misled the Parliament. Those members should reconsider their strategy of attempting to tough out the situation and should take the appropriate action to retain the dignity of this Parliament. The core of our Westminster system and of the standards under which we operate is under attack. The very core of those standards is that if a member lies to or misleads the Parliament, he or she should stand down. Labor Governments over the last 10 years in this State have been an absolute disgrace. We have had a decade of decay under Labor Governments, and the manner in which this Premier and Deputy Premier are handling this issue sadly tells us that their way of running this State will continue.

MR HOUSE (Stirling) [10.44 am]: I second the motion. Before I address the main issue in regard to this motion, I wish to make a few comments about this debate. Firstly, as a member of Parliament I am seriously concerned that any committee of this Parliament can accuse another member of this Parliament of lying and can make that public in a report without its giving that person the opportunity of refuting those allegations in front of that committee. Before I take that issue further, I ask the chairman of that committee whether he

moved in the committee that the Premier come before the committee so that she could have the opportunity of discussing those allegations?

Mr Catania: The report was presented to us with those allegations last Friday. I immediately called a meeting on Monday, and at 9.00 am I moved that the tabling of the report be deferred for further consideration.

Mr HOUSE: In that case, I believe that the chairman of that committee was negligent.

Several Government members interjected.

Mr HOUSE: He was negligent because he did not move in committee to have the Premier appear before that committee. I make that comment not to try to defend the Premier or her actions but because I as a member of this place would not like to have visited on me that sort of treatment by a committee of this place, and I think that every member of this Parliament who thought seriously about it would accept that point of view.

Mr Pearce: Your own member on that committee voted against deferring it.

Mr HOUSE: That is not the point. I raise this issue not to play politics in regard to the Premier, the Leader of the House, myself, or anybody else but as a concerned person who represents people in this State. The principle that is at issue is whether we should have a headline such as the headline in today's *The West Australian* whereby a small committee of this Parliament can accuse another member, whoever he or she may be, of lying without its giving that member the opportunity of refuting that accusation before its report is tabled. The chairman should have moved at that committee, given what he said, that the Premier be given the opportunity of appearing before the committee; and he said he did not do that. That is the point.

Mr Pearce: He said he asked for further consideration of the matter, and the committee was not prepared to agree.

Mr HOUSE: Whether the Premier lied to the Parliament is another issue, and I will come to that in a moment. It is the principle of her defence that is important.

Mr Catania: Why not ask when the report was ratified? It was Wednesday morning, before the tabling.

Mr HOUSE: I am aware of that. The member said that yesterday.

I turn now to the speech made yesterday by the chairman of that committee, the member for Balcatta, in which he stated that he was staggered at the obsession of one member supported by the bigotry and anti-Catholic zealot members of the National Party and its leaders. I have never complained about the cut and thrust of the debate in this Parliament and I am not about to start complaining about it now; I can take that, like anybody else. However, I say to the member for Balcatta that he is absolutely, totally and completely wrong. The allegation is unfounded and I do not believe he should have made it. I do not really know why he made it. I say further that there are members of the lay National Party who are Catholics and there are members of the parliamentary National Party who are Catholics, although I am not one myself. That allegation is disgraceful. I am not complaining about it, but I want to tell the member that the fact is that what he said is not correct. I want to make that very clear because I believe that when debate in this Parliament sinks to that level, we must have a good look at how we conduct ourselves.

The third point I make before I get to the body of this motion is that the National Party has long stated and believed that there should be a majority of Opposition members on Standing Committees of this Parliament. That would go a long way towards correcting some of the problems that have been raised by members on both sides of this House about the political opportunism that sometimes occurs in those committees. When that was discussed yesterday the Leader of the House said that he thought we in this Parliament did not have the political maturity to handle that sort of situation. That is laughable.

Mr Pearce: It has been demonstrated.

Mr HOUSE: Again, it is not an issue on which we want to play politics. In the interests of good government and democracy in this State we should have a system that is accountable, and a very fair way to make it accountable would be for committees to have an Opposition majority, no matter who is in Government, and a Government chairman.

Several members interjected.

Mr Taylor: If it does not report the way you want, you bag the committee - that's the trick.

Mr Pearce: Because of the committee's status it gets the kind of reporting it got in *The West Australian* this morning. We have political opportunists there all the time. We have not shown on this occasion the maturity to be able to deal with that. In the hundreds of years of the Westminster system they would never have got a report like this.

Mr HOUSE: The Leader of the House and the Deputy Premier are entitled to their points of view, but I do not agree with them and I believe that the people of this State will not agree with them either. The public have been asking for a long time for more accountability in our democratic system and this is one way we can demonstrate it very clearly.

Mr Pearce: It is politicians throwing mud at one another.

The SPEAKER: Order!

Mr HOUSE: I do not think I am throwing much mud at anybody. I have made a couple of points that came out of the debate we had yesterday. Anyone who witnessed that debate would admit it was very uncomfortable in this Chamber for all of us. We do not want that sort of situation to recur and we should find ways to overcome those problems.

Mr Taylor: The Leader of the Opposition has not helped today.

Mr HOUSE: While members opposite are entitled to their view that there should not be an Opposition majority on committees, I believe it is absolutely essential for the accountability of Standing Committees in the future.

Mr Pearce: The one example we have does not work.

The SPEAKER: Order!

Mr HOUSE: I believe the people of this State will not only demand it of Governments in the future, but also will expect it.

The National Party originated the move in this Parliament for the establishment of a Select Committee to investigate the University of Notre Dame Australia and, as a result of a debate in this Parliament, when it became evident that the Government was not prepared to support the establishment of that Select Committee, a compromise was reached whereby the Government agreed to allow the terms of reference the National Party had suggested to be referred to the Public Accounts and Expenditure Review Committee. That was done, and this report is the result of those investigations.

I must go back a step further, because when the Bill to establish the University of Notre Dame Australia came into this Parliament the National Party supported it on the very clear undertaking and the very clear understanding that there would be no Government involvement from the Consolidated Revenue Fund, no land grant and no ongoing Government contribution to that university. However, because we were concerned as a result of correspondence we had seen between, for instance, the current Deputy Premier and Professor Geoffrey Kiel and others, we moved for the establishment of a Select Committee. It is now apparent to everyone in this Parliament that we were hoodwinked, very simply and very easily, because while the Government maintained the stance of propriety above the level of the water, and while the impression being created to us as members of Parliament and to the people of this State was that there would be no Government involvement, there very obviously was Government involvement. It was continuing with meetings between people involved with the university and members of this Government. At what level and how that came to develop, I do not think any of us know the absolute answers, but it is very clear that the Government did not abide by its undertaking to this Parliament when that Bill was debated that there would be no Government involvement. Clearly, from what we know now - from the letters written and from the evidence given to the committee - some sort of discussion was going on under the water, so to speak, which we were not aware of and could not see.

The Premier and this Government have talked about accountability. If anybody has raised the issue and the level of debate about being accountable in this State, it is Premier Lawrence. She raised it because she needed to try to put behind this Government the Burke and Dowding years. Now her credibility is on the line and I believe she should be able to

take the opportunity to make her position very clear, refute these allegations, and prove they are wrong. As well, I hope the Deputy Premier will be able to prove that he had nothing at all to do with these negotiations and the meetings that members of the Opposition suspect took place with proponents of the university. I hope he and the Premier will be able to refute the allegations that they took place, but if they cannot we will have no option but to support this motion; because the motion is about the accountability of this Government and of this Premier, and the people of this State have every right to know the full facts of this matter.

Mr Taylor: You have seconded this motion, but you say you will wait and see what we have to say.

Mr HOUSE: I did second the motion, and I am quite prepared to listen to the debate.

Mr Taylor: Having seconded the motion?

Mr HOUSE: Absolutely, I was pleased to second the motion.

Mr Taylor: If you second a motion you normally vote for it.

Mr Court: And the Premier would normally be here to listen to the debate.

Mr Pearce: She is here now.

Mr HOUSE: I come to this Parliament with an open mind, as I hope other members do and as some members of the Public Accounts and Expenditure Review Committee obviously did. The Government does not seem to like the fact that some people in this place can make up their own minds. The Government wants to dictate the terms, but I assure members that it will not dictate the terms to us. It is absolutely apparent that we do not know the full facts of this matter, and the reason I seconded this motion was to afford the Premier and the Deputy Premier the opportunity of putting the facts before us - and this time all of the facts, not just half of them or part of them.

Mr Taylor: You have always had them, and you know it.

Mr HOUSE: They have not been made public, to this Parliament or to the people of the State. I am prepared to listen to the debate and I will be very interested to hear what happened.

The Leader of the Opposition made a number of comments about the precedents of the Westminster system. I agree with those comments absolutely. It is no longer a time for people to tough it out. If the evidence is that the Premier has more to answer, she must take some action that will protect not only her but also the Westminster system. She should not just stand there and tough it out or bluff it out but she must take the sort of action that people such as Greiner, Wran, and other senior people in Governments in Australia have taken in the past. I am pleased to second the motion.

DR LAWRENCE (Glendalough - Premier) [10.57 am]: We have heard from two members of the Opposition who have both spent a considerable time in the media and in here yesterday trying to suggest that there was a basis for this no confidence motion. While they may have succeeded in convincing some outside the Parliament that they were serious about the proposition, I must say that on the basis of what I have heard this morning I am not convinced of their seriousness. If the members opposite, particularly the Leader of the Opposition, had felt this matter was so important that it should lead to the resignation of the Premier, which is what he implied, I would have expected a far more concentrated and detailed argument, with some attempt to demonstrate to this Parliament that I had in fact behaved as the Public Accounts and Expenditure Review Committee alleges.

Mr C.J. Barnett: You thought it was serious enough to call off pairs.

DR LAWRENCE: That is a convention, and it is something the member should have known. Instead, what I have heard from the Leader of the Opposition is an attempt to suggest that, no matter what the basis in fact of the committee's findings, because he wants this job it is incumbent upon me to stand aside. That, frankly, has been the motivation of the Opposition all along. I have listened also to the deputy leader of the National Party, a man for whom I have considerable respect, and I must say that he did not do a very good job either. If he were serious -

Several members interjected.

Dr LAWRENCE: We have just been told that the Parliament expects to deal with this matter seriously, yet the mover and seconder of the motion clearly did not attempt to do that. They did not attempt to mount an argument but simply said that because it had been alleged by a parliamentary committee - two of whom sit on the Opposition benches, and an Independent - that I had lied, that was sufficient. Yet, simultaneously they wanted to say this is a proper venue for the matter to be debated in full. I would expect that the first premise of the argument would be that one would need to demonstrate one's bona fides. In my view, the Opposition has conspicuously failed to do that.

Both the Leader of the Opposition and the Deputy Leader of the National Party have made something of the fact that I promised, as the new Premier in this State, to lead an open and accountable Government. I believe that I have done that. There have been occasions when members of Parliament would wish to know more than it is possible to tell them. When discussions are going on within Cabinet, for example, those discussions, by precedent and by oath, are the subject of Cabinet solidarity and confidentiality. Those who remember, and there are not many left, what it is like to be in Government will understand that that is not done frivolously. Under longstanding conventions of the Westminster system it is a requirement. It is not some notional giveaway.

Mr Lewis: The Executive takes precedence over the Parliament!

Dr LAWRENCE: Not at all. It is not something to be bought and sold for the convenience of members of Cabinet or anybody else. The reason is clear; that is, in that forum, members of the Cabinet can discuss without fear or favour - and that reflects the oath - matters of importance to the people of Western Australia which will subsequently be the subject of an announcement or decision. That is the key point to be made in relation to this matter, and I will develop it in a little while.

When I became Premier I made a number of changes to Cabinet, and I am sure that all Ministers recognise that I did. As a Minister, I was often frustrated by my inability to get material which enabled me to properly assess Cabinet minutes available to me. In comparison with previous Administrations, to be fair, both Premiers Dowding and Burke had instituted reforms which went far beyond those which existed when we came to Government.

Mr Lewis: How do you know?

Dr LAWRENCE: I have had an opportunity to research the matter.

Mr Pearce: We were briefed by the public servants at the first Cabinet meeting about what were the normal Cabinet processes. They were very deficient.

Mr Lewis: The Premier was not there; she has been in Parliament only since 1986.

Mr Pearce: I was there, and it was a matter frequently discussed in Cabinet.

Several members interjected.

The SPEAKER: Order!

Dr LAWRENCE: It is not only a matter of recollection by those members of Cabinet who were there at the time the Government took over in 1983, but also it is clearly the case by an examination of the Cabinet records. I have undertaken to do that because I saw one of my jobs as Premier was to make the Cabinet process work more effectively. When we came to Government in 1983, proper Cabinet minutes were not presented; in many cases an agenda was not provided and no decision sheets were recorded. So, if a committee such as the one that reported yesterday had even attempted to begin to examine the matters before Cabinet it would not have had a hope in hell. It would not have been able to come to a simple conclusion. Apart from the Premier, Ministers had very little information about the views of other Government departments and agencies. They were forced to guess the consequences of a decision, and to wonder and speculate about the consequences. Clearly it was a Government run by the Premier with very limited consultation with and input from other Ministers. The records show that.

Mrs Beggs: Is that prior to 1983?

Dr LAWRENCE: Yes. When we came to Government, Premier Burke and then Premier Dowding instituted a system whereby Cabinet decisions had to be presented formally. A 10 day rule was rarely waived. In other words, 10 days ahead of the scheduled Cabinet meeting,

a minute had to be presented and circulated to other Ministers in a form to enable them - particularly if relevant to their portfolios - to obtain and to develop comment on that minute. The comment sheets were then made available to the Premier. The Ministry of the Premier and Cabinet, in its various forms, then put together the so-called "blue". Advice to the Premier, representing a consolidation of the views in the original minute and the views of other Ministers with a recommendation to the Premier as to the outcome. Following that, of course, Cabinet discussion would take place and very often, Cabinet recommendations were approved entirely as recommended in the minute, approved with recommendations, modified, rejected, withdrawn, or deferred, sometimes for periods of a week or two; sometimes, as in the case of a critical minute, they were deferred indefinitely. Sometimes the minutes were withdrawn altogether, and sometimes the nature of the minutes suggested that they simply be noted.

That system did not exist when we came to Government. It is one which is now fully fleshed-out. Since I became Premier several changes have been instituted, in part on the basis of my experience with what happened over Notre Dame. We now have a system whereby the 10 day rule still exists, with rare exceptions. The minute is circulated among relevant Ministers whose departments comment, as do the Ministers. The comment sheets are not simply given to the Premier, they are circulated to all Ministers, so every Minister knows the views of every other Minister. A "blue" is then developed for the Premier's use but is frequently made available to other Ministers. The Cabinet decisions are recorded not only on the day by hand, on the sheet that I have just described, but also confirmed by the Premier on the same day or as early as possible after the Cabinet meeting once they are typed out. So a formal decision sheet reflects the outcome of discussions of the Cabinet. However, at no time to my knowledge in Australia, except in the Commonwealth where people take minutes, is the nature of the Cabinet discussion the subject of a formal minute. We do not have a minute in the sense that so and so said A, so and so said B, or so and so said C and the outcome was as follows. It is simply the minute, the comment sheets, the Cabinet "blue", the decision, and now the decision sheet. Those records are available to everyone in the Cabinet. After a time, they will be available to all in the community, as is the convention. I have given a little background to the question because it is important that members understand.

Secondly, I turn to the University of Notre Dame proposal because I think the committee has not fully understood the ramifications of the early commitment. When I became Minister for Education, as I said yesterday in the House, there was considerable turmoil in the higher education sector. There were changes in prospect which would have changed the higher education landscape in Western Australia.

Mr Kierath: You got the teachers out on strike!

Dr LAWRENCE: The teachers voted for me, however, not for the member.

Mr Lewis: They have never voted for you! You have never stood for Premier in an election!

The SPEAKER: Order!

Dr LAWRENCE: The higher education sector, from which I came, is one I know well. I have spent most of my life teaching in that sector. Members opposite occasionally sought to make political capital of that. Indeed, I remember the former member for Murchison-Eyre pointing to me as a limp-wristed academic. The same sorts of epithets have been thrown at some members on this side of the House who have substantial academic qualifications.

I have always regarded that sector as one deserving and requiring the support of the Parliament of Western Australia, although we all understand that our support and policy initiatives have had little impact on the higher education sector since approximately 1975. We manage the Statutes; we do not control the funds. It is a case of a very significant mistake having been made 20-odd years ago. Nonetheless it is incumbent upon any Minister for Education to fully inform herself or himself about the sector, and that I did - particularly at that time of turmoil. I set up a committee which I chaired and which I mentioned yesterday. In the course of that, I went to every institution in Western Australia a number of times. I talked with senior academic and administrative staff. I informed myself of both the academic and financial needs. One of the outcomes of that investigation was a conclusion that, apart from anything else, universities were underfunded for their undergraduate programs - a responsibility of the Commonwealth - but particularly worrying from the point

of view of a developing State like Western Australia, they were seriously underfunded in research and development work.

Over the years Western Australia had slipped significantly behind the other States in the amount of funding available. Research grants were not given at the same rate and, when available, were often unpredictable. In many respects, the State Government had to pick up the balance. At that time the Western Australian Government provided more funding per head of population for university research and development than any other State. Although we were not in a position to do so at the time, a lot of the committee's thinking on the matter revolved around the need to provide for higher education and postgraduate needs in our universities so that the State would have the technical expertise, the brain power and the skills to develop in a way I believed the State was capable of developing. Despite the current recession, we need those skills badly. It worried me as Minister for Education that we had a university system under pressure, and significantly lacking in resources.

Several members interjected.

Dr LAWRENCE: I have an hour and I propose to take all of it. If members opposite do not understand the background to this matter, they are not likely to understand the nature of the debate.

When I became Minister for Education, a proposal was put to me that commitments had been given, at least in principle, to supporting the University of Notre Dame Australia proponents in their initial ideas for the development of a private university in Western Australia. That was an idea I found unpalatable.

Mr Omodei: Do you support it now?

Dr LAWRENCE: Yes, I do; I will go through that. I found it unpalatable not least because I felt it could well be the beginning of a debate which would see demands for Federal and State funding for such an institution, as we have seen in the development of the private sector generally in education. Many people fully endorsed the proposal. Members opposite were more enthusiastic than I about a private university in principle. It was not a principle I endorsed. It was made clear to me that at that time a commitment had already been given by a Minister and a Premier. It was not a decision I could make alone; a decision had been made and a commitment had already been given. It was well understood that members opposite - I do not know about the National Party although it may have supported in principle a private, non-profit institution - supported the project. It enjoyed the support of all parties. That was certainly the assurance I received from the planners.

Mr Taylor: That was part of the Liberal Party platform in the lead up to the 1989 election.

Dr LAWRENCE: That is right. As is often the case in a democracy, when the majority prevails, I accepted the view that the proposal would go ahead. As part of the Cabinet I went through the process of developing the necessary legislation. However, in the course of discussions about the university, it became clear that it expected some form of support. Furthermore, the proponents made it clear to me, and I believe to other members of Cabinet, that they had put propositions of that kind to members of the Opposition, and had received in-principle support for the notion that they would receive some form of an endowment and Government support, as had been the case with our publicly-funded institutions.

Mr House: I make it clear that that was not the case with the National Party.

Dr LAWRENCE: That may not have been the case with the National Party, but I ask members opposite - especially members of the Liberal Party - to be honest and indicate that they were well aware of the fact that the university, at those early stages, well before the legislation was passed, was looking to the State for support. We must remember that we were approaching an election, and the proponents did approach the Opposition. They were seeking support, probably in the form of a land grant. Is that correct?

Mrs Edwardes: No.

Mr Court: I tell you that -

Several members interjected.

The SPEAKER: Order!

Mr Court: You were asking me what I know.

Mr Pearce: It may not be the whole story; you were not the Leader at the time.

The SPEAKER: Order!

Dr LAWRENCE: I do not want to know the member's answer at this stage; he could have answered -

Mr Court: I will tell you: No mention was made of that decision's being required!

The SPEAKER: Order!

Mr Catania: Categorically, the proponents of the university to a man said otherwise.

The SPEAKER: Order!

Mr Pearce: In evidence to the committee.

The SPEAKER: Order! Do members want me to hand out three or four first warnings, or shall I indicate that I am prepared to do that? I understand that members will become hot under the collar during this debate and from time to time they will interject. However, when I call order on that number of occasions it is incumbent on members from both sides to come to order.

Dr LAWRENCE: The Leader of the Opposition may wish to say that he did not know anything about it, but as has been clear in evidence before the committee, and from my knowledge at the time, to which I referred in Parliament by way of interjection and other means, members opposite well knew of the proposal by the university. They told me so, and that is confirmed in the evidence to the committee. It may be that the present Leader of the Opposition was not one of the members who knew about it; I do not suggest that. However, neither the member for Jandakot nor the former member for Cottesloe is here -

Mr Catania: The present Leader was also briefed.

Dr LAWRENCE: I understood that too, but, unlike him, I will give him the benefit of the doubt.

Mr Pearce: If he wants to take up the issue of misleading the House, pressure is on him to demonstrate the standards he requires of others.

Mr Court: I went to a briefing with Hon Max Evans, and at no time was any mention made of any financial or any other assistance being provided by the Government.

Point of Order

Mr DONOVAN: Cognisant of your ruling thirty seconds ago, Mr Speaker, this Premier is the subject of a motion today which says she has lied to the Parliament. This debate has a specific consequence. I for one would very much like to have the opportunity to hear every word the Premier has to say on the matter. It is a matter of fairness that she be heard.

The SPEAKER: I agree.

Debate Resumed

Dr LAWRENCE: Thank you, Mr Speaker. I am attempting to indicate that at the time those discussions were taking place the matter was being widely canvassed in the community. Therefore, the suggestion that they were not known about is simply wrong. Indeed, I had constant approaches from the publicly-funded universities objecting to such a possibility. If it had not been wide community knowledge, why would they have approached me indicating their displeasure with the prospect of the private university? They did not like the idea, and neither did I. They certainly did not welcome the prospect of the university receiving an endowment, especially as universities, other than the University of Western Australia, were not particularly well provided for from State funding or grants, which is the usual mechanism of support.

However, subsequent to the commitment by the Government to go ahead with the legislation, the then Deputy Premier had the responsibility and authority of Cabinet to discuss with the Notre Dame proponents what, if any, support would be provided to them. That was the subject of a question to me some time later, to which the committee referred. I clearly answered, "Yes, such discussions were under way." Nonetheless, the suggestion that I was a

principal player in those discussions is simply wrong. One of the problems in this debate is that Cabinet deliberations must necessarily be kept confidential. I said yesterday, as I do today, that in Cabinet discussions, private discussions and, in fact, any discussion in which this matter was raised with me, the suggestion of support for the university - whether that support be in the form of a direct land grant or a joint venture with the Government or any other form, various propositions were being floated - was resisted by me. My resistance was to the extent that I succeeded in having removed from the legislation any suggestion that the State might stand behind the university in any financial sense through a so-called guarantee. I also succeeded in insisting that any call by the university on the State's Consolidated Revenue Fund through current expenditure would be resisted. I succeeded in having those two items inserted in the legislation; that and not much more.

The legislation was developed without comprehensive consultation with me and my office; that is a matter of record. Those people in the Parliament at the time will know that I read the second reading speech through my teeth, because I was not reconciled to the fact that it should be undertaken. That could be seen as lying to the Parliament about my views, but all of us from time to time to do that; all of us in a democracy, especially with a Cabinet decision, are required to. Although I supported the university in principle at that time, I was still most unhappy about the process. A Cabinet subcommittee was formed at my insistence so that some scrutiny would be made of the discussions Mr Parker was having with members of UNDA and others about possible land support. Again, the process of exclusion was one that operated. From my recollection - I cannot find any formal minutes - I attended only one such meeting. The task force met for one meeting in which, basically, I refused to cooperate.

Mr House: Are you saying that David Parker did not report back to the subcommittee?

Dr LAWRENCE: I am saying exactly that. I am aware that will be seen as a criticism of the Deputy Premier at the time, and I am not seeking to denigrate him.

Several members interjected.

Dr LAWRENCE: I am not. It is clear, as the committee concluded, and as is evident from material presented to it, that this was something David Parker felt strongly about. Remember, it was in his electorate. He was very keen for it to proceed. On the other hand, I was not an in principle supporter of the university and was not keen for the institution to be supported. Indeed, at one stage in the Cabinet process my comment sheet said -

I have the gravest reservations about the wisdom of the Government being seen to offer any support to a private university in the present context.

That is what I wrote on my Cabinet comment sheet.

Several members interjected.

Dr LAWRENCE: This is an important point, if members would listen. The note continues -

Repeated representations on the matter have been made to me by groups and individuals associated at all levels with the existing higher education institutions.

How could they have made those representations if there was no knowledge? They made them because they knew what was being discussed. The note continues -

The feeling strongly expressed is that if the State Government cannot provide significant financial assistance to the institutions in their present plight -

There was an attachment to that comment sheet outlining the financial positions of the universities. It continues -

... as I have explained it cannot, then it would certainly be inappropriate for any support at all to be given to aid the establishment of a new institution which to some extent at least must be in competition against them.

How could it be the case, as the committee seems to infer at various times, that this information was not known, and that the Government was in some way conducting a behind the scenes negotiation? It was quite well understood. This is a small community. In this case the Catholic Church and the higher education institutions were involved. Both were very articulate proponents of their respective causes. To suggest there was not knowledge of what was going on is simply wrong. I say in the Cabinet comment sheet -

All four institutions have a sense of being under threat from Canberra -

That is the context in which I described it. To continue -

It would be most unfortunate if they came to feel they were also being threatened from a source closer to home.

They are pretty strong words, and that is material that I provided in response to suggestions that the university might be considered for in principle support by the State Government in the form of a land grant or whatever the settlement might be at the time negotiations were going on.

Mr House: Did the university people attempt to pressure you, the Deputy Premier or the Government over a guarantee or other financial assistance?

Mr Taylor: I will deal with that.

Dr LAWRENCE: I will deal with that too in the course of events, but it is important that I be allowed to unfold this carefully. That is the context in which these discussions were being held. Apart from objections by me to the process and the possibility of endowment support or joint venture, that task force of Ministers was established. To my knowledge the task force met only once and never reported. I continued to resist the matter and any time it was raised in Cabinet, either succeeded in having discussions deferred or, finally, deferred indefinitely. In my view not only was it wrong in principle, but also given the condition of the higher education sector, it was likely to be seen by the universities as a slap in the face - as it was, when the Government finally announced it sometime later.

I will turn to the specifics of the allegations, although I have dealt with them in the broad. It is important that we recognise that some of the so called misleadings of the House are highly contrived. I have to say to members of the committee, having looked at their accusations yesterday, I find it extraordinary that they could reach the conclusions that they did.

Several members interjected.

Dr LAWRENCE: It is not a question of evidence, it is a question of logic. It is said that I lied to or misled the Parliament on five occasions: On Tuesday, 28 November 1989 I replied to a question on notice from Hon Bill Hassell, MLA. The most serious accusation is that I actually lied, so I will deal with that last. It is claimed that in my second reading speech I misleadingly emphasised the establishment of the University of Notre Dame Australia in Fremantle, and failed to emphasise the Alkimos-Ningana site; again in my second reading speech it is claimed I described the UNDA as a non-profit institution which did not intend ever to have commercial operations as part of its structure; and in my response to a parliamentary question on 27 November 1990 asked by Mr Ross Ainsworth, MLA, it is claimed that I said that the University of Notre Dame was being treated in the same way as any commercial or industrial venture we wanted to see succeed in this State. That is a particularly silly conclusion. There is also a complaint about my use in the second reading speech of the expression "not much more than a gleam in the eye of the proponents" in describing the proposed university. That is said to be misleading the Parliament. The next reference in my second reading speech is to the UNDA being financially independent of Government. This is said to have been incompatible with the proposed grant of 150 ha of Crown land to UNDA. The coup de resistance of the committee's allegations is that in a statement to the Perth Press Club in April 1990 I stated that the Government would not have an entrepreneurial role in business. That is said to be inconsistent with the Cabinet's decision of 5 June 1990 which empowered the Deputy Premier to continue negotiations based on a possibility of an Alkimos-Ningana land sale.

Leaving aside the Hassell question for a moment, I will deal with the establishment of the UNDA in Fremantle. Certainly that was what was understood at the time; it was proposed by the institution that that is where it would be established. It was also understood and said at the time that over time it may well relocate and expand, depending on demand. The second reading speech I have to say, Mr Speaker, always refers to the Bill, which was to establish the university as an institution. The location of the university was then not settled, but at that stage the proponents were certainly clearly in favour of Fremantle. I understand through their own operations they had sought to purchase various properties with Mr Denis Horgan. I had nothing to do with that, nor did I want to have anything to do with that.

Mr Wiese: But you were aware of it.

Dr LAWRENCE: So was the member for Wagin. Mr Speaker, that was understood to be the case at the time. I have just outlined how I consistently resisted the principle of the Government's supporting a university by way of any grant or endowment and succeeded in having the matter deferred; taken off the agenda altogether. The suggestion that there might be a further development of the campus, here, there or somewhere else, from my point of view as the responsible Minister, was not being entertained by Government - but it was not some attempt to hide that possibility and discussions were still going on - simply because it was known at that time that it would be established in Fremantle and that has come to pass. That is where it is located and when it is fully functional I believe it will be an asset to the Fremantle district. At the time it was expected the Fremantle campus would be the only campus for at least a decade. It now appears perhaps forever, but that was at the time.

Mr Pearce: The poor old former Leader of the Opposition has been pilloried by the committee for taking exactly the same position as the Premier in debate. He said it was going to Fremantle and maybe sometime in the future it would be moved. He also has been accused of misleading the Parliament because he told the Parliament about the chances of the university's being moved.

Mr Court: Who is giving this speech?

Dr LAWRENCE: I am happy to have some assistance from the Leader of the House. At the time the second reading speech was made it was about the legislation to set up the university, not about where it might be located. Nonetheless, the speech does make reference to the fact that there was a tangible outcome; that is, it would be established in Fremantle and it was understood that it may well expand beyond that at a later time.

Mr Lewis: No it was not. You might have understood it.

Mr Pearce: Your leader at the time understood it; that is why the committee has said he misled the House.

Dr LAWRENCE: The University of Notre Dame Australia obviously now proposes to continue to maintain its Fremantle campuses as a significant part of its operations. I did not refer to the establishment of the campus; it would not have occurred to me to do so beyond the immediate prospects for the university.

Mr Lewis: You were told not to; read the evidence.

Dr LAWRENCE: The second reading speech is about the legislation. There was no suggestion on my part that there should have been any reference to other campuses because at that stage nothing was resolved. In any case, if, at any time, the Government decided to provide for the establishment of another campus - an endowment of land - it would have been the subject of a Cabinet decision, notice to the community and legislation in the Parliament. Therefore, to suggest that the sin of omission, my not mentioning it, was misleading the House is frankly extraordinary, because in the second reading debate members of this House clearly knew some of what was in prospect. At one stage, the proponents were talking about getting land at Margaret River. The member for Vasse may have had a bright idea at that moment, but I clearly remember having that discussion with him across the Chamber. I shook my head and he said to me, "No, no, you should understand that this is a good idea. You should give them that land down there. You should do what they want." Therefore, it was quite clearly understood by other members that there were discussions. I did not mention that possibility.

The next matter touched on by the committee was that I referred to the UNDA in the second reading speech and in the legislation as a non-profit institution which did not intend to ever have commercial operations as part of a company structure. I will say no more than that the UNDA is a charitable organisation, as are our other universities and as are organisations such as the St John of God Hospital, the St John Ambulance association and a large number of other bodies which exist for public benefit. That is an appropriate description. Such bodies may be contrasted fairly with commercial operations which operate for the purpose of generating a surplus of funds, a profit, to be distributed to private shareholders or partners by way of dividends or capital benefit. An example in the educational field is the Bond University in Queensland. By way of contrast, that was what we were intending to highlight. When I said much later, when I became Premier, that the university was being treated in the

same way as any commercial or industrial venture that we want to see succeed in this State, I did not intend to liken the UNDA to a profit making industrial or commercial venture as seems to have been implied by the committee in what it has put before me, but I was making the point, obviously in a shorthand way, that Western Australia has a long history of providing support for large scale ventures, and for universities most commonly, but not exclusively, and sometimes for private institutions and private companies on the basis of the benefits that they are capable of bringing to the State. In that sense, it was being treated in the same way as others. Whatever arrangements were being entered into with it, they were for the benefit of the State which would have commercial benefits generally, benefits for employment and benefits for the consumers of their goods and services.

I was not suggesting on the one hand that it was a charitable, non-profit institutions and, on the other, that it was not. That again is a most extraordinary conclusion of the committee. My point was that, in the Government's judgment, in answer to Mr Ainsworth, the project offered sufficient benefits to the community to warrant encouragement and possibly financial and other support - land support as it turned out. That is a very reasonable proposition. We have done that in Western Australia on many occasions. However, the suggestion, in the first instance, that somehow I was trying to pretend that the university was not of commercial or industrial benefit, which seems to be one inference, is wrong, and, on the other hand, the suggestion that somehow by describing it in those terms I was misleading the House is also clearly wrong. Universities undertake business operations from time to time. The point is not that they do that as the University of Western Australia has done; its No 2 account has been entirely derived from the sale and management of its endowment land and its rental properties. It is not seen as a profit making institution because all of those funds are used for the purposes of the university as they would be in the case of the University of Notre Dame. I am surprised at that suggestion and cannot understand why the committee would see it as misleading the House. On the one hand, the description of the institution was correct and, on the other, the observation about the benefits to the community of having an institution of that kind in this State and therefore justifying some level of Government support was also correct. I had come to accept that view. The non-profit status of the University of Notre Dame Indiana - it was never intended to be otherwise - does not preclude it from being involved in various business deals and land arrangements to make a profit for use by the university. There is nothing strange about that.

The next occasion on which I am supposed to have misled the Parliament is the use in my reply to the second reading debate of the phrase "the university is not much more than a gleam in the eye of the proponents". I am not really sure what significance the committee considers it might properly attach to that remark. However, whatever it may have chosen to read into it, I intended to indicate that, with the passage of the Bill, we at least would establish the conditions to enable the conversion of the concept, "the gleam in the eye", into reality. At that stage, the formal commitments had not been given. The start up date had not been announced, the university's funding as far as I knew was not settled and I guess I was expressing a point of view about what I thought should happen; that is, that maybe it would never get off the ground. However, the legislation would enable that institution to exist if and when it had the wherewithal to do so. To suggest that my saying that it was only a "gleam in the eye" somehow hid the fact that discussions were going on is a mistake. The committee seems to have overlooked the fact that in the beginning of my second reading speech I pointed out very clearly that, although the Bill would establish the university as a legal entity, it would not guarantee its existence. The Government was doing no more than providing the enabling legislation as it was described. Therefore, to describe it as "a gleam in the eye of the proponents" was not misleading at all; it was a colourful way of describing the state of affairs at that moment. I am sure that any fair-minded person, after a moment's reflection, would confirm the correctness of that proposition. One would have to ask oneself, "Why would I attempt, in using a phrase like that, to mislead the people of Western Australia?" It is not even a sensible proposition that I would attempt to suggest somehow that more or less was going on than I knew.

The other area in which I am said to have misled the Parliament is the reference in my second reading speech to the UNDA being financially independent of Government. From the earliest times, it was made clear to the Parliament that Government assistance to the UNDA was in prospect in terms of the land grant or some form of support. I specifically

brought that to the attention of the Parliament in my answer to questions by Mr Hassell in November 1989. Again, there was no suggestion, either in the second reading speech or in events surrounding it at the time, that there was some attempt to pretend that discussions were not going on for some form of support, similar in kind to that which had been given to other institutions; not only educational institutions, but the State has a history of providing support for universities, private schools, church institutions, hospitals -

Mr Pearce: Old people's homes.

Dr LAWRENCE: That is right. It is a very longstanding practice. If the State does not support them by way of a direct grant of funds or recurrent expenditure, it sometimes does it in the form of a land grant. I said in my answer to Mr Hassell that discussions were going on.

The reference in my second reading speech to the UNDA being financially independent of the Government is qualified by my comment at the time -

It is not to receive direct funding from the Consolidated Revenue Fund and, unlike a statutory agency, is not to have any shortfalls in operating revenues made up from a Government Budget.

That was designed to do two things: To prevent the university from having any expectation that it would receive ongoing financial support from the people of Western Australia and explicitly it was not to receive direct funding from the CRF; and to ensure that if it got into trouble it could not come to the Government or if there were a shortfall in its investments or whatever might be the case, it would be explicitly excluded. As I said -

... is not to have any shortfalls in operating revenues made up from a Government Budget.

Therefore, in the second reading speech, I made it absolutely clear that it would not receive funds from the CRF and it could not expect to have shortfalls made up from any operating budget. Quite clearly, that also precludes the possibility of any Government guarantees of the kind that members have put around this place. I had that specifically inserted because it was known that that was one of the things that the university was seeking at the time; it was one of the issues being discussed. As the Minister for Education, and with the strong views I held, it was not something I was prepared to allow. I would read the second reading speech and present the Bill to the Parliament, but not in a way that left the door open to that formal support. I had the view that it was quite properly a distinction between a one-off capital grant of some kind and ongoing financial support. That distinction was made not only in the public and private sector, but also in this Parliament. To suggest I was somehow engaging in sleight of hand is wrong because simultaneously I was answering questions asked by the former member for Cottesloe and saying that discussions were going on about some form of support for the university, but not in the form of a draw on the Consolidated Revenue Fund or some sort of guarantee to its financial position.

It has been said that in a speech to the Press Club I said there would be no entrepreneurial role for the Government yet the Government went ahead and provided private endowment for the University of Notre Dame Australia. I find that extraordinary.

Mr Lewis: Why?

Dr LAWRENCE: The member for Applecross should read it carefully. Even members in this House who do not necessarily take the time to use their brain in a careful and logical way, but use it only as a vehicle for spouting words, should read the committee's report.

By reason of a combination of international and colonial law, since European settlement in Western Australia the land of Western Australia has been vested in the Crown. I hope members will understand that. Since then every Administration has been involved in the business of subdividing and alienating Crown land. In fact, in the early days of the colony the Minister for Lands was the Chief Minister of the State. I am not suggesting any downgrading of the current Minister for Lands. In the postwar era that process has, from time to time, as members would be aware, been undertaken on the basis of joint participation with private and commercial interests. Again, if members look through our history books they will find plenty of examples of that. I have no doubt that future Governments will continue the business of subdividing and alienating land and will almost certainly do so on

the basis of some partnership with private interests. I invite the members of the committee who reached that strange conclusion to contrast that activity with the essential features of the relationship between Government and certain business interests which did involve equity participation in the speculative ventures during the period which is the subject of the Royal Commission.

That was the point I was making in my speech to the Press Club: It is not that the Government will have nothing to do with business and that it will not in future engage, as it has done, with many businesses in the State in providing land at reduced rates and concessional royalties, but it will not be an equity partner. As far as I was concerned, that era was well and truly over. The fact that the committee came to its finding suggests a lack of understanding of that well established Government practice with the development of Crown land. Members can go back over any period of the history of this State and discover that that is the case and that there is confusion with the practice of that with equity participation with speculative ventures in land. I am not suggesting that should be undertaken.

Mr Court: Can you explain why the Treasury gave advice that it was not bankable?

Dr LAWRENCE: I am answering the matters which the committee raised in reference to me. The Deputy Premier will certainly raise that matter.

I turn now to the questions on notice by Mr Bill Hassell. I ask members why it is that they suppose that in a question on notice I would not have given the reasoned amount of information that was asked for.

Mr Lewis: It was a cover-up.

Dr LAWRENCE: Why would there have been a cover-up? The Bill was before the House, Cabinet had deferred indefinitely consideration of any matter touching on the question of support for the university, there was a lot of turmoil in the academic community about the possibility, the Opposition knew of the prospect, and there was an election staring us in the face.

Several members interjected.

Dr LAWRENCE: The evidence shows very clearly that the Opposition did know about the prospect.

On page 53 of the Public Accounts and Expenditure Review Committee's report Mrs Edwardes confirmed that Dr Tannock did discuss the possible option, a joint venture with the State Government. Did the member for Kingsley say that before the committee?

Mrs Edwardes: That is all he said. There is a difference between being involved in discussions and negotiations and having two words mentioned to you at a meeting.

Several members interjected.

Dr LAWRENCE: I will quote from page 54 of the report as follows -

In addition to Mr MacKinnon and Mrs Edwardes, Fr Malloy informed the Committee that Mr Court and Mr Evans also met with him to discuss the University. The Committee has written to both members requesting details of their briefing but had not received a response by the time the report was adopted.

There is also some conflict in evidence about the knowledge of the Leader of the National Party, Mr Hendy Cowan.

Mr Cowan said he did not know. The report continues -

Conflicting with this, correspondence to Dr Tannock from Mr Chris Codrington who attended the meeting with Mr Cowan on 25 September 1989, stated that:

"One recollection I do have of the meeting of the 25th is Hendy's discomfort on the question of a government guarantee."

Mr Lewis: Do you accept that evidence?

Dr LAWRENCE: It is in the committee's report and it is clearly being slid about under and over by members of the Opposition. Members opposite want it both ways: They want to say that they did not know anything of this.

Mr House: You are trying to say that you wanted to wash your hands of the Cabinet subcommittee. You do not want to say anything about that. It was an inquiry into your portfolio.

The SPEAKER: Order!

Dr LAWRENCE: The question on notice from Mr Bill Hassell, which I am sure members have seen, consisted of five parts. Members must read the whole question; they cannot simply take one part out of it. The first two parts sought clearly to discover the philosophical positions held by the Government in relation to the establishment of a private university and the benefits to the students of that university. They were answered briefly and accordingly. Part (3) of the question asked whether support had been requested of the Government in relation to the establishment of the University of Notre Dame Australia. The remaining two questions clearly sought an elaboration of an anticipated affirmative answer to part (3). In other words, if I said yes to part (3) further details were requested. The interrelationship between the parts of that question is important and members cannot simply take one part out and not refer it to the rest of the question. I am sure members of the committee would understand that.

In my answer to part (3) of the question I said there had been discussions between the proponents of Notre Dame and the Government on the support that might be provided. I could have said that I understood there had also been discussions with the Liberal Party and the National Party.

Mr Lewis: Not true.

Dr LAWRENCE: Opposition members have said there were. I could have said that, but I could not have confirmed the time or place of those discussions so I went for what I knew to be the case; that is, yes, there had been discussions between the proponents of Notre Dame and the Government on the support that might be provided. I might add that I had virtually no part in those discussions. I think I attended one meeting at which any of the UNDA proponents were in attendance and there were certainly no guarantees or commitments given by the Government; that is very clear. I clearly and unequivocally informed the Parliament - there is absolutely no doubt in my answer - that the Government's support for the proposal was in prospect. In the signing of that question - I do not actually sit down and write them myself - and in approving its wording I would have been biting my tongue simultaneously with answering it because at that stage I was still opposed to any support.

Part (4) of the question asked, if so to (3), what response had been made. It was answered by me in a way that was consistent with my answer to part (3); mainly that assistance was in prospect, as I said, but was still subject to negotiations between the UNDA and the Minister and that no formal request had been considered by Cabinet. It simply had not been considered by Cabinet. The fact that the task force had not properly met and had not reported to Cabinet meant that when the proposal was put to Cabinet by Mr Parker that the matter be negotiated through to its conclusion, I succeeded in the first instance in having it deferred for a week. I then came up with the comments which I have outlined to the House, and succeeded on the next occasion in having the matter deferred indefinitely.

Mr Lewis: When was the formal application made?

Dr LAWRENCE: Discussions were taking place between the proponents and the then Deputy Premier about the form which assistance might take, and as part of that process the Deputy Premier sought Cabinet approval for UNDA to be invited to enter into negotiations. The Cabinet minute did not even refer to a formal request for support; it requested that the Deputy Premier be invited to enter into negotiations for a joint venture development with LandCorp with regard to Alkimos and Ningana. It was then deferred indefinitely. Government decisions in relation to UNDA were then, and always have been, the responsibility of Cabinet. No Minister is now or, to the best of my knowledge, has ever been, empowered to make binding decisions about this matter and on behalf of the Government. If Mr Parker continued to discuss details with the proponents, he was not doing so with the authority of Cabinet. I answered that question on the basis of my knowledge of the Cabinet's operations at that time, and I am sure that the people who prepared the answer to the question would have checked the Cabinet decision sheet.

Mr Lewis: It may have been with your approval.

Dr LAWRENCE: He did not have the Cabinet's authority. The request in the first place was to enter into negotiations. Secondly, that request was not only not acceded to, but also not even heard by the Cabinet. If a matter is deferred indefinitely it is not even heard; it is not amended, rejected, or withdrawn, but is deferred indefinitely.

Mr House: It was in your portfolio.

Dr LAWRENCE: I still carry some anger about the whole matter. As Minister for Education I was responsible for the legislation which set up the university, but I was not necessarily responsible for the question of whether land support might be provided. I felt that I should be, but I was excluded from most of those discussions. However, I was aware that they were going on, and I told the Parliament that in answer to a question. I also knew, and it would have been confirmed by the people who researched the question for me, that no authorisation had been given by Cabinet to undertake negotiations to the point of reaching a conclusive settlement. My answer to questions 4 and 5 is based on that knowledge - affirmation that no package had been placed formally before Cabinet because I had refused to allow it to be placed there, and the Cabinet, in its wisdom, decided in that direction. It was one of the few wins I had over the Notre Dame proposal but it was a significant one. Taken as a whole, the answer to that question on the philosophical position - my confirmation to the Parliament that discussions were going on and that no formal consideration had been given by Cabinet - was correct, and at that stage the matter had been deferred indefinitely.

Mrs Edwardes: You have just confirmed your lie.

Dr LAWRENCE: Not at all. By what means?

Mr C.J. Barnett: You have to get out of that one.

Dr LAWRENCE: I feel no need to get out of that one. Members will know that a great number of questions are answered by Ministers; they are researched as carefully as possible by the people who provide the material which the Minister then signs off. My recollection at the time would have confirmed that. I have since gone back to the Cabinet minute sheets and looked at the material available to Mr Parker because I was not the Minister handling the matter.

Mr House: Why not go to the Cabinet subcommittee and ask those people?

Dr LAWRENCE: Because the Cabinet subcommittee was effectively a phantom. I have confirmed this since the committee's report because I have taken the trouble to go back to the Cabinet "blues", decision sheets and minutes, and it is quite clear that whoever researched the question in the first place and my signing of it gave a correct description of what had occurred. In any case, what would I gain from lying?

Mr Lewis: A cover-up.

Dr LAWRENCE: It is quite clear that not only did I know that discussions were going on for some form of support for the university - I said so in answer to that question - and not only did other members of the Government know, but also the proponents of the University of Notre Dame knew, members in the higher education community knew and were complaining to me on a regular basis, and members of Parliament had been advised of it. Indeed, I remember being told by the proponents of the university that not only had they discussed it with members of the Opposition, but also they had in principle support leading to the election. That was meant to impress me clearly with the fact that if we did not support them it might be in their best interests to support the Opposition. Why was that said to me if those people had not had detailed discussions with the Opposition? How would the member for Vasse have known about an area of land in Margaret River that might be a prospect for a campus? How would the member for Kingsley have been able to say what she did to the committee? The suggestion that I had any motive for pretending the discussions were not going on is clearly wrong. The proponents were and have been very persistent; they believed they had a good idea. I did not think so at the time. I have come to think that it will make a big contribution to Western Australia, and in our current climate the extra places it will provide in higher education will take some pressure off our higher education system.

In summary, each of the allegations the committee has made either relies on the most peculiar conjunction of pieces of evidence, or simply fails to take into account the situation at that time. I was offended by some suggestion yesterday that Cabinet minutes and decision

sheets were missing. They are not missing. They were not requested in that form. I provided the answer required of me by the committee chairman. The gentleman in charge of the records was most offended by the proposition that some were missing out of convenience. They are there, and they show clearly what I have outlined. I repudiate the allegation that I lied or misled the Parliament. It is also very clear that I had no motive to do so. These discussions were not taking place in a secret way. People in the Commonwealth Government knew about them. A suggestion was made about using Army land on Cantonment Hill in Fremantle. The member for Vasse spoke about land in Margaret River. The discussions were so widely known that I became frankly sick of the vice chancellors and other senior people in the universities asking me about them. The Government has now accommodated the other universities. It has now arranged for all five universities to benefit from an endowment of land. Is that a secret deal with the universities? Since they will make a profit from that, does it make them profit making institutions? That is the best outcome, and we should have done that in the first place. I freely acknowledge that.

When I came into Government I discovered - I am sure the Deputy Premier will refer to this - that it had gone much further than I or the Cabinet knew. The then Deputy Premier, as demonstrated quite clearly in evidence, made commitments in writing to the university. I was told subsequently - I have not been able to check this - that the university received a similar commitment from members opposite prior to the 1989 election. If members opposite went through party files, they might find that. I had no motive for covering up and no knowledge of the Deputy Premier's actions in terms of commitments given. In any event, they have not bound the Government. The Deputy Premier has been able to negotiate an excellent outcome for the institutions of Western Australia, and I am thoroughly sick of members opposite using the institutions of this Parliament for the worst possible motives.

MR LEWIS (Applecross) [11.59 am]: This debate is about the Premier's being honest with herself, the Parliament of Western Australia, and the people of Western Australia, and doing what most people consider is the proper thing. The Premier may have been caught in a web of intrigue related to WA Inc matters. Certainly this has been a nefarious deal. The history of the Notre Dame deal was that there was to be a university only in Fremantle. The Government said no land deal was involved and that it was only a gleam in the eyes of the proponents. That was absolute poppycock. The Premier has today misled this Parliament and lied to it again.

Points of Order

Mr GRAHAM: We are discussing a motion of no confidence in the Premier of Western Australia. We have just heard, with no supporting evidence, a comment from the member for Applecross that the Premier has lied to the Parliament again today. The only way that inference can be drawn is by use of a substantive motion. The substantive motion we are discussing at present deals with the report of the Public Accounts and Expenditure Review Committee and not today's evidence, so that statement should be withdrawn.

Mr C.J. BARNETT: The report of the Public Accounts and Expenditure Review Committee makes it clear in its conclusions that the Premier did lie. The word "lie" is used throughout the report. If members were unable to use that language during this debate they could not get to the nub of the issue.

The SPEAKER: The use of this word, or any other derivation of it, in Parliament, causes me extreme discomfort in a parliamentary sense. The less it is used the better, so far as I am concerned. However, having said that, there must be a mechanism by which this House can discuss exactly that term and we are currently employed in the middle of that mechanism. It would be foolish of me to say - even though it is discomforting to me personally in a parliamentary sense, and I am sure to other members in this place - that it should not be used. However, it should be used as sparingly as possible.

Debate Resumed

Mr LEWIS: The Premier said in her defence that she had no motive for lying. The motive, of course, was that she saw her duty to her Cabinet colleagues and masters as being above her duty to this Parliament. She thought it was her duty to continue to cover up in the 18 month period prior to the question asked by Mr Hassell.

Mr Catania: You knew all about it.

Mr LEWIS: The member for Balcatta may have known, as the university and the Government may have known, but the Opposition did not know!

Several members interjected.

The SPEAKER: Order!

Mr LEWIS: The sad fact is that the Premier has been caught out and there is absolutely conclusive evidence of her misleading and lying on six occasions. The Premier knew that a land joint venture deal involving \$700 million had been put in place - a deal touted by Mr David Hatt. She knew negotiations had been going on for 18 months. At least four Cabinet meetings were held on the matter and two formal proposals were made. Despite that the Premier, in a reply to a question asked in this Parliament by the former member for Cottesloe, said that no application was before the Cabinet on that matter.

Mr Catania: Where did you get those facts?

Mr LEWIS: They are in the report.

Mr Catania: Discussions about what?

Mr LEWIS: The matter was discussed four times by Cabinet. This is a matter of where the Premier's responsibility lies. Does it lie with her Cabinet colleague, with Messrs Parker and Dowding - then Deputy Premier and Premier - or in properly informing this Parliament when questions are asked legitimately about such matters? That is really the question. Unfortunately, the Premier has failed that simple test. This whole matter reflects badly on the Premier's character because usually when people are caught out they accept that and the accompanying admonition for what they have done wrong. Not this Premier; she is never wrong! One has only to watch the Premier on television day after day to see that she thinks that she is never wrong and is the fountain of all knowledge; she is a smarty, knows it all, and is never wrong!

The flaw in the Premier's character is that she does not have the ability, and is not big enough, to come in here and say, "I apologise to the Legislative Assembly because I did mislead it." That is what one of the most respected committees of this Parliament has properly found. The Premier's defence through her mouthpieces is, first, to denigrate the committee. As the committee has not made a finding with which the Government agrees it has denigrated the committee and found reasons why it is biased. That is because its findings do not suit the Government and it will not accept the evidence before the Parliament. The Government has denigrated the committee's substantial findings and hopes the evidence will fade into insignificance.

I turn to that evidence and the questions asked by Mr Hassell. What he asked was clear indeed, and the Premier has been through this. Mr Hassell asked a simple and straightforward question the guts of which was whether the Government had been requested to give support with the establishment of the Notre Dame University. The Premier's answer was that discussions had been held between the Government and the proponent and that support might be provided. Mr Hassell then asked, if that was so, what requests had been made. The Premier said that no formal request had been received for consideration by Cabinet. The evidence in the report quite properly shows two formal submissions were made, one in April 1989, yet the Premier said in answer to Mr Hassell's question that no formal submission had been received or considered by Cabinet.

Mr Hassell went on to ask what package of support was under consideration, to which the Premier replied "none". She said that despite the fact the Government had been negotiating with UNDA for 18 months and letters had been exchanged between the university and the Government. Instructions had been passed to the people in the Ministry of the Premier and Cabinet to put things in place to make it all happen, yet the Premier said in answer to that question that nothing was happening. That was a blatant untruth. As the committee properly found, it was a lie to this Parliament and that is the fact!

Members should look at the chronological sequence of what happened with this report. In mid 1988 discussions took place between Mr Pearce, Mr Berinson, Mr Parker, and the present Premier about the university. In August 1988, Cabinet's decision sheet states that it supported the university in principle and supported an \$80 million facility - a year before the then Minister of Education said that nothing was going on. In July 1988, Mr David Hatt said that the deal was worth \$700 million.

Several Government members interjected.

The DEPUTY SPEAKER: Order! The member for Balcatta's interjections are fine in their place but should not be shouted over the speaker on his feet.

Mr LEWIS: The evidence is absolutely clear that in July 1988, the significance of the university went onto the back burner. The Government was really looking at the huge land deal which would be paper-enhanced by this university suburb which would be established. We must remember that in 1988, we were in the thick of WA Inc. We were asking questions day after day about Petrochemical Industries Co Ltd, about the Terrace deals and about all of the other nefarious things that were going on, and there was cover up after cover up. All of the things we said proved to be true.

In August 1988, a year before the question was asked in the Parliament, Notre Dame University, or its associates, was so confident about the deal that it tried to purchase \$4 million worth of land alongside the proposed Alkimos site. Who knew about it? Notre Dame University knew about it, perhaps the other universities knew about it, perhaps Cabinet knew about it, and perhaps members of the Labor Party knew about it, yet when we asked questions in the Parliament, the Government tried to snow us again. It is no excuse for members opposite to say that we knew. It is an assumption that we knew. We asked a parliamentary question in order to have the matter put formally on the record, and what is important is that a parliamentary answer be given. Therefore, the question of who knew is of no consequence. The question is whether the answer given by the then Minister of Education was truthful. It was not truthful. She lied to this Parliament.

I will continue with the chronological sequence. Twelve months before the Premier gave the answer, in December 1988, LandCorp, which was to be a partner in this deal with the university, purchased the land from the then Department of Land Administration. There was no Cabinet decision. Is the Deputy Premier trying to tell me that Cabinet did not make a decision for LandCorp to acquire that land from DOLA?

Mr Taylor: LandCorp acquired it in the natural course of events.

Mr LEWIS: In the natural course of events! It so happens that LandCorp was the joint venture partner of the university. The Premier did not want to know about that. It was at the height of the WA Inc fiasco. The reason that she had to lie was that the Government did not want to be caught out. The cover up had to stay in place because there had already been the PICL, Rothwells and Terrace deals and the Government did not want another one. Members opposite came into this House and convinced members of the Opposition that there was no secret deal, no land deal, and no WA Inc-style deal behind the Notre Dame University; the Notre Dame University was a clean deal and was all about putting a university in Fremantle, bringing prosperity to Fremantle, bringing an independent, private sector university to Western Australia, and getting on with the job. The truth of the matter is that it was a nefarious \$700 million deal that members opposite had been negotiating for nearly a year.

I turn now to the truthfulness of the former Minister of Education. In response to the question, "If so, what requests have been made?", she replied, "No formal request has been received for consideration of Cabinet." The evidence is that in December 1988, the University of Notre Dame made a submission to Cabinet requesting an option to purchase. The Premier was not at that Cabinet meeting. Where was she? Was she asleep? Was a formal submission put to Cabinet in December 1988, and was the Premier there?

Mr Pearce: If you are talking about the submission that was put by Messrs Dowding and Parker in regard to the proposed guarantee, the one that was defeated -

Mr LEWIS: According to this evidence, there was a formal submission in December 1988.

Mr Pearce: Wait a moment. When was the answer given?

Mr LEWIS: I am running out of time.

Mr Pearce: You cannot ask questions without giving the information.

Mr LEWIS: At that time, the matter had gone twice to Cabinet, yet the then Minister for Education, who was responsible for universities, did not know about it. It is interesting that on 1 February Mr Parker wrote a letter of comfort to Notre Dame University which told it not to worry about it; it is all in place; an election is coming up, and if the university can give the Government \$250 000 for the ALP it will be all right. Did the Premier know about that?

Dr Lawrence: Certainly not.

Mr LEWIS: Tell me who would make a donation to the ALP the day before an election and for what reason? Mr Horgan denied that he made that \$250 000 donation, so who would have made it?

Mr Pearce: That is right. Everyone has denied receiving it.

Mr LEWIS: Surely only a person who was interested in the proposed university and the land deal would make it. Does the Premier know who made it? The Premier knew and Cabinet knew.

Several members interjected.

The DEPUTY SPEAKER: Order! In order to progress the debate, two things may be advisable. Firstly, the member for Applecross - and he has done this on occasions, but perhaps not all that much - could direct his remarks through the Chair. Secondly, the level of interjections could be kept down to a reasonable level, as I have requested already. There should be one interjection at a time and no shouting over the speaker on his feet.

Mr LEWIS: The second formal submission, which according to the evidence was made to Cabinet on 28 April, was for UNDA to enter into a joint venture arrangement with the Government. A letter was written to Mr Loney, who was at the Ministry of the Premier and Cabinet. Did the Premier know about that? She told Mr Hassell that there were no formal submissions. That is an absolute lie. Was the Premier not there? Was she asleep? On 10 July 1989, a ministerial working party was set up. There had been a briefing with the working party - Parker, Lawrence and Berinson. The Premier, on her own admission, said, "I had that working party put in place because I did not like what was going on." Yet in the next breath she said, "I did not go because I did not like the way it was going."

Mr Pearce: No, she didn't!

Several members interjected.

Mr LEWIS: She asked for it to be set up and then she did not attend. What sort of defence is that?

Mr Catania: It met only twice.

Mr LEWIS: It is interesting that the working party failed because two of the briefing notes mention the \$700 million deal proffered by Mr Hatt of LandCorp and the letters of the joint venture deal with the archdiocese and the Catholic Church. Despite all of those briefing notes the Premier does not know anything about it!

Dr Lawrence: I did not say that at all.

Mr LEWIS: Yes, the Premier did. She knew about it as well.

By July 1989 the matter had been to the Cabinet three times, yet the Premier still did not know! On 24 October 1989 the matter was considered by Cabinet a fourth time. The legislation to establish the University of Notre Dame Australia had been approved, the drafting principles were set in place, and part of that minute said that no mention was to be made of the Alkimos deal in the second reading speech. I ask the Premier whether that is true.

Dr Lawrence: Because there was not one.

Mr LEWIS: Is it true that part of a Cabinet minute stated that no mention was to be made of the Alkimos land?

Dr Lawrence: Because no decision was made or in prospect.

Mr LEWIS: Is it true that no mention of it was to be made? The Premier had been negotiating with them for 15 months.

Dr Lawrence: I had not been negotiating with anyone.

Mr LEWIS: The Premier had only been to the Cabinet with it four times and bought the land for the joint venture deal!

Mr Pearce: We had not.

Mr LEWIS: She had only given letters of comfort!

Dr Lawrence: You are making it up as you go along.

Mr LEWIS: No, it is all here. I have been up for most of the night. Were there no letters of comfort, no million dollar guarantees?

Mr Catania: It is obvious that you have not read the report. You had a nice dream last night!

Mr LEWIS: The Premier still did not know anything about it!

Mr Wiese: The submission to the Cabinet in December 1988 said in part -

In its ultimate development, the university will operate from a major residential campus north of the City of Wanneroo in the Alkimos-Ningana area.

Mr LEWIS: But the Premier said she did not know about it. There was no submission!

Dr Lawrence: I succeeded in having the matter deferred indefinitely, so there was nothing to discuss.

Mr Catania: The member for Applecross should read the minutes and the report properly.

Mr LEWIS: At the time of the enabling legislation there was clear evidence from the university and from the Government that a joint venture was to take place; that a guarantee had been negotiated; that letters of comfort had been given; and that borrowings from the R & I Bank of Western Australia Ltd, without any guarantee or security, had been given for \$30 million. Where was this Government's responsibility?

Mr Pearce: What are you talking about now?

Mr LEWIS: Do members opposite think they can just walk in and get \$30 million without a nudge or a wink, or a telephone call to the Treasury? The facts are that there were formal submissions, working parties were in place, the Cabinet had considered the matter four times, and the Premier knew about it and deliberately lied to this House. There is the evidence - the evidence we were not going to present! It is here, and it has been properly processed and documented. It goes for 128 pages, yet the Premier says, "That is all wrong. I am Carmen Lawrence. Read my lips - I do not tell lies."

Dr Lawrence: I don't, either.

Mr LEWIS: I am sorry, but members of the Opposition do not believe the Premier, and neither do the media or the public of Western Australia.

Several members interjected.

The DEPUTY SPEAKER: Order!

Mr LEWIS: When Dr Lawrence became Premier she said that her Government would do things correctly - that it would be accountable and honest and do all the you-beaut things she thought the public wanted to hear, and that the slate would be wiped clean. Yet she continued to deal for a further 12 months, trying to bank a proposition that was not bankable. Her own Treasury told her that. As to the ignominy of the Deputy Premier, he told this Parliament there were no secret deals or joint ventures and that the University of Notre Dame Australia was not contingent on these deals. The Catholic Church had only invested millions of dollars, the R & I Bank had only lent tens of millions of dollars, but the Deputy Premier said, "There were no decisions. I do not know about it." He could not get the deal banked - no-one would underwrite it - so he went to the Cabinet and said, "We must give them 500 hectares because our conscience is bad. Don't worry about what we told the public. We had to cover up anyway. We could not tell the public that." The Cabinet said that 500 hectares was a lot of land, and settled on 150 hectares. This is the first time anyone formally knew about it.

Dr Lawrence: It is also the first time a formal decision was made.

Mr LEWIS: That was the deal the Premier presided over, covered up, kept hidden, and misled this Parliament about on six occasions. I believe there is very good reason why the Premier would need to lie. I remind the House of Rothwells and of the Petrochemical Industries Co Ltd deal, when Premier Dowding resigned under a cloud because of his dishonesty. I remind members of the WA Inc deals, of the guarantees when it was said there were no guarantees; and there were guarantees in this, were there not - or will the Premier not answer that question? She has said she does not know anything about it.

Dr Lawrence: There was only one Cabinet decision on this matter, and you outlined it a couple of minutes ago.

Mr LEWIS: Was there no entrepreneurial deal? Members opposite should read the evidence. There was \$700 million worth of land deals, which took precedence over the university. The university was only a side issue. Is that what the Premier had to cover up?

Mr Catania: Read the report properly.

Mr Pearce: The member for Applecross does not understand what is going on. Even members of the committee are not making the claims he is making.

Mr LEWIS: The Premier's defence - that is, that she did not know and had no reasons - is absolutely debunked. She had the reasons and she had to lie to the Parliament, because otherwise she would have been seen to be just like her predecessors. The Premier has contemptuously put her position ahead of that of a committee of this House of Parliament. She thinks she has power over this Parliament. She believes that what she says transcends what the Parliament says. To lie to the Parliament is a very serious charge; and she lied not once but six times, in the face of unequivocal evidence, yet she thinks she can stand here and say she is innocent, that she did not do it, and get away with it. We will not accept that. The Premier might convince her lapdogs on that side, but she will not convince us. The Premier should do what Bjelke Petersen, Greiner, Cain and Dowding did. She should realise that it is contemptible to lie to this place. In doing that, she has proved that she is not fit to hold the high office of Premier. The Premier's position is to tough it out and the problem will go away. She thinks that her public persona will carry her through; that she will get away with it, and that we should not worry that she has denigrated the committee and those who served on it. She thinks that she will prevail.

The Premier's other defence was that she was not called to appear before the committee. Did the Premier discuss with the chairman of the committee whether she should appear before the committee?

Dr Lawrence: No.

Mr LEWIS: Did the Premier ask to appear?

Dr Lawrence: It was not material until we knew what was in the report.

Mr LEWIS: It was all about what the Premier was doing, yet she was not interested in asking.

Dr Lawrence: Why would I participate?

Mr LEWIS: Why did the Premier not make a submission? Why did the chairman of the committee not call the Premier? The committee has been sitting for 13 months.

Mr Catania interjected.

Mr LEWIS: What a weak excuse, to come here and say that the defence is that the Premier was not called and that she was denied natural justice. That excuse does not stand up. The Premier's position is somewhat pontifical. She thinks she is above it all, and that she does not need to abide by the conventions of this Parliament.

MR PEARCE (Armadale - Leader of the House) [12.31 pm]: This debate started in a relatively low key for one of the most significant debates to be brought on in a Westminster Parliament. It is the only one which, under convention, has no pairs because the fate of the Premier depends on the vote taken in the Parliament. One would have thought that the debate might reflect the seriousness of the occasion, yet it has gone from the sublime to the ridiculous. We had the initial speech by the Leader of the Opposition, delivered in a particularly low key, the key element of which was that he did not seek to prove the charge which he laid.

Mr Lewis: I just did that.

Mr PEARCE: The member for Applecross is not the Leader of the Opposition! We appreciate the fact that the member for Applecross believes that he made up for the deficiencies of the Leader of the Opposition -

Mr Lewis: That was our strategy.

Mr PEARCE: Although I have been the Leader of the House for a day or two now, I am always happy to take strategic advice from some of the great thinkers of our time. Very occasionally, I get it - but I do not believe that that response was one of those occasions.

The Leader of the Opposition did not seek to prove the charge which he made. He moved the motion that would have the effect of bringing about the resignation of at least the Premier and maybe the whole Government. He did not seek to prove the charge that he laid. His motion was seconded by the deputy leader of the National Party - the Leader of the National Party not being here - and in doing so, he made it clear that the National Party would listen with interest to the debate before making up its mind which way to vote.

Mr House: I did not say that at all.

Mr PEARCE: This has been an unusual way to deal with the most serious debate that can be brought on in a Westminster Parliament. Then, of course, we had the clown prince, the member for Applecross, stroll out. I have noticed - as have other observers of our process - that one can judge the seriousness of the intentions of the Opposition by the speaking order in which it places the member for Applecross. If it is a very serious debate where the Opposition is keen to make an impression, the member for Applecross is paired. However, if it is one of those debates where the Opposition wants to go through the motions and have some shouting and yelling before moving to the more serious business of the land, the member for Applecross is high on the speaking list. This has proved to be one of those occasions; yet it is a pity in a way, because underlying the whole matter are some serious issues, not the least of which is the way we deal with these matters.

One of the great political writers, an American called Theodore White, wrote a book on the making of a President; it was about the election of John F. Kennedy in 1960. He started the book with an important preliminary chapter which was designed to say that one of the great mistakes historians make is that, because they are writing from the vantage point of looking back on past events and their consequences, the tendency is to make judgments knowing what are the outcomes. When one writes about political history one must always go back in time so that one is able to write from the point of view of what is known at the time people made their decisions. One of the great mistakes made by the Public Accounts and Expenditure Review Committee - and I will be specific here - and made by the member for Morley in this matter, is that he is looking at the whole issue on the basis that a land grant was made to Notre Dame University, or at least promised. He is seeing the whole matter on the basis of the land grant. He has sought to put together, from the information available to him - and I am prepared to say he has done that as honestly as he can, given his lights and his view on this matter - the evidence and to demonstrate a chain leading to the land grant, the key to which was that the land grant was always intended. He sought then to make a judgment about the evidence based on that perception. The mistake made is that the fact is wrong.

Mr Donovan: The Leader of the House is correct on the first point: I started from a concern about the land grant. He is incorrect on the second point: Long before the motion by the Leader of the National Party for an inquiry, it became apparent that the grant and the university was a less significant issue. The major issue was the \$750 million joint venture deal.

Mr PEARCE: That is exactly the point I want to address. I propose to take the House through the sequence of events that occurred in relation to Notre Dame, and in many ways to support the evidence given to the House by the Premier, from my knowledge of these things and as one who was a participant in all the Cabinet discussions and decisions, and as the first Minister for Education to whom an approach was made regarding the establishment of the Notre Dame University. I was the Minister for Education when the first approach was made by the proponents of the Notre Dame University. Dr Tannock led a deputation to my office, I think in late 1987, in order to put the proposition initially that the Notre Dame University should be established. They sought a couple of things, but principally they wanted legislation to underpin the university; they wanted to establish it, and they wanted Government assistance. I said that the Government's preference would be to have no legislation although we supported private education - and I was at that stage leading Australia in the setting up of the sale of education services overseas; Western Australia had 70 per cent to 80 per cent of the total of that - and the Notre Dame arrangement fitted neatly

into our policy in that area. I said to Dr Tannock that we had established two principles regarding all these institutions: Firstly, we would assist, facilitate and encourage but there would be no Government assistance because private enterprise should stand on its own two feet. They put the point of view that Notre Dame was different from straight-out private enterprise which was fundamentally profit making; that was not what Notre Dame sought to do. They wanted legislation to underpin them, to give them status and security, and they wanted Government assistance in some form to make the operation financially more viable in its early stages.

I ruled out absolutely any Government assistance in financial terms. I said that our preference would be not even to have legislation, but if it were important to the proponents it would not necessarily be an impediment. They put a similar view to then Premier Burke and following discussions it was outlined that they could have legislation if required, but no Government assistance would be forthcoming. As with any petitioner to the Government, they were persistent and continued to put the proposition for financial assistance in the hope that it might be forthcoming.

When I ceased the Education portfolio, and the current Premier took on that role, she inherited a commitment given by me and then Premier Burke for legislation to underpin the institution. I can vouch for the discussions. The then Minister for Education was not keen to honour the commitment I had given regarding legislation. She undertook, with greater force than myself, to provide no financial contribution to the institution.

However, the Notre Dame lobby group found a more fertile ground into which to put the proposition of financial support for the institution; namely, the then Deputy Premier, Mr David Parker. He always took a strong interest in anything going on in Fremantle and clearly had a range of discussions with a number of people about the establishment of the university there. He also had a range of discussions with me and, for all I know, with others in which he privately put the view of offering support to the institution. I privately put the view that we should not. The matter was fundamentally left at that point, until December 1988 - as indicated in evidence to the committee and referred to many times in this House - when a minute came forward - I cannot remember its signatory - sponsored by Premier Dowding and then Deputy Premier Parker arguing for a financial guarantee to the Notre Dame institution. That led to what I can only describe as a fierce Cabinet debate.

This debate had two elements: First, how come then Deputy Premier Parker was discussing this matter in detail with these people at all when it fell within the Minister for Education's portfolio? I am sure the Premier will not mind my saying that she was a new and most junior Minister in Cabinet at the time, and was not the most influential member by any means. She felt that she was being bypassed. Others felt more strongly that Mr Parker should not have discussions with the Notre Dame people on these matters contrary to the Minister responsible for them. I put the view strongly to Cabinet that this should not have occurred. Second, Mr Parker should not have been sucked in by the Notre Dame people when the proposition was put right at the beginning that no Government assistance would be involved with the proposal. It was a straight out political error to encourage people to believe that that avenue was not cut off. We all know that such things happen all the time in politics. If a member refuses to give somebody support, he will go and see someone else, followed by someone else until he finds someone who will pick up his cause. Then Deputy Premier Parker gave comfort to the proponents and caused a political problem regarding the level of expectation about Government assistance when, from the outset, the Government had ruled it out.

The 1988 Cabinet debate was clear and firm; that is, the proposal that financial assistance should be given to Notre Dame was defeated. I probably should not be talking about Cabinet discussions with the oath I have given to the Governor. However, it is rare for a vote to be taken in Cabinet. Normally discussions take place, a majority is formed and a decision is made as happens with Cabinets around the world, as I understand it. In the 10 years that I have been in Cabinet that is the way that it has worked. Occasionally a formal vote is taken, and this was one of those occasions. Ministers raise a hand or pass around the table to indicate whether they are for or against a proposal. This proposal was defeated by several votes.

When the vote was taken, then Premier Dowding and Mr Parker came back and sought to re-argue the position against the vote taken on the basis that the decision was one about which

many people had been in discussion. As a result of the to-ing and fro-ing, the Cabinet decision was taken down as a proposal that was indefinitely deferred. It was clear to all at the Cabinet meeting that the issue had been decided as far as Cabinet was concerned and Notre Dame was to be told that no further progress would be made on that issue. It was deferred indefinitely, not put off for a couple of weeks awaiting more information, as the matter had been dealt with. That was clear to all.

Mr Wiese: That was in relation to the guarantee?

Mr PEARCE: Absolutely. No further discussions of note were held in Cabinet at that time regarding Notre Dame, that I can recall, when then Premier Dowding and then Deputy Premier Parker were there. The matter was raised again only in relation to the forthcoming legislation. However, when the matter was finally raised again, it was in the context of a letter Mr Parker had written to Notre Dame. The letter was presented to a Cabinet meeting and, as I recall, some Notre Dame people had come around expecting the Government to enact some of the guarantee enshrined in that letter. That was the first time I and many other Cabinet members were aware that such a letter had been written. Undoubtedly, it was written totally without authorisation, and the approach on which that proposal was discussed was not approved by Cabinet. As far as we were concerned, it was not a live proposition. However, that is not to say that the Notre Dame people did not lobby where they could to obtain financial support from anyone.

That letter struck Cabinet like a bombshell. Angry words were expressed about the temerity of the former Deputy Premier in writing that letter against a Cabinet vote. That is exactly what occurred. Two things happened: As far as Cabinet was concerned the issue regarding that type of support for Notre Dame was dead, and we were totally unaware of the letter until it was provided to now Deputy Premier Taylor by the Notre Dame proponents to progress those matters.

Mr Donovan: Do you refer to the 1990 letter?

Mr PEARCE: Exactly.

Mr Court: How come in 1990 Treasury was still providing advice to Cabinet in relation to the guarantee provided to the deal?

Mr Donovan: That is still an unresolved matter.

Dr Lawrence: Treasury can still pursue legal advice without reference to me as Treasurer.

Mr PEARCE: I am not on the committee, and I do not know precisely what happened here. However, it seems clear from the inference which one might draw from the evidence available, and from my knowledge, that former Deputy Premier Parker did not take the Cabinet decision as a final one. He saw himself as having a further role to play and - I assume, I do not know whether this extended to discussions with the Notre Dame proponents - conducted discussions of his own. If the member for Morley is talking about Treasury advice, my recollection of circumstances is that the Deputy Premier was Treasurer at that time and brought down the 1990 Budget. That was the only time in which a Treasurer was not the Premier. It might well be the case that the then Treasurer Parker was seeking advice from Treasury on matters he was seeking to progress himself.

Mr Donovan: He did not do it of his own volition. On 24 October Cabinet made a decision to approve broad drafting of the instruction for legislation which was to have no direct commitment for financial support other than a Government guarantee.

Mr PEARCE: There was no guarantee in the Cabinet minute.

Several members interjected.

Mr PEARCE: This is an important point, and members opposite should listen. I can assure the member - I have not had a chance to go through the documentation as it is not available - that I have a clear recollection of the circumstances: The legislation never had within it a Government guarantee.

Mr Donovan: That was as a result of another Cabinet decision. Do you know why? It was in order to expedite the passage of the legislation.

Mr PEARCE: That is not true at all.

Mr Lewis: Yes, it is true.

Mr PEARCE: I suppose if one were prepared to believe in conspiracies from the beginning, which is really the point I was making to the member for Morley, one would come to this conclusion. The simple fact is that like everything else there was a divergence of opinion on what should happen in the Cabinet. The fact that Cabinet avenues had been cut off by the Cabinet decision of December 1988, to which I have already referred, clearly did not stop people who thought that was a wrong decision from seeking to reactivate it in some way. The only agreement that was made with regard to the legislation was that it would have the effect of establishing the institution, nothing else. That was the agreement of the Cabinet all the while along. The Minister responsible for the legislation to establish the University of Notre Dame Australia was the Minister for Education, not Deputy Premier Parker. He was not responsible for that. I do not know whether he was behind the scenes trying to work into the legislation some kind of guarantee, but Deputy Premier Parker had no capacity to issue instructions for the drafting of that Bill.

Mr Donovan interjected.

Mr PEARCE: Cabinet did not approve legislation which had in it a guarantee to an institution.

Mrs Edwardes: It considered it.

Mr PEARCE: The Cabinet did not consider that.

Mrs Edwardes: It was under consideration.

Mr PEARCE: It was never under consideration. It depends on what the member for Kingsley means by "under consideration" in the sense that there may have been people prepared to argue for those things. There were two Ministers for Education over the relevant time, one being me. I said to representatives of UNDA that they could have legislation but no Government assistance. I cannot recall if the original moves to get the legislation were started in my time or in Dr Lawrence's time, but I believe it was Dr Lawrence. She had said the same thing to them: There will be no reference in the legislation to guarantees or to any financial assistance. It was specifically excluded.

Mr Donovan: You are deleting the very important components between those two events.

Mr PEARCE: I am not deleting those at all. The Minister responsible for the legislation had a consistent position with regard to that legislation. The fact that somebody puts up a Cabinet submission asking for legislation does not prevent some other Minister coming to the Cabinet and saying, "I want a change to this. I think something else should be done." They are entitled to do that. All I am saying is that the propositions put to the Cabinet by the Minister - that is, what was being considered by the decision-making people, the Ministers involved - did not deal with those things and the Cabinet decision did not have those things in it.

Mr Donovan: The question was, what support was being considered? What package was being considered?

Mr PEARCE: A question to whom? No support was being considered by the Minister and no proposition was before the Cabinet to give that. The problem with what the member for Morley wants to say is that it seems quite clear from the evidence that Deputy Premier Parker was trying to undermine the decision which had been made by the Cabinet and to produce a separate decision.

Mr Donovan: That is not the point I am making.

Mr PEARCE: That is the point the member for Morley is making. There was no proposition before the Government for support of Notre Dame after December 1988, and no decision to give such support. I cannot recall any Cabinet discussion of proposals for such support because the matter had been dealt with at the December 1988 meeting.

Mrs Edwardes: The Chairman of the Public Accounts and Expenditure Review Committee said by way of interjection that there was a proposal for in principle support.

Mr Catania: In principle support for the establishment of the university.

Mr PEARCE: But not financial support. That is the mistake members opposite are making.

The proponents of Notre Dame wanted two levels of support; support by way of legislation for their institution - that is, support in principle for their institution and the Government gave that gladly; they also wanted financial support, and the Government refused that at the outset and all the way through.

Mrs Edwardes: It was under consideration.

Mr PEARCE: No, it was not.

Mrs Edwardes: How can you refuse it if it were not under consideration?

Mr PEARCE: Would the member for Kingsley stop shouting for a minute? It was under consideration prior to the Cabinet meeting of December 1988. There was a Cabinet decision then, clearly and squarely, that the institution would not be getting financial support. No further proposition came before the Cabinet for that support. It may have been that in various meetings Notre Dame raised the issue of support, but they were headed off at that pass. That is, unless Deputy Premier Parker was involved in further discussions in which he held out the possibility of comfort. I do not know whether that occurred and I am not in a position to say. All I know is that there was no proposition before the Government for further support. When the letter from David Parker came to light and the issue was brought up by the present Deputy Premier, Ian Taylor, the whole question of what should happen to Notre Dame was raised again. There were a series of Cabinet discussions, which I am sure the Deputy Premier will refer to, which led to the promise of the land grant. I do not believe that the Cabinet would have agreed even to the land grant if it were not for the position that the Cabinet had been placed in by the guarantee which had been given without any authority at all by former Deputy Premier David Parker. Some members of the Cabinet were of the view that the Notre Dame institution and the Church were as much victims of this process as the Cabinet had been. That is to say that if Deputy Premier Parker gave a letter without authorisation neither the institution nor the Church would have been aware that no authorisation existed and, I guess, they acted upon it on the basis that it was a legitimate undertaking from the Government. As a result of that, as I understand it, they lost \$10 million or more because of that undertaking.

Mr Lewis: Part of your defence is that we knew about it.

Mr PEARCE: Everybody knew that Notre Dame was going around asking for land.

Mr Court: You say that everyone knew about that, but only the Government knew.

Mr PEARCE: No, they were talking with everybody. Despite what the Leader of the Opposition has said, Notre Dame clearly indicated to us that it lobbied the Opposition and others on what it saw as its particular needs. From my experience of the way the Catholic Church works generally, it is very careful not just to deal with Government but also with all of the Opposition groups - I guess it also deals with the Independents now - to ensure there is bipartisan support as far as possible for its position. There was never any formal negotiation after the December 1988 Cabinet decision with regard to Notre Dame that was authorised or approved by the Government for anything, not for a land grant until -

Several members interjected.

Mr PEARCE: No, the matter had been determined as far as the Cabinet was concerned. It has become quite clear from what has happened since that former Deputy Premier Parker may have put himself outside the circle and done things which he was not authorised to do.

Mr Lewis interjected.

Mr PEARCE: It is the simple truth. The fact is that the evidence supports this proposition.

Mr Lewis: He was your Deputy Premier, you were in Government and you are responsible.

The SPEAKER: Order!

Mr PEARCE: The member for Applecross should think about this for a moment: A Cabinet minute had been got up to provide this guarantee, and the Cabinet decision was recorded as deferring the matter indefinitely. The vote taken demonstrated a majority of the Cabinet was opposed to that. The next step that would show in the records - if the Government had approved this - was that Cabinet minute would then be brought on for discussion again; a decision would be made and that decision would be actioned. That is the missing link in the

chain of evidence that would be required on this matter. The Cabinet minute would have to be brought back on for debate, there would have been a Cabinet decision and that would have been actioned by the letter of Deputy Premier Parker. That never occurred. Neither was there ever any discussion in the Cabinet about joint venturing in the way that is apparently alleged in the committee's report by the member for Morley until the issue, as a result of Deputy Premier Parker's letter, came to light. They are the simple facts of the matter.

Mr Lewis: Do not make a mess of it entirely.

Mr PEARCE: The committee is drawing a very long bow indeed in most of the claims it is making in regard to these things. I am seeking to set before the Parliament the facts of the matter. For the Premier to have lied to the House she would have had to do two things: First, give the Parliament an answer to a question which was wrong in fact; and, secondly, know that it was wrong in fact at the time she did it. Neither of those things have been proved by either the committee or the discussion that we have had here.

It is a great shame that this has occurred. One can see, if one likes, aspects of a Greek tragedy about it. The two failed faiths of the member for Morley have come together in this matter. The member's early faith was in the Catholic Church and that faith failed him. His replacement faith was in the Labor Party and that faith has now also failed him. Those two failed faiths have now come together and he believes he has seen a grand conspiracy to subvert the good order of Western Australia. He has now put together something that is not accurate. He has tried, as honestly as he could, to work out what has occurred and put together something that is not accurate but we can see the path he has taken to get there. We all know what happened. When he went to the committee with his report, the other two committee members could not believe their luck. The National Party member and the Liberal Party member said, "Here comes the member for Morley with a report that says that the Premier has lied to the Parliament". They could not believe their luck. They got on the phone as quickly as they could to their leader and said, "Guess what is coming up in the Public Accounts Committee; boy, do we have something here." They abandoned the reports they were writing and rushed to support the report prepared by the member for Morley.

Mr Donovan: Do you consider it coincidental that the question we are talking about was answered in this place on the same day as the direction was sent to Parliamentary Counsel to drop the guarantee provisions?

Mr PEARCE: The question would have been answered on the day it was asked. The member cannot put to me a proposition that something was sought to be withdrawn from a Minister when there was never Cabinet approval to put it in in the first place. Therefore, I do not know what happened in relation to that. All I know is that there was never a Cabinet authorisation to draw the Bill in that way and therefore, I cannot imagine there would be any requirement for its withdrawal. The Premier has not lied to the House and she deserves the support of every member.

The SPEAKER: Normally on Thursday, we would have questions at 2.00 pm. I believe that that is not appropriate today and, unless there is some enormous groundswell to the contrary, I intend returning after lunch and allowing this debate to continue until it is disposed of and then we will have questions.

Sitting suspended from 1.04 to 2.00 pm

MR TAYLOR (Kalgoorlie - Deputy Premier) [2.01 pm]: It is important for me to address this motion before the House in relation to both my role in the University of Notre Dame Australia land grant and the general issues involved. First, I will deal with the matter of the role of the Public Accounts and Expenditure Review Committee, and there are good reasons for me to do so. I was Chairman of the then Public Accounts Committee in 1983 and I held that position for a couple of years. I was the person, along with the member for Albany and others - the member for Albany is the only one in the House at the moment - who put together the new Standing Orders for that committee which made it the Public Accounts and Expenditure Review Committee. Throughout the course of my chairmanship, and prior to that when I was in a minority position on that committee as an Opposition member, one of

the things on which the members of the committee prided themselves was their ability to work together and resolve very difficult issues in an amicable fashion.

Unfortunately, we are now confronted with a position where the Public Accounts and Expenditure Review Committee has done exactly the opposite. In relation to this very difficult political issue it has found itself unable to handle the political difficulties in any way whatsoever. The committee is so unable to handle this issue that the Liberal Party member, the National Party member and the Independent member of the committee have brought down a report which can be described only as a political report.

It is a report which has been put together with the aim of doing, not so much to the Government but certainly to the Premier of the Government and, indirectly, to people like me, the utmost damage they could possibly envisage. I might add it is similar to what they did to the former Leader of the Opposition, the member for Jandakot. It is a report which, on close scrutiny, does not stand up to reasonable judgment; it is a report which in every way when it deals with the so-called misleading of or lying to the House does not stand up to reasonable judgment; and it is a report which the Premier conclusively showed this morning does not stand up in terms of the accusations made against her.

It is a very sad day for the Public Accounts and Expenditure Review Committee that this should have happened and it is not right that it should have happened. I noted this morning that the member for Stirling, the deputy leader of the National Party, said that although he seconded the motion he was not bound to vote for it.

Mr House: That is not true. I did not say that.

Mr Pearce: You did so.

Mr House: You are trying to misconstrue what I said.

Mr TAYLOR: I ask the deputy leader of the National Party to tell me what he said because it will be in *Hansard*.

Mr House: When I seconded the motion I said I would listen very carefully to the debate with great interest to see what the Premier and Deputy Premier had to say in their defence.

Point of Order

Mr DONOVAN: I understand that we are debating a motion of no confidence in the Premier based on the proposition that according to the conclusion of the Public Accounts and Expenditure Review Committee's report she has lied to and misled the Parliament. I do not think we are here to discuss a motion of no confidence in the Public Accounts and Expenditure Review Committee or the deputy leader of the National Party.

The SPEAKER: It is an excellent point of view, but it has nothing to do with a point of order.

Debate Resumed

Mr TAYLOR: It is quite clearly related to the tenor of this debate because I said to the deputy leader of the National Party, by way of interjection, that I found it strange that when he seconded the motion he did not say he would vote for it. Quite clearly, the deputy leader of the National Party said he was not locked into the motion.

Mr House: You are misconstruing the position.

Mr TAYLOR: I am happy to have a beer with the deputy leader of the National Party later and we can read *Hansard* and I will point out to him why he is wrong.

Mr Thompson: There are plenty of precedents where people seconding motions have voted against them.

Mr TAYLOR: That is right and that is what I am pointing out. What the deputy leader of the National Party was saying to the Premier and me was that we should stand in this House and prove we were innocent. It is just like a French court of justice or any old kangaroo court. We are being told to prove that we are innocent of the charges made against us. It is an extraordinary situation in which to put people.

The Public Accounts and Expenditure Review Committee did not choose to call the Premier. We all know that at any time these three members had the ability to choose to call the

Premier to give evidence. They chose to use their numbers when it came to a majority report, but when it came to the actual evidence they did not choose to call the Premier. As I said, it had the ability at any time to request or demand the Premier to appear before the committee.

Several members interjected.

Mr TAYLOR: They did not and members opposite know that. It was only last week that I received a letter from the committee regarding the questions the member for Morley asked me. I responded in three ways: Firstly, I said that the member for Morley went into the committee with a preconceived view and what I said would make little difference. Secondly, I said that the member for Avon was being led by his party, particularly his leader, in relation to this issue and that whatever I said would make little difference. Nevertheless, I did reply to the letter, as the member for Morley knows. However, they chose to ignore my reply in the preparation of this report for the simple reason that it is a politically motivated report.

In relation to the general issue of who knew what in the early days of the position between the Government and Notre Dame, there is clear evidence in the report that briefings were given not only to the member for Jandakot, but also to the member for Kingsley, the Leader of the National Party, Hon Phil Pendal, Hon Norman Moore, and Bill Hassell. I know they were briefed on this issue and they knew what the situation was all the time.

Mr C.J. Barnett: The briefings were a ministerial responsibility and you failed.

Mr TAYLOR: The Deputy Leader of the Opposition should behave himself. I can see only one failure with those briefings: The people from the University of Notre Dame Australia made the mistake of assuming that because they had briefed these people - they did not assume they had their support - when it came to the crunch, like this, they would be prepared to put up their hand and say they had been briefed. The university's only mistake was to not write to those members advising that it was pleased to brief them about this issue. If it had done that, most clearly, it would be put in a position -

Mr C.J. Barnett: The Premier should not smile because she is no better than Burke or Dowding.

Several members interjected.

The SPEAKER: Order! The Deputy Leader of the Opposition should behave himself!

Mr TAYLOR: The member would be in no position whatever to deny the detail of that briefing.

Mr Lewis: Do you know that has been denied?

Mr TAYLOR: I know it has been denied.

Mr Lewis: What was the substance of the briefing?

Mr TAYLOR: It was what was before the Government in 1988 and 1989.

Mr Lewis: Not true.

Mr TAYLOR: It is interesting that the member for Applecross says that is not true. I am sure that the people from the University of Notre Dame Australia who read his interjection and see what he has said will know where to place him when it comes to that particular issue.

Mr Lewis: I have no problem at all with that and I am not even a Catholic.

Mr TAYLOR: Nor am I. That is another fascinating thing behind this issue. It has been assumed by many people that because of my strong support for the university I was previously or am presently a Catholic, or that I am a closet Catholic. I have never been a Catholic. That was quite rightly pointed out yesterday by the Chairman of the Public Accounts and Expenditure Review Committee.

Mr Donovan: You are the one who talked about Catholic bashing, no one else.

Mr TAYLOR: Absolutely! I have no doubt there has been a good deal of Catholic bashing related to this issue!

Mr Omodei: I am a Catholic and I was at the briefing, and nothing was said about joint ventures.

The SPEAKER: Order! The member for Warren will have a chance to stand and speak later and can then tell members whether he is a Catholic.

Mr TAYLOR: One issue that arose whilst the Leader of the House was speaking related to the nature of the legislation that came before this place and the apparently extraordinary coincidence that the member for Morley found relating to the briefing notes and the preparation of the legislation that went before Parliamentary Counsel, and the Government's decision not to have anything in that legislation when it came before the House relating to a guarantee. On that issue I put a minute to Cabinet, I think in June 1990, stating that enabling legislation was enacted at the end of 1988 with the support of both Opposition parties and that the University of Notre Dame Australia Act provided for the establishment of the university but specifically precluded the provision of any financial assistance. The Leader of the National Party mentioned this yesterday when speaking about assistance from the Consolidated Revenue Fund.

The minute continued that the reason for that was to clarify the purpose of the legislation. I understand the committee had this Cabinet minute before it. The minute was to clarify the purpose of the legislation and to ensure that any assistance that might be provided was considered by the Parliament in the form of specific legislation; in other words, when the Government made that decision not to include any ability to give assistance by way of guarantee in that legislation it did not do that, as some say, in a conspiratorial way in order that the matter did not go before the Parliament but because the Government wanted to ensure that, if the matter was dealt with, it would be required to come back to this Parliament for consideration.

Some members may recall that when the matter of the land grant at Alkimos arose the Government made it clear that that land grant would need to be in my view, and the view of the Government, supported by legislation in this House, just as the decision to provide a land grant to all five universities will be brought before this Parliament. I expect that legislation will come before this Parliament in the 1993 rather than the 1992 session. At that time either I, or whomever is Minister for Education, will be pleased to bring the legislation before the Parliament.

I turn to my supposed misleading of the Parliament referred to by the committee. The report says that I misled the Parliament in two ways when I was asked a question on 22 October 1991. I think that question was asked without notice. It was -

- (1) Will the Minister confirm to this House whether any undertakings were agreed by his predecessor, Hon David Parker, for Government assistance with the establishment of the University of Notre Dame?
- (2) If so, what form did they take, and were they agreed to by the Cabinet of the day?

I believe the member for Morley asked me that question because he was hoping he would obtain information from me relating to a letter David Parker had made available to Mr Horgan on about 2 February. Until that time I had refused to make that letter available. Nevertheless, I am sure that the member for Morley was aware of it at the time because I had spoken to him about the nature of that letter. In answer to that question, I said -

A couple of months after I became involved with this issue I made it very clear to the University that the best way to tackle the matter, and the way in which we have continued to tackle it, is to agree to wipe the slate clean . . .

That is exactly what this Government did, and exactly the approach I took in relation to this issue. I well recall meeting members of the university in my office here in Parliament House on this matter, I think in the latter part of May 1990. I had agreed earlier with members of the Government, and the Premier in particular, that I would take over responsibility for the negotiations that David Parker had been handling because I felt it should perhaps fall on me, as Deputy Premier, to continue those negotiations. I was pleased to do that.

I first received a briefing on the matter. Later I met the university's representatives to discuss it. I made clear at that meeting that I would not put the Government in the position it had been placed in in days gone by in relation to guarantees that it later had to face up to. I had already had experience as a Minister with guarantees that the Government had given on various financial matters. I made it clear that I was not comfortable with such agreements and would not be put in that position in that case. To show how stupid and political this

report is, it in fact supports what I have just said on the very next page where it records the comments made under oath by Peter Tannock, as follows -

Dr Tannock described the processes over those months thus:

"when Mr Taylor became Deputy Premier he was given responsibility for the project. The university was told fairly clearly that the whole thing would have to be looked at again -

They were told by me -

- or at least the extent to which the Government was able to provide direct support would have to be looked at again. Mr Taylor told us that he wanted to satisfy himself . . . that he had the support of his Cabinet colleagues including the new senior echelon of the ministry before he would pick up the negotiations from where his predecessor had left off . . .

Therefore, I had gone back to Cabinet and suggested that I should discuss the matter first with the university and then with the financial and economic development committee. However, I would handle the matter face to face with the university's representatives. The report continues -

obviously he got at least conditional support from his colleagues . . .

I wanted the support of my colleagues before I went further. The report continues -

Over the next 2 or 3 months (March to May-June) the questions that had been on the table remained on the table . . .

Members should remember that I had that meeting in May. The report continues -

. . . the nature of the proposed guarantee and the nature of the joint venture . . .

Of course it remained on the table, because I was determined that this Government would not be sucked in by that approach. The report continues -

A confluence of things occurred (around June-July 1990) . . . I do not know precisely the timing, Ian Taylor . . . said he believed in what they (the university) were doing, but they should go back to square one.

That is exactly where we went, and for this committee to suggest, despite that evidence, that there has been a misleading of Parliament, is absolutely extraordinary. Just as the Premier was put in the position by the majority report of the committee of having to defend herself in the same sorts of circumstances when, quite clearly, the evidence contained in the report itself conclusively disproves the allegation that she misled this House, so too did I not mislead this House, and I reject totally any suggestion that that was the case.

Mr Lewis: You forget that the House did not know about that. Where you people are mistaken is that this Parliament did not know about all of the things you were talking about. You assumed that we knew. We did not know.

Mr TAYLOR: It will be very interesting for those people who are involved with the University of Notre Dame to read what the member for Applecross and some of his colleagues have said in this House about this issue. How much did the member for Vasse know about it? Was it a coincidence that when the Bill came before the House, the member for Vasse suggested that one of the sites that the university should look at, if land were made available to it, was the old Margaret River Hospital? The member for Vasse and I have a long history in relation to Margaret River Hospital. I think that hospital will be named after him when he retires!

Mr Blaikie: Thank you.

Mr TAYLOR: We will still be in Government, and we are very generous to our opponents when in Government! I suggest that it is no coincidence that the member for Vasse put forward that proposal. He would have known that that was one of the lots of land that was under consideration at the time.

Mr Omodei: He did not raise it at all.

Mr TAYLOR: It was raised here by the member for Vasse. That was one of the sites that the Government was looking at in respect of a land endowment. People are well aware that members of the Opposition, past and present, were knowledgeable about this issue.

The report states at page 63 that "The committee concludes that Mr Taylor engaged in an exercise of misinformation which had the effect of obscuring the depth of the problem." At no time whatsoever did the people who were involved with me and who are now running the University of Notre Dame suggest to me that the Government was under an obligation in relation to a guarantee that had to be met one way or another. The people with whom I dealt, perhaps with one exception, were in my view people of great principle. They never felt that the letter that my friend, David Parker -

Mr C.J. Barnett: Your friend? Is he still your friend?

Mr TAYLOR: Yes. Do not be in any doubt about that.

Mr Court: You are the first person today who has been prepared to say that!

Mr TAYLOR: People on the Liberal Party benches may find it a bit difficult to understand issues of friendship and loyalty. On these benches, we do not find it difficult and we never will.

Mr C.J. Barnett: You disgust me with what you are now saying.

Mr TAYLOR: The Deputy Leader of the Opposition is a typical forward flanker. He ducks his head every time the ball gets close.

The SPEAKER: Order! That sort of behaviour will not get us anywhere.

Mr House interjected.

The SPEAKER: Order! It is very unusual for the deputy leader of the National Party to behave like that immediately after I have stood up. It is not normal practice to continue interjecting when I have resumed my seat. I am sure he knows that and it is just an aberration and will not happen again.

Mr TAYLOR: The report makes the amazing comment that it is clear that there was a moral obligation. Clear to whom? There was never a moral obligation in respect of this issue. The report states also that it could be, and probably was, argued by the proponents, and in particular the Catholic archdiocese, that Mr Parker's August 1988 undertakings were what induced them into the project. It was never argued to me that that should be the case. I have pointed out previously that not once during the course of the discussions or negotiations was I approached by the Catholic Church or by anyone representing the Catholic Church or the Catholic archdiocese about this issue. Not once did they suggest that there would be any moral pressure, be it from the pulpit or anywhere else, in respect of this issue; and those people have held to that day in and day out. Therefore, the way in which the majority members of the committee have dealt with this issue and the judgments that they have made clearly do not stand up to the scrutiny that they deserve.

The deputy leader of the National Party would do well to reconsider the position he put when he seconded this motion, because had he asked me and the Premier to stand in this House and prove our innocence, I would be surprised if he could not have said in the House, or at least over a beer later, that we had in fact done that.

This report is a despicable report. It is an abomination. I believe that the majority members of the Public Accounts and Expenditure Review Committee will find that it will take them a long time to live down this report. This report was put together for one purpose: To cause as much damage to this Government, and particularly to this Premier, as possible, in the shortest possible time. Unfortunately, the nature of the report and the way in which it has been received by the media is such that it has accomplished that purpose. There is no doubt about the political machinations of those members who put together the report. Unfortunately, at least in the short term they have succeeded, but, as I said earlier and again today in talking to a particular journalist, the Leader of the Opposition should be in no doubt that the way that he and some of his colleagues and friends have handled this report will make this Government and this Premier stronger, and members opposite now have no chance whatsoever of defeating this Government at the polls at the next election. The comments made about the Premier and me do not stand up to scrutiny, and I reject them out of hand.

MR DONOVAN (Morley) [2.30 pm]: This report has revealed to the Parliament and the public the full extent of a grand scheme, to which a number of people were a party, which subsequently failed. It is clear that the major proponents of this scheme were not the Premier

but, indeed, the former Deputy Premier, Mr David Parker, and Perth businessman, Mr Denis Horgan. They certainly were the major proponents of the grand scheme that reached from Alkimos and Ningana to the north of Perth to Fremantle in the south. Had they had their way, it may very well have embraced Busselton, Margaret River and other places.

Mr Taylor: How did Kalgoorlie miss out?

Mr DONOVAN: How did Bassendean miss out? I want all members to be absolutely clear about why it was so important. This exercise took 12 months of investigation by the Public Accounts and Expenditure Review Committee, to say nothing of the work done in the preceding 12 months. The best way to summarise it is that in the words of those two key proponents - admittedly given in slightly different words in evidence to the Public Accounts and Expenditure Review Committee - this was first and foremost about a joint venture land development between the Government of Western Australia and parties linked to the University of Notre Dame Australia. It was to be enhanced by a university, but it could have been enhanced by a golf course, marina, or hotel complex. It just happened to be a university. Why? Because there were some quite dedicated and determined and, in my view, respected members of the Catholic community in this State who wanted to see in Western Australia a major centre of tertiary learning that would advance, or at least be compatible with, the ideologies and very valuable beliefs of the Catholic Church. That is the essence of this report. It is not just about who may or may not have lied to or misled the Parliament. It is about the undertakings given legitimately or illegitimately, with or without the authority of Cabinet. It is about the major decisions and actions that flowed from those decisions. It is about decisions made and actions taken by the proponents of the university in good faith, and by those associated with them whose faith I must now question, notably Mr Parker the former Deputy Premier. Decisions were made that sadly, to coin a popular word, hijacked others. One of those victims was the Catholic archdiocese of Perth to the tune of \$10.6 million. This report is very much about those undertakings and, in spite of what the Premier said this morning about how other people knew, I was reminded before lunch of the context of that. At the time this Bill was introduced, the universities amalgamation Bill was also before the Parliament. That was the instrument of the approaches of those other universities to the then Minister for Education, and of course the question of support was raised.

What was not known at that early stage to one person outside Government and probably not outside David Parker, and outside the close confines of Mr Horgan's purview, was the absolutely audacious and extensive nature of the scam that was to be perpetrated, could they have got away with it, on taxpayers' land acquired in 1975 for low cost housing and other related purposes. That was certainly secretive. What was more secretive - it is true that conflicting evidence has been given about it - was the 12 August 1988 meeting at which those undertakings were clearly given, and from which flowed all these important decisions and actions by executives who are accustomed to making big decisions and taking big actions. They do not do so lightly; they do so when they know they are on safe ground.

I turn now to the specific purpose of the motion before the House today. What is at issue in the light of my comments? It is not what the Premier felt or thought about the proposition that - if the proponents had got away with it - she would have been locked into. It is to her credit that she maintained such staunch opposition to being locked into it. Nor is it at issue, therefore, what the Premier felt or thought about the university, joint venture, guarantee, land, or the Bill itself. What is at issue in this motion is what the Premier knew about it, as opposed to what she did not know about it; what she did about it as Minister for Education in 1989 and Premier in 1990; and what she said or did not say about it, most importantly in terms of this motion, in this Parliament. That is the issue.

I remind members that in 1989 the current Premier was indeed a member of the Cabinet. She was then Minister for Education and a member of the task force established in July by the then Premier to assist the progress of this university project. She was the Minister responsible for the December 1989 Bill. We must give special importance to two events associated with those 1989 days. Firstly, the question of whether or not Cabinet received and considered formal submissions from the University of Notre Dame Australia proponents in relation to their project. The answer is that in August and December 1988 formal submissions were received by the Government. I refer members to the actual terms of reference and not those - to coin a word used in debates yesterday and today - that have been

concocted. The term of reference to which I refer is related to Government and not Cabinet. We cannot play with words in this matter. Just as in the undertakings term of reference we were talking about undertakings and not legally binding contracts, so in term of reference (2) we are talking about Government and not Cabinet.

The second important set of events to consider, therefore - and this does involve Cabinet explicitly but not exclusively - is the question of Cabinet's considerations of the drafting instructions for the 1989 Bill. The question of the guarantee provisions and the role of the three Ministers associated with the task force must be considered. I remind members that those Ministers were Hon Joe Berinson, then Minister for Budget Management; Mr David Parker, then Deputy Premier; and, Dr Lawrence who was then Minister for Education. On 15 October of that year Cabinet, according to a Cabinet summary sheet and not according to me, considered the question of proposed enabling legislation. It wanted to give it, and did give it, a priority rating. On 24 October 1989, again according to a Government decision sheet - not according to me, Donovanosis or anything else - the Cabinet considered and approved broad drafting instructions. It reads -

The enabling legislation will establish the University, but should make no reference to its location . . .

And no-one wonders why -

No direct or implied commitment to financial support other than Government guarantee . . .

Cabinet on 24 October 1989, to which presumably the Premier was a party, accepted and approved broad drafting instructions which were by definition to include a Government guarantee. On 16 November 1989 a letter from Parliamentary Counsel, Mr G. Calcutt, to the Ministry of the Cabinet and Public Sector Management regarding the first draft of the UNDA enabling Bill stated -

Guarantee of Loans

In the absence of specific direction as to the kind of guarantee provisions that might be appropriate I have included provisions similar to those in the Murdoch University Act.

On 23 November 1989, Mr Calcutt, Parliamentary Counsel wrote to Mr Hughes, with a copy to the Crown Solicitor and the Minister for Education, regarding the second draft of legislation with changes to guarantee clauses. On 24 November 1989 Dr Martin wrote to Parliamentary Counsel as follows -

I have had detailed discussions with the Deputy Premier on the second draft of the above Bill . . .

The guarantee provisions are seen as unnecessarily restrictive. The Deputy Premier would prefer a more general form of words to the effect that the Treasurer must be satisfied that a loan against the guarantee is for the university purposes.

I bet he would! On 30 November 1989, the Deputy Premier submitted to the Premier in Cabinet the recommendations of the ministerial working party which included Dr Lawrence, as follows -

The Ministerial Working Party considered that this legislation should not carry any direct or implied commitment by the Government to underwrite the financial viability at the university. The draft Bill satisfies this objective.

There has been discussion on including provisions for a Government guarantee in the Bill. This was decided against in informal discussions between Ministers in the interests of expediting passage of the legislation through the Parliament.

I wonder what position the then Deputy Premier and the Ministers he consulted expected to meet in this place if they had introduced a Bill in December 1989 that enunciated that much wanted guarantee provision? The only conclusions one can draw are the conclusions drawn by the committee. Certainly the then Minister for Education tried. We all agree with that and we commended her for doing everything in her power to get the guarantee provision out, and to include a special section in the enabling legislation that would preclude other ways of assisting it financially as well. However, the conundrum is that we cannot accept the record I

have just read out, we cannot accept the Premier's involvement in discussions and considerations, and we certainly cannot accept her best efforts to prevent the inclusion of those provisions, until we, first of all, accept that she knew about them.

Opposition members: Hear, hear!

Several members interjected.

Mr Pearce: She had left it out at the early stage, as I did. The member must demonstrate why Deputy Premier Parker was having discussions with the Parliamentary Counsel when Mr Parker was not the Minister responsible for the Bill because that evidence seems to support the proposition we put that he was acting without authority or knowledge of other Cabinet members with the things he was doing.

Mr DONOVAN: It is true that the then Minister for Education did what she could to prevent it; it is also true that she knew the full extent of Government consideration at Cabinet level, working party level and the informal level. That she was so informed was precisely what equipped her efforts to resist the Parker proposition. The problem is that on 28 November 1989 the Premier, the then Minister for Education, responded to a question on notice from Mr Bill Hassell, the then member for Cottesloe. I will refresh members' diary memories. The 28 November was a Tuesday. The practices of this House that obtained then, as they do now, were that questions on notice had to be submitted in respect of Tuesdays by 4.30 pm the preceding Thursday. On the same day as the answer was supplied in this place, a memo went from Dr Brian Martin to Parliamentary Counsel asking him to drop the guarantee provisions; that is, on 28 November.

Mr Pearce: Who was the memo from?

Mr DONOVAN: It is from Dr Brian Martin, acting for Mr Parker.

Mr Pearce: And he was not the Minister responsible for the drafting of the Bill.

Mr DONOVAN: But the Minister has a problem. The question was directed to the then Minister for Education on notice - four days at least before the answer was delivered. The House must consider something else in this matter. We are not here talking about a Minister who has no strength, no determination or skills. We are talking about someone who was more than able to utilise her strengths and skills to two months later become the Premier of this State. This is not someone who is ill-equipped or weak.

Several members interjected.

Mr DONOVAN: That leads me to my next point of concern. The Deputy Premier can be quiet for a moment because he is about to be implicated. On taking office, the Premier directed the Deputy Premier to start afresh, as he put it - to wipe the slate clean. Of course, the Deputy Premier, in fairness to him, had by then a further complication or two. The matter was complicated by the imminent collapse of the Horgan group, including Ashdoor. Secondly, that meant for the Government some concern understandably as to the loss that the R & I Bank was about to incur or believed it would incur associated with those events. Thirdly, of course, by then the archdiocese had also to be brought into the situation to provide \$10.6 million to Barrack Securities so that the funds could flow through to the bank via the property deals.

Several members interjected.

Mr DONOVAN: It is not misleading; it is in the report. The report speaks for itself. It is relevant - and I understand the reason the Deputy Premier does not want this to come out - that the evidence on Government files and on R & I Bank files examined by the committee demonstrates beyond doubt that the Deputy Premier continued the negotiations through to July 1990 at least, including discussions with officers from the Treasury about a guarantee. Was this another case of a Deputy Premier acting without the authority and support of his Premier and Cabinet? That is the only possible explanation for the Premier's disclaimer to the proposition that she misled Parliament during those subsequent months. Was it that or simply a far more reasonable proposition that anybody would understand; namely, that this Government had some moral obligation based on the undertakings into which its former Deputy Premier had locked it?

Mr Catania: He had no authority to give that sort of undertaking.

Mr DONOVAN: None, but he used it. It is perfectly reasonable for those people who made those decisions and took actions based on that 12 August 1988 meeting to believe that the Deputy Premier carried with him to that meeting the support and confidence of the Government.

Mr Catania: No-one believed it except Denis Horgan.

The ACTING SPEAKER (Mr Kobelke): Order!

Mr DONOVAN: Therefore, it can be said, and should be said, that the Government had a quite reasonable interest in the matter. It had a concern for the Catholic archdiocese of Perth, and for the future of the university. It certainly had a concern for its role in the joint venture scheme. Of course, there was a moral obligation. I do not know why this Government, when it took over office, did not say so. We could all have had the opportunity to straighten it out. Had this Deputy Premier not been so determined to get around the problems posed by ALP policy, in the Caucus and in this Parliament in his relentless pursuit of this project, we all would have been better served, including the Premier. It is time that the Deputy Premier acknowledged at least that much. Events would have been dramatically different over the past couple of years. There is not much doubt that the losses would have been sustained; that is, unless the guarantee had been acted upon and called up. I am not even sure, given that the bankability question arose in July, whether that would have been even a possibility. At least with those losses the integrity of the university, the Government, and this Parliament would never have been called to question, and the people of this State would have had some reason to feel they knew what was going on. That did not happen. That is why the Premier stands in trouble today in this Parliament.

In summary, this has been two and a half years of mess by all parties involved. At the most generous, it has been confusion and, at the worst, connivance by those two central figures. I do not know whether others can necessarily be included in that. The Premier's attempt to constrain this thing in 1988, as I have said and as the report states, is to be commended, but her choice of action in this Parliament was not acceptable. She cannot use linguistic technique or communication skills to juggle things around and say, "I am clean." Her choice of action in this place deserves condemnation and that is the paradox. I know she got locked into a course of action in the first place, notwithstanding her best efforts to prevent this calamity, and she should have done it differently. The Deputy Premier could have corrected the whole thing if he had gone to the Premier and said, "Look boss, we really have a problem but we have an advantage. That advantage is that you are well liked and respected in the community. You can afford to stand and say that we have a problem and that you are going to fix it." That did not happen. It could have happened and it should have. The Deputy Premier should not have been retardative, but should have been to the forefront of those efforts to persuade his Premier to do that. What he has done by his actions is cement the Premier into a tighter jam than that in which she started in 1989. To that extent the problem we have today is one very largely of the Premier's and her deputy's making.

Will I support the motion? The case has been made well enough, but it relates to events which are one to three years old, and I will attempt to meet a very important commitment I made when I said I would not support a motion of no confidence in this Premier unless presented with an extraordinary circumstance making that necessary. That circumstance does not arise presently - it arose two years ago.

Mr Lewis: The morality of the Premier is still on the line.

Mr DONOVAN: I accept the truth of what the member for Applecross is saying, but I also accept that I made a commitment. It is important for me to try to meet that commitment; therefore, I am going to abstain from the vote.

MR CATANIA (Balcatta) [2.57 pm]: Earlier the deputy leader of the National Party stated that the Chairman of the Public Accounts and Expenditure Review Committee had been negligent in not calling the Premier before the committee so that natural justice could be done, and so that she could have her say. The investigation started in November 1991 and three months ago there was a suggestion by two members of the committee that the Premier, Dr Lawrence, and the Deputy Premier, Mr Taylor, be called.

Mr Strickland: Who suggested that?

Mr CATANIA: There was never any evidence in front of the committee that warranted that.

Mr Bloffwitch: Who suggested it?

Mr CATANIA: It was the member for Avon and the member for Morley who suggested that, and I stated that there was no evidence in front of the committee to warrant it.

Mr Lewis: So it was you who said no.

Mr CATANIA: The member for Applecross should listen to some advice I will give him. I have stated that I will not point a finger at anyone, so I will give the member for Geraldton some advice from an Italian proverb which states, "People who abuse certain parts of their body go blind." I suggest the member for Applecross be careful. There was never any evidence that warranted the committee's calling the Premier or the Deputy Premier. The chairman's report was presented on 7 September and it was compiled mainly by the research staff. Naturally, I had my say, but the research staff mainly compiled that report. It was presented to the committee on 7 September and at that meeting the committee decided to defer the acceptance of that report until the following Monday. The majority would have its report ready by Thursday, 10 September so that the committee could consider it. It was circulated to committee members on Friday, 11 September. We had another meeting on Monday, 14 September to consider the majority report; that is, the report of the Liberal Party member for Wellington, the National Party member for Avon, and the Independent member for Morley. They compiled their report and we were to consider it on Monday, 14 September at 9.00 am. The meeting on that day went until 3.00 pm and it was not completed because the conclusions were not ready. We decided to meet on Tuesday, 15 September, but that was a problem because Parliament was sitting and, under the Standing Orders, Standing Committees cannot sit while Parliament is sitting. We decided that I should ask the House's permission for the committee to meet, which I did. The committee met at six o'clock that night. We did not have a completed report until Tuesday, 15 September. In the meantime, I had asked on two occasions for members to defer the report, once on 14 September and once on 15 September. I asked for the deferral for two reasons: First, serious allegations were made in the report; and, secondly, it referred to the losses that the Catholic Church had incurred and I thought it would be courteous to allow the Archbishop to give out that information. On both occasions, my request for deferral was denied.

Mr C.J. Barnett: You asked me and I said no. The next thing we knew it was in *The West Australian*. Because we would not defer it you gave it to that newspaper.

Mr CATANIA: Is the member suggesting that I gave it to *The West Australian*?

Mr C.J. Barnett: No, not you personally, but someone in the Labor Party did.

Mr CATANIA: Can the member point to anyone in the Labor Party who might have given it to that newspaper?

On one occasion I asked the member for Avon and the member for Morley if they would ask the Deputy Premier and Premier. I thought they should ask, but they did not reply in the affirmative. However, that was on a private occasion so I will not place too much emphasis on that. However, it was recorded in the minutes.

Mr Lewis: Why did you not ask?

Mr CATANIA: I was the chairman. Why did I not do a lot of things when three members formed a majority and had the numbers? I tried to convince them privately. I tried to get on with the other members on the committee, and I did.

On the night of 15 September, while we were sitting, I again asked the members to defer presentation of the report, and on a tied vote because one of the members came late, I lost the vote because the Standing Orders lay that down. Therefore, on the night of 15 September, the night before this report would be tabled, I again asked them to defer it and I was knocked back. Those were the two occasions and they are recorded. I made sure they were recorded because I knew this would come up. While we were meeting, that report was being shown on television.

Mr Lewis interjected.

Mr CATANIA: On two occasions I asked for deferral and was refused. I asked various other members privately and was refused. It is quite clear what was in the minds of members of the Opposition. They were going to throw mud and nothing would stop them from throwing it.

Mr House: You asked the Leader of the National Party and wrote to him and you asked and wrote to the Deputy Leader of the Opposition. How come you did not extend the same invitation to the Premier?

Mr CATANIA: Why is the former Leader of the Opposition not here today? He has certain allegations to answer but conveniently he is not here.

Mr House: You asked the Leader of the National Party to appear before the committee.

Mr CATANIA: A member of that party said that he wanted to appear, as did the former Leader of the Opposition. Did the member not listen to what I said before? I stated at that point that nothing had been said by any of the witnesses or was contained in the information that we had that warranted our inviting the Premier to appear before the committee. The allegations came on Friday, 11 September. On Tuesday, 15 September, the committee was still considering the conclusions. One of the conclusions that we considered on Tuesday, 15 September, related to Mr MacKinnon, the former Leader of the Opposition. The conclusion put to the committee by the members for Morley and Avon was this -

Mr Bradshaw: That is not true.

Mr CATANIA: I ask the member for Morley whether that is true. Did the conclusion that the member brought to the committee meeting on 15 September relate to, among other things, Mr MacKinnon's position?

Mr Donovan: Yes, and it demonstrates that the conclusions were not written before the text and the inquiry was undertaken as the Premier suggested.

Mr CATANIA: Perhaps they were in someone's mind. I will read to the House the conclusion that was brought to the committee by the members for Avon and Morley. It states -

Mr MacKinnon has misled the Parliament in seeking to confirm the view that the university was to be located exclusively in Fremantle, when he knew about the northern joint venture proposal.

That was their conclusion and with the insistence of the member for Wellington they changed it to read -

In Mr MacKinnon's speech he proffered the few that the university was to be located in Fremantle for the next 20, 30, or 40 years. It is quite possible that Mr MacKinnon knew some possible detail of the proposed joint venture. Accordingly the Committee concludes that Mr MacKinnon has left himself open to the claim that he has misled the Parliament by not referring to the proposed joint venture in his speech.

Is that not political bias?

Point of Order

Mr BLAIKIE: The motion being debated by the House is a censure motion of the Premier. Is it not strange that the member on his feet has taken it upon himself to move away from debating that motion to attacking a member who is not in the House and who does not have the opportunity to defend himself from the scurrilous accusations being made by this member?

The ACTING SPEAKER (Mr Kobelke): Order!

Several members interjected.

The ACTING SPEAKER: Order! It may be appropriate for us to take afternoon tea if people cannot come to order when I call for it. There is no point of order.

Debate Resumed

Mr CATANIA: The second point I make is that the basis of the report on undertakings is predicated on a letter received from Father Frank Malloy. That letter was requested by Mr Horgan who had an ulterior motive in requesting it. He wanted to justify his borrowing the money. He then submitted a letter to the committee.

Several members interjected.

Mr CATANIA: I can certainly tell members without hesitation that he was a dishonourable

person then, and still is! This whole report was predicated on a letter from Father Malloy. In my address to the report I said that Father Malloy was given the contents of the letter by Mr Horgan and later had to retract what he said. The whole basis of the report related to that person being an impeccable source. He was said to be an "impeccable" source. Later that impeccable source had to withdraw his comments. Conclusion nine states -

As the Reverend Malloy's evidence about Government commitments to provide Enabling Legislation is echoed by most witnesses, the Committee concludes that such commitments were made on or before 12 August 1988.

Only one witness echoed that; the rest of the witnesses from the UNDA and the proponents stated something to the contrary. The report is totally inaccurate in that conclusion as all the other witnesses stated otherwise. It is totally wrong! The main person associated with that comment, Father Malloy, later said he disagreed with what he had said earlier and pulled back from it. The conclusion was that those commitments were made on or before 12 August, so they were totally and utterly wrong, and proved so by the same source as members opposite used.

Mr Donovan: Since this debate is so important as to who got the initial evidence from Father Malloy, who got the last letter?

Mr CATANIA: I was part of that and proudly so. I want the truth to come out! I do not deny I was party to it; there is no denying that at all! No time was given for anyone to consider this report after it was prepared and brought forward by the members for Morley and Avon and supported by the member for Wellington. The minority report of the chairman was compiled by the research officers of the Public Accounts and Expenditure Review Committee. The majority report was politically motivated.

Several members interjected.

Mr CATANIA: As chairman, I did have a part in the minority report. However, most of the work was done by the research officers.

Mr Kierath: Are you attacking them?

Mr CATANIA: No, they did a wonderful job which was thrown out the door because of the report prepared by the members for Morley and Avon and supported by the member for Wellington. That was politically motivated; those people did not care for anyone! They did not show the care that should have been shown for the Catholic Church.

The Opposition's seriousness in moving this impeachment motion is shown by the fact that a member vitally concerned with the report, the former Leader of the Opposition, is conveniently away; the Leader of the National Party is also away; and, one of the members who wrote the majority report, the member for Avon, is also away. In addition, the member for Marmion is not present today. How serious is the Opposition in moving this motion? Members opposite wanted to grab a headline. They are not serious! The members I have mentioned should be here if the Opposition were serious with this motion. The Opposition only wanted to grab a dirty headline and throw some mud; that is what members opposite have done!

MR GRAHAM (Pilbara) [3.15 pm]: In speaking to this censure motion against the Premier I point out that such a motion seeks members to either express confidence or otherwise in the Premier of Western Australia based on a report that is basically and fundamentally flawed. I will deal with those flaws during my speech. The Premier of Western Australia has the confidence of this House, there is no doubt about that, unless, or until, a member moves a motion the result of which changes the status of that confidence. The Leader of the Opposition has today moved a motion of no confidence in the Premier of Western Australia. In doing that he introduced a motion based solely on the findings in a report of the Public Accounts and Expenditure Review Committee.

Mr Lewis: Not on the findings, on the evidence.

Mr GRAHAM: The member for Applecross should not be a smart Alec. He should read the motion because it asks this House to have no confidence in the Premier because of the findings of the Public Accounts and Expenditure Review Committee related to the proposed grant of land at Alkimos related to the University of Notre Dame Australia.

Mr C.J. Barnett: If you want to change it, do so.

Mr GRAHAM: I do not wish to change it. I have absolute and total confidence in the Premier! It is the motion moved by the Leader of the Opposition that asks for an expression of no confidence in the Premier. Members opposite do not understand the motion. The Leader of the Opposition carries an obligation to prove his case when he moves a no confidence motion. Until he does that, the Premier maintains the confidence of the House.

I will tell members what this motion is about. It is not about Alkimos, the UNDA, or anything like that; it is a game of heavy party politics! That game is led by the zealot from Morley. I shared a room with that man for two years when he was in the Labor Party and have heard all these arguments about the Notre Dame University late at night over a bottle of port. That former member of my party has found a vehicle to which to put some dates and times. The essential thrust of what he said in our room two years ago has not changed. He saw a conspiracy then but was unable to carry his faction, caucus, the State executive, the State conference or his own branch of the Labor Party on the matter so he resigned from the party. He has used the Public Accounts and Expenditure Review Committee to bring this matter back into the public arena. This move has been led by the member for Morley because of his zealotry over the UNDA. As the member for Balcatta has said, this is really about having a cheap shot at the Premier. This week's *The Bulletin* shows figures on popularity for July 1992, when 55 per cent of people preferred Dr Lawrence as Premier and 32 per cent preferred Mr Court. In August 1992, 62 per cent of people preferred Dr Lawrence as Premier and 23 per cent preferred Mr Court. For two years members opposite have tried to stick some dirt on the Premier of Western Australia but have failed dismally on every occasion. The Premier has gone ahead in leaps and bounds and continues to be in front of the Leader of the Opposition.

The difficulties I have had with the report and its findings are many. The process by which the Public Accounts and Expenditure Review Committee has arrived at its conclusions is unknown to me and to everyone in this place, and to everyone in Western Australia who was not a member of that committee. I do not know whether the committee's recommendations were arrived at by consensus, by vote or by ballot, or what mechanism it used to reach its findings. None of us knows. All I know is that we have a report before us with some findings, the major one of which is that the Premier of Western Australia lied to this Parliament. That is a serious allegation and it is worthwhile examining what constitutes a lie. Without playing smart-alecky lawyer games, let us look at what a lie is. It is defined as being a false statement made with intent to deceive; an intentional untruth; a falsehood; or something intended or serving to convey a false impression. So there must be some intent in a lie, yet not a single speaker, either from the Public Accounts and Expenditure Review Committee or from the Opposition, has shown any intent on the part of the Premier to lie.

Several members interjected.

Mr GRAHAM: I have been here all day and have listened avidly to the debate, and I was here yesterday. No intent at all has been shown. The process of determining what was addressed by the committee was set by its terms of reference and in that regard I am charging that the committee has been negligent. Its report is flawed. One of its very first terms of reference was to look into the price of the Alkimos land and what happened to that land over time. In the report evidence is given which shows that the price of that land in July 1973 was \$367 900. By some mysterious process, over two years that price went up to \$3.041 million, and it was bought by a public instrumentality. It had gone up 1 000 per cent. Fourteen years later, when it was again on-bought, there was a difference of some \$400 000; but what happened? The committee took evidence that said \$1 200 an acre was the upper level of the price but it was not beyond what the Urban Lands Council estimated, so it was reasonable. The council paid top dollar for this land in 1975. In his evidence Mr Collins said that while he was the Chairman of the Urban Lands Council most of the dealings by the council were astute. That begs the question: Which ones were not? Was one where the land went up by 1 000 per cent? The committee took no action to investigate that. I raise that not to start an investigation but to show up one of the inconsistencies in the report.

I turn now to the question of how the Public Accounts and Expenditure Review Committee, acting in what I maintain is a partisan political manner and led by a zealot, arrived at its decisions. What did it do? It came to the view that Dr Lawrence had lied to the Parliament

because she said that the Bill's purpose was to give legal standing to the University of Notre Dame Australia to be established in Fremantle. That is what she said, and that is what was in the plan; that is what will happen, and that is where it is being established. Members opposite and the committee say that no one said it was going to go up north. What a load of rubbish! There is evidence in this report that says clearly that the Liberal Party was briefed and its senior players were there.

Mr Thomas: The member for Jandakot was an enthusiastic supporter.

Mr GRAHAM: Yes, he was. The report says some other interesting things. It says that the National Party was a little dimmer - it was actually briefed but did not understand the briefing. People in this Chamber knew but somehow the committee has come to the implication that no-one knew, when the evidence shows exactly the opposite. On that type of conclusion we are being asked to censure the Premier of Western Australia with the heaviest censure this Parliament can bring to bear. The evidence does not match the conclusions and it is clear from a close reading of the report that the person who wrote the evidence and the preamble in each of the chapters did not write the conclusions.

An Opposition member: How do you explain that?

Mr GRAHAM: It is simple. In the evidence on page 51 it says a whole series of things about what the Minister - now the Premier - knew and said, and then the committee concluded that Dr Lawrence misled the Parliament "in seeking to convey the impression that". What a load of nonsense! It bears absolutely no resemblance to the evidence that precedes it, and even with a six foot long bow one could not make a connection. We then see the way in which the former Leader of the Opposition - the member for Jandakot - who said some things to the committee, is dealt with in one way -

An Opposition member interjected.

Mr GRAHAM: I do not care whether he is here or not - I have done him over so many times that it is not funny. He gave evidence to the committee and the committee reached some decisions about it. I do not know by what criteria they judged it, but they certainly were not the same criteria by which they judged the Premier.

Mr Kierath: He was not asked the question.

Mr GRAHAM: The question asked of the committee was: Did any member of the Parliament mislead the Parliament? The answer given to the two sets of circumstances - both seemingly identical - was, for the then Leader of the Opposition, "No, he did not"; and for the Premier, "Yes, she did."

Mr Kierath: He was accused of leaving something out of his speech.

Mr GRAHAM: They were the same circumstances of which the Premier was accused. In the case of the Leader of the National Party the committee could not make up its mind whether he misled the Parliament.

I turn now to the recommendations in the report. On those two cases, with similar evidence and no process by which that evidence is judged, in the case of the Premier the committee concludes that "Dr Lawrence misled Parliament in seeking to convey the impression . . ." In the case of Mr MacKinnon it said, "Accordingly the Committee concludes that Mr MacKinnon has left himself open to the claim that he has misled the Parliament . . ." None of the recommendations is supported by the text of the report yet it is on that basis, and on those conclusions, that we are asked to censure the Premier of Western Australia. Members opposite must be joking!

I could say some other things about public committees, but I will not. Two things come out of this process in a political sense. Firstly, the Leader of the Opposition has shown himself up yet again as totally inept in pursuing his case. He did not even refer to the findings of the committee in his speech. Secondly, when I rose to speak to the motion by which the Opposition is proposing to censure the Premier of Western Australia I found it extremely interesting that members of the Leader of the Opposition's own party had not even read it. This is high farce.

DR ALEXANDER (Perth) [3.30 pm]: It is good to be part of the high farce. There is some truth in that statement. Today, debate has already gone on for three or four hours, yet we do

not seem to be getting any closer to a rational analysis of the contents of the report - not that I will provide that analysis. It is only 24 hours since the report was brought down. Given the fact that we sat until almost midnight last night, and I had commitments early this morning that prevented my coming to this place until 9.00 am, and then the telephone rang until 10 o'clock, I have not had time to digest the report properly. This leads to the point made by the member for Vasse yesterday -

Mr C.J. Barnett: Perhaps the member for Perth should adjourn debate.

Dr ALEXANDER: Would the member vote for an adjournment? The motion is premature; that is what I am trying to say. I have some idea of the background of the report through the good offices of the Press, and perhaps I should not say that, as the chairman of the committee investigating the matter.

Mr C.J. Barnett: If you want more time you should adjourn debate.

Dr ALEXANDER: I will do exactly what I want to do, not what the member for Cottesloe tells me to do.

Mr C.J. Barnett: I am alerting you to your opportunities.

Dr ALEXANDER: That is fine. The other convention that applies in this place is that once a no confidence motion is brought on, it should be completed on the day it is dealt with - although we broke that convention in the case of the Minister for Housing. Perhaps that is not a bad idea and I may seek to do that before I sit down.

I wish to make some comments regarding the whole issue, apart from the fact that we are considering this motion on the basis of insufficient information. The Notre Dame land deal is one of the jewels in the WA Inc crown which regrettably typifies the way in which the Labor Government over the years has broken its commitment to the people of Western Australia. While people contest its conclusions, no-one has contested the way in which the report documents the history of the deal, the way in which yet again the Labor Government has looked at the city not so much as a way of providing a better way of life for the citizens living in it, but rather as a money machine. On occasion after occasion we have seen proposals which have had very little to do with social priorities but far more to do with economic priorities, to make money or to attempt to make money. They have then backfired and the citizens have been left carrying the can. In that respect, Notre Dame is no different from many of the other WA Inc disasters. In this report we at least have the start of uncovering some of the processes by which these decisions are made. As *The West Australian* stated this morning, the report has uncovered some of the back room deals that went on in putting this deal together, and then in the last couple of days seeing it put to one side and some other arrangement reached. When the Premier defended herself this morning against this no confidence motion, she made it clear she had been opposed to the concept of a private university and to many of the moves to give it financial support. She used that argument to attempt to say that she is above blame because she did not agree with the concept at the beginning, and that she has been left carrying the can for the Government. That is not a suitable defence against the charges made.

I remember that when the Notre Dame deal was first made public a couple of years ago there was a little bit of a fuss in the party room. I remember the Deputy Premier drawing me aside and saying that if I thought the deal announced on the Alkimos land was bad I should have seen what David Parker stitched up a year before. He went on to outline his belief that in fact the Government had been morally obliged to pursue the Notre Dame land grant in one form or another.

Mr Catania: Or the establishment of the university in one form or another.

Dr ALEXANDER: It went further than that. We had by that time passed the legislation establishing the university. I had the belief that the Government would not come to a situation where it would provide financial assistance, in whatever form. This morning the Premier said that members of Parliament would often wish to know more than it is possible to say. Yes, perhaps MPs have the right to know what has been said - not only MPs but also the public have the right to know the information now contained in the report, because it seems that otherwise the Government will be operating on the same principle as the former, discredited Deputy Premier David Parker was operating on when he confessed to the Royal Commission. He said that Governments around the world are built on the principles of

secrecy and deceit. We are here to deceive the people rather than serve them, apparently, according to that view. The danger of the Premier's view put this morning is that it is going down the same path; that is, we might like to know but we cannot be told because it is not in our interest to know. Why was it not in the interests of the Parliament to know two years ago about the negotiation uncovered by the report? Rumours were around, and everyone had a theory about them.

Mr Catania interjected.

Dr ALEXANDER: I beg to differ. We should look at this carefully. Maybe the former Leader of the Opposition, as the report says, did have some knowledge; maybe some other individual members had some knowledge.

Mr Catania: Bill Hassell; the present Leader of the Opposition; Norman Moore and Max Evans.

Dr ALEXANDER: Individuals may have had some knowledge but we do not know the extent of the knowledge. As an individual member of Parliament two years ago, I did not have access to the information in this report about the deals that had been planned over the previous two years. Neither, I submit, did most members of Parliament, and certainly not the general public.

The point is that decisions about controversial issues of this sort should not be made in secrecy, and should not be kept from the people as they were in this case until it was judged to be appropriate to let the public in on the act. So for the Premier to say that a couple of Opposition members were briefed by the Notre Dame University - and a couple of other people - is not sufficient defence. Let us consider what happened in the Labor Party. How much were we informed? Very little - until the announcement was made public, by which time of course it was too late to contest any of the matters. The only good outcome that I can see over the last couple of years is that finally the Government has backed off from the Alkimos land grant and has come to a slightly more equitable solution. Personally, I do not believe that the Notre Dame University should have any financial assistance, whether shared with other universities or not - but that certainly is a better position than that which previously applied.

Another issue is the alleged anti-Catholic mission that some members are alleged to be on. I have been accused, as I have made comments over a couple of years about the Notre Dame University.

Mr Catania: I have never accused you of that.

Dr ALEXANDER: I am not saying that the member has. I have been accused by other people. Certainly the member for Morley seems to have been put in that category at various times. I would like to lay that accusation to rest by saying that over the two years when the issue has been in the public arena, I have been contacted by numerous people, including Sister Veronica Brady. How many people have heard her speak publicly about the way the Government has proceeded on this land deal?

Mr Catania: Is she opposed to it?

Dr ALEXANDER: She is opposed to the concept of the State assisting a Catholic university.

Mr Cunningham: She is fairly way out.

Dr ALEXANDER: That is the member's opinion. Sister Veronica Brady is one of the shining lights of the Western Australian community, and the member's opinion that she is "way out" is beside the point. Like many others in the Catholic community she has doubts about State assistance for this elite institution.

Mr Cunningham: Nonsense.

Dr ALEXANDER: It is not nonsense at all. This institution does not deserve State assistance. Those who criticise this assistance are accused of being anti-Catholic, but those who make that accusation should look at the criticism coming from within the Catholic Church.

Mr Cunningham: I have never heard it before.

Dr ALEXANDER: The member should look at the letters, editorials and other public statements on the record to find that to be the case.

From my reading of the Public Accounts and Expenditure Review Committee report - in the short time I have had to study it - it revolves around the fact that the Premier and the Deputy Premier are accused of lying, and giving insufficient information, to the Parliament. In other words, it is more a matter of not what they said, but what they did not say. I thoroughly endorse the conclusions of the report which say that the Government did not go far enough in revealing information in the public arena. However, when it comes to stating that the Premier lied to the Parliament because of a question without notice, I have doubts. The rest of the answer provided by the Premier qualified the "no" that was the apparent lie; to that extent I agree with the member for Balcatta.

However, I agree with the majority report when it says that the Government throughout this time in history misled the Parliament by not revealing the information which it should have revealed. This particularly applies when the legislation was being second read and we were all assured that the Government was not providing any financial assistance to the university. It was on that basis that I reluctantly supported the legislation. Had I known then what I now know, I would have spoken very strongly against the concept. It is obvious from the Public Accounts and Expenditure Review Committee report that the negotiations were still going on at the very time that the legislation was before Parliament.

Whether or not the Premier or the Deputy Premier lied to Parliament, it is certainly true that the Premier was not frank with the Parliament when it came to revealing relevant information. Parliament should have been in possession of all information which could have led it to a different conclusion. The Government did not reveal the full agenda to the Parliament and the people of Western Australia - for that it stands condemned.

Clearly, as members from both sides have said, and as indicated in the report, the previous Deputy Premier, David Parker, acted beyond his authority. It is not possible to say that all blame should be placed on the shoulders of Parker and Dowding. The Labor Party has tried to do that on several occasions. We have had Burke and Bryce, and Dowding and Parker; one wonders what will happen to Lawrence and Taylor.

There is a notion of collective Cabinet responsibility, and it is clear from the information I have been able to glean from the report that Cabinet continued to discuss this matter well after David Parker left the scene. Whether Cabinet made the decision regarding the original request that Notre Dame should be supported is not the point; in the end it came up with a land grant proposal, which now has been belatedly abandoned. The Parliament should have been informed well before it was, especially in view of the sequence of events in the development of the university.

I do not want to enter the debate about the question of guarantees; however, from my reading of the report the University of Notre Dame Australia was not confident that it could establish a viable operation without some sort of guarantee from the Government. It does not matter whether that guarantee was in the form of a guarantee against loss or a land grant, the form in which it now stands. We have been through the debate on numerous occasions regarding when a guarantee is a guarantee. However, it is clear that the Notre Dame proponents would not have established the institution and progressed it to its current stage without some degree of comfort from the Government regarding its financial future.

This debate has been marked by a good deal of acrimony. It is unfortunate that my colleague the member for Morley has been targeted for many unfair criticisms from the Government ranks. The Chairman of the Public Accounts and Expenditure Review Committee made the allegation that he has been single-mindedly pursuing an obsession. If an obsession means working day and night over several months to uncover what he believes to be the truth of the situation, I suppose it is an obsession.

Mr Pearce: The member would not deny that himself.

Dr ALEXANDER: I say more power to him! He has been doggedly pursuing the issue, and simply because Government members do not agree with his conclusions is no reason to suggest he is suffering from an obsession.

Like the member for Morley, I was horrified by the original decision of the Government to grant land at Alkimos to the UNDA. Like the member for Morley, the Notre Dame saga was one of the reasons - but not the only one - for my resignation from the Australian Labor Party. The member for Morley also resigned from the ALP for many reasons, which were

outlined in his Press release at the time. The Parliament must accept that fact, having listened to his many contributions since then. To dismiss his view of the world as slanted and only the result of an obsession is naive, if not vindictive. He has done a tremendous job as a member of the Public Accounts and Expenditure Review Committee in bringing this nefarious deal under the spotlight.

As one who has an interest in land and planning matters, I was amazed to read the appendix regarding the sales of the land at Alkimos. This has parallels with other deals. The Government seems almost to be conniving to inflate the value of land in the northern corridor so that it will help its political mates. I find that to be worthy of not only comment, but also further investigation. The full story of the development of the northern corridor during the past 10 years has still to be told. This is an excellent start in discovering the full story. Blocks of land up and down the northern corridor are owned by powerful, and a huge slice of Japanese, interests. This gives us reason to worry. The fact that the Government has played into the hands of those developers should give it cause for great reflection. Not only that, but the Government thought it could become part of the scene. The Deputy Premier said at the time of the Notre Dame announcement that we should not worry because this was a great financial boon to the area; this would increase land values.

Mr Bloffwitch: I remember something about a petrochemical project along those lines.

Dr ALEXANDER: That is right. In this case the value of land is still rising, and in the meantime many things have happened. Not only that, but the land originally acquired was for low cost housing, yet it was used totally against that objective. We now find, belatedly, that Homeswest has become involved. That is fine; but if all the shenanigans of the past four years had not taken place, Homeswest would have done much better financially from that land deal than it will do now. The land prices have already been inflated by several million dollars as a result of the transactions encouraged by the Government. Fifteen years later, it may be that Homeswest is able to provide low cost housing in that area, but it remains to be seen. The commitment has been made. However, commitments have been often made in many other places where the reality has turned out differently.

I will now explain why I will not support the motion of no confidence. Like the member for Morley, at the time that I resigned from the Labor Party I gave a firm undertaking to the public and in this Parliament that I would not support a motion of no confidence which was designed to precipitate an early election.

Mr Donovan: Was it a guarantee?

Dr ALEXANDER: Not that sort of guarantee, I hop!. It is quite clear that if this motion were passed by the House, the Premier and Deputy Premier would have little choice but to resign and/or call an early election. It is not up to me, because I happen to be sitting on the cross benches with the balance of power - although I understand it may be different today given the absences from the Chamber - to sit in judgment on the Government in that way. The public is getting the message quite clearly that the Government has failed a public confidence test yet again. It is not my job to join a motion which would simply precipitate an early election; I have made a commitment that the Government should be able to serve its full term. I hope that it does that despite the fact that it has failed the public of Western Australia on the Notre Dame deal, as it has on the old Swan Brewery deal and on many other issues on which I have had cause to comment in this Chamber over the past couple of years. It has played into the hands of the rich and powerful interests and simply used the city as a money machine, only to find that it does not generate all that much cash in a recession. Not only is that the case but also the Premier, her deputy and senior Ministers have been guilty of misleading the Parliament in not giving it sufficient information on which to properly debate issues.

At the next election the public will take all of that into account when it makes its decision on who should form the next Government. I, for one, will not be used in a way that will precipitate that election given firstly, the insufficient notice; secondly, my previous commitments; and thirdly, my belief that whatever its faults - and they are legion - the Government should be allowed to serve its full term.

MRS EDWARDES (Kingsley) [3.53 pm]: I support the no confidence motion in the Premier. The integrity of Parliament is absolute. Members of Parliament cannot come into

this place and mislead it with fancy word games and verbal gymnastics. Since the very first year I joined Parliament I have witnessed constant verbal gymnastics. Over many months we have heard the question: When is a guarantee not a guarantee? The Government's response to that, of course, was "when it is a letter of comfort". However, the High Court has ruled that a letter of comfort is definitely a guarantee. It was a case of verbal gymnastics by Government members to get them out of a hot spot.

We have seen exactly the same situation today. I refer to the finding of the Public Accounts and Expenditure Review Committee that the Premier lied to Parliament on 28 November 1989 in response to a question by the then member for Cottesloe, Bill Hassell. The Premier's answer to part (3) of that question was that discussions had been held between the Government and the proponents of the Notre Dame of Australia University on the support which might be provided. Part (5) of the question was very simple and asked what package of support was under consideration.

The answer was, "None". I refer members to the "Unambiguous representations" in Halsbury's *Laws of England*, Volume 31.

Mr D.L. Smith interjected.

Mrs EDWARDES: I will get to that. The section dealing with unambiguous representation reads -

If according to the ordinary rules of construction a representation was reasonably and naturally capable of bearing only one meaning, its truth or falsity must normally be determined on the assumption that it bore that meaning.

Therefore, the word "none" can have no other meaning than the fact that no packages of support were under consideration. That is the reason the Public Accounts Committee found that the Premier had lied. It was well known at the time of the question, as was apparent from the debate today, and the findings and other evidence in the report - and by the Premier's own admission - that there were packages in their entirety or singularly under discussion at that point. That finding alone is evidence, never mind the rest of the findings, and clearly shows that the Premier lied to Parliament. It was known to the Premier at that time that discussions were under way, that support was being requested, and was under consideration, for an endowment and/or a joint venture and/or a guarantee. The committee's report very clearly outlines that, and we have heard it today. Members cannot tell me that one of the other aspects raised by the member for Morley, the drafting instructions - those instructions change and change again - did not arise as a result of support for a package being considered at some point.

I remind members that we are talking about October 1989, not 1988, at which time Cabinet deferred consideration of financial support for the university. That is not quite true when one examines all the other evidence. The drafting instructions were undertaken for the legislation; they included the guarantee and two other changes were made. We have been told they came to this Parliament without the guarantee because of the need to expedite the legislation. The people involved were concerned that there would be opposition to the legislation. It is very clear that a package of support for the University of Notre Dame was under consideration. It was well known by everyone.

I refer now to David Parker's letter of 2 February 1990. I have referred to the fact that reference to the guarantee was to be taken out of the drafting instructions, and two months later in a letter David Parker was still referring to Cabinet's being committed to a statement of agreement in which would be material matters of support. The decision to take out the guarantee was in order to expedite the passing of the legislation in November. I will refer to the package of support that arose after that date. That was why there were changes. It was a matter of, "Let us get it through now and worry later about the package of support which we have promised you since 1988." What else was said by Mr Parker in the negotiations? In fact, he took over the negotiations with the Notre Dame University and the Government is now trying to step aside from everything he was doing and saying on behalf of the Government at that time. Conclusion No 3 of the report states -

No firm and formal evidence was received to confirm that the Government had formally notified the University of Notre Dame Australia in 1990 and since that negotiations and agreements entered into previously had been terminated or cancelled.

The Government did not go back to the Notre Dame people and tell them that there would be no support for the university despite what had been going on previously and despite what Mr Parker was saying at that time. Mr Parker had ostensible authority; he was holding himself out as acting on behalf of the Government and the Government knew that those negotiations had been taking place. The package of support had been considered, but the Government did not write and advise the Notre Dame University. It allowed Parker to continue to hold himself out as acting on its behalf. Therefore, Parker had ostensible authority to negotiate and this lot opposite are trying to back away from an agreement that they had entered into.

I return to the questions and answers on 28 November 1989. It is very clear that the package of support had been considered by a number of people. The Premier may or may not have been kept out of it - she indicated yesterday that she had been kept out of it deliberately. However, conclusion No 5 states -

The Lawrence Government appears to have operated in continuing discussions and negotiations until July-August 1990 from some sense of moral obligation -

What moral obligation, if the Government were not considering providing the university with any package of support? The finding continues -

to the proponents of the University in assisting them with the Alkimos-Ningana project -

And we should not forget about the second prong to this -

and with debt management problems arising from the collapse of the Barrack House Group and the consequent unresolved problems posed by the Fremantle properties.

The Catholic university had continued relying on Mr Parker's ostensible authority in acting on behalf of the Government and entering into deals. They were relying on what Mr Parker was saying.

I want to refer to the briefings; I spoke about them yesterday and I want to reiterate what I said. The Government said the Opposition was briefed. That is fine if we leave it at that. However, what was the briefing? I attended a meeting at Fremantle on Tuesday, 6 June to familiarise myself with the university concept and what was happening with the buildings in Fremantle. On 18 September, I had a meeting with Barry MacKinnon, Dr Tannock and a couple of others. Again, we were briefed on what was proposed, how far the proposal had gone, including changes to the number of faculties and courses, and what was happening to the buildings in Fremantle. As an aside, Dr Tannock said, "How would you feel about a joint venture?" That was all he said. There was no suggestion of an endowment of land and no remark about what sort of a joint venture was being discussed or considered. We were given no specific details or anything else about those two words. That was the extent of the briefing. We were not given details of what had been going on between the Government and the Notre Dame University since 1988. We still did not know anything about it and there was a great deal of difference between what we knew and what the Government knew about those two words "joint venture". No specific details were provided to us at those briefings because the briefings were primarily to inform us about the concept of a university and not the joint venture which was being discussed by the Government and the Notre Dame people. That matter was not discussed because the member for Jandakot said that under no circumstances would the Opposition support a joint venture with the Government. That was the end of that. Again, as an aside and as we were wrapping up this meeting, Dr Tannock asked us about a guarantee. That is not being briefed fully on the negotiations of a guarantee that had taken place between the Government and the Notre Dame people. I learnt more about what was meant by those words in the report yesterday and today. Our briefings did not provide us with anywhere near the amount of information that members opposite had or which the Premier had on 28 November 1989 when she responded to Mr Hassell's question by saying "none". In the true and ordinary meaning of that word, that meant that no package of support had been considered and Parliament could not have taken that word in any other context, keeping in mind the question and the answer. It is for that reason that the committee found that the Premier had lied to Parliament, because members of Parliament could not have understood the Premier's answer to mean anything else.

She referred to a "formal request". What does the word "formal" mean? She said that no formal request had been received for consideration by Cabinet. What about an informal

request? Had one been considered? Again, these people were playing verbal gymnastics. They got caught out at the Royal Commission for doing that and they have been caught out again. They were trying to be too smart by half. By way of interjection, the member for Balcatta said that there had been support in principle by Cabinet for the Notre Dame University. In relation to those verbal gymnastics, unless we pull up the Government every time it plays that game with words and require it to answer questions properly in this place, the integrity of this Parliament will suffer.

The Premier referred to the fact that the Higher Education Authority and all universities were asking for land grants in 1989. They might have been. I know that Curtin and Murdoch Universities raised the question of land endowments, and wanted land endowments that were comparable with the land endowments of the University of Western Australia and were not asking for land endowments comparable with that which was being sought by the Notre Dame University. They did not know what was proposed for the Notre Dame University, and neither did we.

The reason that was discussed at that time was that it was proposed to amalgamate Murdoch University and the University of Western Australia, and that matter was debated on the same night. We were to establish one university and abolish another. However, fortunately that did not happen because we won that vote and saved Murdoch University. The Government has now announced an endowment of land not just to Murdoch University and Curtin University but also to the University of Western Australia and the University of Notre Dame Australia. In 1989, when Murdoch University requested the then Minister for Education for a land grant, the Premier did not mention that Murdoch University wanted a land grant that was comparable with what UWA had received way back, and not the land grant that UNDA was to receive. Again, by leaving out that point, the Minister misled the House about what the universities were saying to her at that time.

I turn now to the fact that the Premier was not called before the committee. The chairman of the committee stated that he received the report on Friday, so he knew at least on Friday about the finding that the Premier had lied to the Parliament. His first concern was that he wanted time to consider the serious allegations which were made against the Premier. He also wanted time to allow the Archbishop to reveal to the public the \$10.6 million loss. He did not say that he wanted time to allow the Premier to come before the committee in order to answer those allegations. He did not ask the committee members on Monday for an extension of time for two days, a week or two weeks to allow the Premier to come before that committee. We all know that the chairman of a committee is primarily responsible for organising the witness list. In the interests of natural justice and fairness, he should have asked the Premier to come before the committee and to answer those allegations before he tabled the report. However, the chairman and the other Labor Party member on the committee did not want to do that. They did not want the Premier to come before the committee and reconfirm the lie. That is the reason that the Premier did not want to come before the committee, and they had no intention of calling the Premier to appear before the committee.

The reason that the chairman wanted to have time to consider the report was so that members opposite could then say to the public, "Where is the natural justice?", and whinge and moan about the fact that the Premier was not given the opportunity of coming before the committee. The chairman could have requested that the tabling of the report be deferred to allow the Premier to come before the committee. He did not do that because it was never intended to bring the Premier before the committee. Even after the committee's findings were known on Friday, the Premier had no intention of coming before the committee and reconfirming the lie that has been made out in these serious allegations. The Premier cannot now escape liability by showing that she intended her representation - and I am talking only about the finding in respect of the question and answer on 28 November - to bear some meaning other than what it was fairly capable of bearing at that time; namely, that the word "none" was taken to mean that no package of support was under consideration. As we all know now, there was, and that was known by the Premier at that time.

MR D.L. SMITH (Mitchell - Minister for Lands) [4.14 pm]: The end does not justify the means. That simple statement of basic ethics underlies most of the Westminster system and certainly most of the English system of justice. That is the reason that we do not allow policemen to use improper means to convict people whom they believe to be guilty. That is

the reason that we insist that an accused person is afforded the right of natural justice and is protected at all stages of the arrest, the charge, the investigation, the committal and the trial. We do that on the basis that we honestly believe that when an adverse finding is made against a person, there should be a system that is fair, proper and principled and that is governed by rules of custom and practice and by legislation which guarantees that.

Today, we really must ask ourselves whether the media, the Opposition, the Parliament and our parliamentary committees are according those principles their just due or whether we, like the policeman who is prepared to lie, the judge who is prepared to interfere, or the juror who has an interest in a trial and does not disclose that interest, simply allow a system that can only be described as McCarthyism. When one looks at this morning's *The West Australian* one can identify that there are people in this community who have convictions and who will achieve whatever is their desired objective, no matter what the means. They have forgotten about principles, ethics and standards. I am afraid that the reason that parliamentarians are only slightly higher than members of the media in opinion polls is that we have let our standards slip to a McCarthyist-type approach to these issues, when in politics our own prejudices and desires are more important than public interest, fair play and justice.

The motion before us is that this House has no confidence in the Premier by reason of the findings of the Public Accounts and Expenditure Review Committee. The motion moved by members opposite would have us believe that the Public Accounts and Expenditure Review Committee has only one set of findings. In fact, there are two sets of findings. The motion does not distinguish between those two sets of findings, one from the majority and the other from the minority. More importantly, no-one in the course of this debate has addressed the sorts of issues and standards that we as parliamentarians should address ourselves to in respect of whether we should accept this motion. The first and obvious point is that we should have been able to identify what the Opposition claims are the findings of this committee that led to this motion. We should then be able to evaluate whether we as parliamentarians think that those findings are fair and proper and whether they would lead to the censure and lack of confidence in the Premier which the Opposition seeks us to have.

The first thing I attempted to do in evaluating whether these findings were fair, proper and considered, was to look at the processes the Public Accounts and Expenditure Review Committee majority went through in making those findings. The truth is that no minutes or records of the proceedings of that committee are before this Parliament. The only thing before this Parliament is the report and its appendices, which contain the transcripts and a couple of documents considered by the committee. That is the basis upon which we are asked to evaluate the processes to see whether they were fair. Let us look at the processes by which two important pieces of evidence, so-called, came before the committee of the Parliament. One was a submission from the Reverend Father Malloy. Is the submission from Father Malloy before this Parliament? It is not tabled or among the transcripts. No opportunity is available for anyone to read that evidence - if it can be called evidence - and to evaluate it in relation to the findings. Is the submission from Mr Horgan before us? The answer is again no. We have seen no record of the proceedings, we have no idea of the sorts of deliberations the committee went through and nor have we seen copies of the essential documents and some of their findings. Nor is there any quantitative assessment of whether the submission from Father Malloy is to be considered against the actual testimony of those called to give evidence and who were cross-examined. Absolutely no attempt was made.

Let us look at the so-called findings of the majority which are the basis of the censure motion. It is a 63 page report, and one would think it would contain a fairly comprehensive backing and rationale for its findings that the Premier had lied when she was a Minister and had on two separate issues misled the Parliament. In fact, the total findings in relation to the Premier are set out at pages 47 to 53; that is, one tenth of the entire document is devoted to them, and one of those six pages reiterates the questions put to the then Minister for Education by Mr Hassell. In fact, for some reason or another questions (2), (3) and (4) are repeated in the document before us. Question (3) was -

Has the Government been requested support in relation to the establishment of Notre Dame?

The answer was -

Discussions have been held between the Government and the proponents of Notre Dame Australia on the support which might be provided.

Certainly no denial that discussions have occurred and have been held on the level of support. No denial that support would be considered or anything of that nature. Question (4) was -

If so, what requests have been made?

One of the principles of question time, as we all know, is that it is not a court of law. The Opposition asks the questions and the Ministers are entitled to give whatever answers they think are fair and proper to those questions.

Mr Wiese: There is an expectation that it will be the truth.

Mr D.L. SMITH: But it does not have to be a direct answer to the question posed. The answer to question (4) was -

No formal request has yet been received for consideration by Cabinet.

That is the only statement the then Minister for Education made. Members cannot imply that it is a direct answer other than what it says on its face; that is, no formal request has yet been received for consideration by Cabinet. Question (5) was -

What package of support is under consideration?

The answer was -

None. See (4).

We all know that that means it is the same answer as for question (4); that is, none in the sense that no formal request has yet been received for consideration by Cabinet.

In evaluating the quality of the findings we should first look at the processes which were adopted in order to obtain those findings, and what weight we can attach to those processes and the evidence given. Let us consider the quality of the process; that is, was the Premier ever informed by this committee that she was under consideration for adverse findings of any description? In other words, was a charge laid against the Premier in the way we understand it? The answer is no. The second question is whether the Premier was given an opportunity to defend herself before this committee. Again, the answer to that is no. That is an absolute denial of the first two principles of natural justice: First, people should know the charges being made against them and, secondly, they should be given the opportunity to be heard in relation to those charges. Are we, as parliamentarians, prepared to say in the community that parliamentary committees are able to make findings that people lied, without ever charging them, giving them the opportunity to defend themselves or to be heard or to even evaluate the weight of the evidence? Let us consider the evidence which is relied upon. The first place to look for the so-called evidence is at the document attached to the findings. It states -

In the period prior to this answer, as Minister Lawrence was aware, two formal submissions from UNDA had been presented to the Government through Minister Parker.

They were not made to the Cabinet but to the Government. The report judges her not on the question of whether a formal submission went to Cabinet but on whether it had gone to Government. Does the committee attempt to identify what it means by "Government"? Is it the Government in the form of a backbench member, a Minister, or the Cabinet? In what form is it talking about the Government? It is never stated. Do we know which document is the basis for some information on the part of the Premier? The report states it is the following basis: The first formal submission, so-called, was -

. . . submitted in December 1988 and formed the basis for discussion of the recommendations by Mr Parker that a joint venture between the Government and the UNDA be entered into.

Do we have a copy of the formal submission? The answer is no. The committee has not given this Parliament a copy of the submission so that we can evaluate it, determine to whom it is made, what it is about and the weight that should be attached to it. If one reads on, one finds that the second document is nowhere to be found. Do we find out what the second document is? No. There is an implication that it was an August 1988 discussion. I do not

know how the first document became a December 1988 document, and the second document became not a document but an August 1988 discussion. We are asked to believe that the document was not presented, yet no explanation was given on how that constitutes the second document. The report makes its findings of a Minister lying to the Parliament without any reasonable evaluation of the evidence; without finding out whether persons were cross-examined in relation to these matters; and without taking externalities into account. Not at all!

Several members interjected.

Mr D.L. SMITH: I am aware that some country members want to go home. Obviously the member for Avon and the Leader of the National Party feel that way as they are not in the Chamber.

The second allegation relates to the misleading of Parliament in the second reading speech of the Notre Dame legislation. The Minister at the time said that the purpose of the Bill was to give legal standing to Notre Dame Australia to be established in Fremantle. I ask members opposite whether the committee has attempted to evaluate the meaning of the word "establish".

Several members interjected.

Mr D.L. SMITH: Obviously, no dictionary or legal definition was used. What do you, Mr Speaker, and I mean by the word "establish"? It means to begin and to lay the foundations. Does anyone believe that the university was not going to be located in Fremantle?

I would like to have much longer to speak on this report, because, as a former Chairman of the Public Accounts and Expenditure Review Committee, I have always held that committee in high regard. It has always attempted to act in an impartial manner, but its reputation now lies in tatters to the point where it cannot be restored. It has been used as a political and personal vehicle and has not abided by any of the standards we would expect.

Mr Lewis: In your opinion.

Mr D.L. SMITH: Yes, in my opinion and in that of any fair juror and parliamentarian who reads this report. Nowhere does the report attempt to establish what the standards of proof should be. We all know that the most important part of any trial is the direction by the judge to the jury about the standards of proof they should adopt. What standards of proof do we as a Parliament think should be adopted by a committee when considering whether a Minister - the now Premier - lied to the Parliament? We know the consequences of such an allegation. She must resign, the Government will fall and an election will be held.

Several members interjected.

Mr D.L. SMITH: These are enormous consequences for the Premier, the people of this State and every member of this House. What standards of proof do members opposite believe should apply when the consequences of the decision are so enormous? Undoubtedly, the standard of proof is beyond reasonable doubt.

The member for Morley was prepared to discuss the role of the committee on the radio this morning when he said in effect that its role was not the important one; the important role was for the Parliament to decide whether its findings were right or wrong. By what means has the Parliament - following the member's claim - attempted to evaluate the findings? We have not done so at all. As indicated by the member for Morley, the majority of the committee said, "Well, this is the sort of thing we should consider in the same way we would ascertain whether enough ambulances operate in Western Australia; it is the same principle. We send the matter to the Parliament where the Minister responds, and if the Minister thinks it is important he will act, and if not, he will not." That is incredible! Is that an acceptable standard of determining proof? This question especially applies when the nature of the charges was never considered; the process of establishing the reliability of witnesses was never considered; and, the process of offering any person who might be adversely affected by the findings an opportunity to respond was never considered by the majority of committee members. Why was the burden thrown at the chairman? He was not the one who said that the Premier lied. If the majority of committee members said that the Premier lied without giving her an opportunity of being heard, they should accept the consequences; these are the

sorts of claims of a kangaroo court and a Star Chamber. These judges wanted to make an adverse finding, and they gave the accused neither knowledge of the charge nor any opportunity to be heard. Also, they did not get around to evaluating the charge or the standards of proof for that charge.

Let us consider the evidence: The committee tells us that it has been working hard for 12 months, but when was the last witness called to give evidence on oath? I ask the member for Morley.

Mr Lewis: Ask the chairman.

Several members interjected.

Mr D.L. SMITH: I ask the member for Morley; he is the accuser.

Several members interjected.

Mr D.L. SMITH: I will tell the member. The last sworn testimony was given to the committee in June of this year. However, the committee never considered in the time until the report's release the possibility that in fairness it should have asked the Premier to give evidence. The committee recently played up to the media the importance of certain evidence and things it had discovered. However, the only evidence involved was not sworn testimony but submissions received from an American person who has never appeared before the committee for cross-examination. The majority of the committee paid the penalty from which any jury is likely to suffer if it attaches too much weight to evidence which is not justified. One does not attach the same weight to a letter from overseas to that of sworn evidence by a witness who is present. This committee did that. The committee has since discovered that Father Malloy felt obliged to send a note to the committee advising that, unknown to the accusers, his evidence was based on not his recollection but the material provided to him by one Denis Horgan!

In conclusion, I provide one example of the sort of ratbag evidence and findings involved in these processes, on which the Government is expected to fall. Page 19 of the report refers to a meeting of 12 August 1988. The meeting was attended by Professor O'Meara; Reverend Beauchamp; Denis Horgan; Dr Tannock; Archbishop Foley; Mr Parker, and Father Malloy. This finding was made on the evidence of the participants at this meeting and there was only one departure from the view received by the committee. On that simple reading of that statement one would assume that only one person who attended the meeting disagreed with the evidence. I ask the member for Morley whether Professor O'Meara was called to give evidence to the committee. Was Father Beauchamp called to give evidence to the committee? Was the late Archbishop Foley called upon? Is the member for Morley prepared to say that someone who is dead did not disagree with the evidence? On balance, four of the seven people at that meeting were not called. Messrs Horgan and Parker were called and disagreed about that evidence. Father Malloy was the third person who was called, and what was his evidence? He said something by letter but since has withdrawn it. How can they say that the majority of evidence supports that conclusion, when four of the participants were not called, two of them are in disagreement and one gave his evidence by letter from America and has since retracted that evidence? That is the quality of the report and of the people who signed it.

I am not the least bit surprised that the member for Avon has made himself scarce the member for Wellington has not spoken, and that the only other person from that majority is not willing to support this censure motion. What a condemnation of confidence in that report. One exempts himself, one does not speak and one speaks but is not willing to support the censure motion based on the findings. I appeal to the older members opposite who remember some of the standards of this place. The members for South Perth, Vasse and Albany will remember some of the standards to which we used to adhere in this place. I especially appeal to the Independents to assess whether this report is credible, whether it has enhanced the Parliament's standing in the community or whether it is one further step in the process of destroying this great institution and its most powerful committee.

DR CONSTABLE (Floreat) [4.43 pm]: I welcome the opportunity to put a few brief remarks on record in relation to this motion. This motion is very serious and I understand the great consequences if it is carried; therefore, it deserves extremely careful consideration by everybody. A report was tabled only yesterday, and I received a copy of it very late

yesterday afternoon having asked on many occasions during the day for a copy, and not being able to get one. I noticed that people sitting in the Speaker's Gallery had copies, but copies were not available for members, which I thought slightly odd. Leaving here late last night, as did other members, and not having had a chance to look at that report until after we finished, insufficient time has been available for anyone to read and digest its contents. This morning we arrived in this place to find a motion of which, as an Independent, I had not been afforded the courtesy of being given a copy, which is the usual practice when the Opposition has had a motion. I can conclude only that members were not particularly serious about the motion. If they had been they would have been trying to get the four Independents to support it. By any standards calling on this motion this morning was very premature, given the facts I have just outlined. Members have had insufficient time for proper study of the detail to consider a motion that is so important to this Parliament. My initial perusal of the report and from listening to the debate today is that it appears the Premier may well have misled this Parliament. Certainly she is an expert at embroidering facts and giving a certain impression when she wishes to do so. As the member for Morley suggested when he was speaking, the Premier is a master of the manipulation of language. I take very seriously the suggestion that the Premier has been denied natural justice by not being called before the committee; that is a serious aspect of this matter. I take very seriously my responsibility in weighing the evidence in the report. I have not had sufficient time to do so, and I will not be voting on this motion.

MR BRADSHAW (Wellington) [4.45 pm]: Some allegations were made during the course of debate and I will start firstly by rejecting the claim of the Minister for Lands that I did not intend to speak. I stood at the same time as he did, but the Minister got the call ahead of me.

Mr Kierath: Perhaps because he is a Minister.

Mr Nicholls: The Minister for rumours.

Mr BRADSHAW: No, he did beat me to my feet. I had planned to speak. The second point is that the member for Balcatta wrongfully attacked the member for Jandakot over his not being present today. On 14 July the member for Jandakot requested a pair for business to which he wished to attend for the three days of this week.

Mr Catania: I have sympathy with that, but for such an important motion one would think the Liberal Party would take the opportunity to recall him.

Mr BRADSHAW: That is difficult when he is in the Eastern States and he did not know the report would be tabled.

Mr Pearce: He has been accused of misleading the House.

Mr BRADSHAW: He has not been accused of misleading the House. That brings me to the other point made by the member for Balcatta about the member for Jandakot and the committee's deliberations. A conclusion was brought to the committee, which the member for Balcatta read to members in this place and said that the member for Avon supported those comments. If the member for Avon supported it, why was it not shown in the report? The matter was placed on the committee's agenda for debate. The conclusion was amended in debate and is now in the report.

Mr Pearce: That is right, it is part of the sleazy deal to protect the people on your side of the House.

Mr BRADSHAW: It is not a part of a sleazy deal, it is part of discussions and pointing out certain facts in that committee.

Mr Catania: Did the author of the majority report bring the original conclusion to the committee?

Mr BRADSHAW: He did.

Mr Catania: That is right.

Mr BRADSHAW: The member for Balcatta said the member for Avon supported it; that is not true.

Mr Catania: The members for Avon and Morley wrote it together. It was only on your insistence that it was changed; that is the truth.

Mr BRADSHAW: That is not the truth. As far as I know the member for Avon did not take a part in the writing of those conclusions. Unfortunately, the member for Avon is not present to say whether that is the case.

A Government member: Do you know where he is?

Mr BRADSHAW: I do not know where he is. The chairman of the committee also pointed out that the report had been prepared by research officers.

Mr Catania: The research officers prepared the original report, that is correct.

Mr BRADSHAW: In one of the committee's meetings the chairman also said that he was driving that report. He admitted that during a committee meeting. Does he now deny that?

Mr Catania: I played a part in this. I do not deny that at all.

Mr BRADSHAW: Because the member for Balcatta was driving the report and we did not agree with it, do not blame us; the member has his own agenda.

Mr Catania: I contributed to the original report because it was my report as chairman.

Mr BRADSHAW: The member admitted that he was driving that report.

Mr Catania: The research staff wrote 90 per cent of that report.

Mr BRADSHAW: The member for Balcatta is trying to say that the committee put the report together. That is not correct. The member for Balcatta was driving the report and he admitted that in a committee meeting. From that angle, what the member said earlier today was incorrect. I have been accused of being driven by politics in this place. I can assure members that it has been very stressful for me over the last few weeks while considering the conclusions in the report. I supported the conclusions which were reached because of the evidence given to the committee. Members will appreciate what I am saying when they see the amount of evidence the committee took. It will be tabled in this House and anyone who wants to sift through it will find they have a large job ahead of them. From the evidence presented to the committee I reached the conclusions which are outlined in the majority report.

MR C.J. BARNETT (Cottesloe - Deputy Leader of the Opposition) [4.51 pm]: We have had a very long debate today about a vote of no confidence in the Premier of Western Australia. It is a most serious matter.

Mr D.L. Smith: You should take it that way.

Mr C.J. BARNETT: I am taking it very seriously.

I will make only one quote which is on page 49 of the Public Accounts and Expenditure Review Committee's report which is as follows -

As Minister for Education Dr Lawrence lied to the Parliament on 28 November 1989 in answer to a question from Mr Hassell.

Several members interjected.

Mr C.J. BARNETT: I repeat that the committee concluded that the Premier of Western Australia had lied to this Parliament.

Several members interjected.

Mr D.L. Smith: All the committee members did not say that she misled the Parliament.

Mr Kierath: It was a majority report. It is the majority of Parliament which decides and the same applies to a committee. The Minister should get his facts right.

Several members interjected.

Mr C.J. BARNETT: The committee concluded that there were six occasions on which the Premier had lied. The question asked by my predecessor, Mr Hassell, was whether a package of support was under consideration. The Premier denied there was a package of support under consideration. She did so against a proved background of two formal submissions to Cabinet and the consideration by Cabinet of that matter on four separate occasions. She also did so in an environment in which the former Deputy Premier David Parker was negotiating, and the Public Accounts and Expenditure Review Committee's report includes a legal opinion that he did so with the authority of the Parliament. I will

quote a second time from the report and I refer members to page 41 where it is reported that Professor J.C. Phillips, Professor of Law at the University of Western Australia said -

"... in my view Mr Parker as Deputy Premier and (I believe) Treasurer, would have actual or ostensible authority to bind the Government in respect of this matter."

There is no doubt there was a package and a proposal; there is no doubt that the matter was brought before Cabinet on two occasions and discussed by it on four occasions; and there is no doubt at all that Mr Parker, in whatever capacity but under legal authority of Government, was negotiating. When asked whether there was a package the Premier, the then Minister for Education, said there was none. We can argue this matter all day, but the committee's report concluded that the Premier lied.

Everything I have heard today confirms in my mind that she did lie. Regardless of the finesse of members opposite, the Premier lied to this Parliament and to the people of Western Australia. Members opposite cannot escape that conclusion; it is in the report in black and white and, as the member for Applecross said, it happened on six occasions. The committee might be wrong on one count, but it cannot be wrong on six.

What did the Premier do in her defence today? She gave us a patronising lecture on the operations of Cabinet which was very interesting and I quite enjoyed it, but did the Premier actually defend herself against the allegation of lying? She talked about Cabinet, minutes, "blues" circulation and the 10 day rule, but did she defend herself against the allegation of lying? The Premier did not. Instead, she came forward with what I call a form of quasi defence by saying she had been denied natural justice. She has been found to have lied and she said she has been denied natural justice and, indeed, that has been the subject of some debate today. Why did this committee not call the Premier to give evidence? After all, she was the Minister for Education at that time. Surely if the committee had a checklist of key witnesses her name would have been at the top of the list. She was a natural choice. If a committee is inquiring into an educational matter, and on this occasion it was a land grant to the University of Notre Dame Australia, of course it would seek evidence from the person who was the Minister for Education at that time. It is an absolutely natural thing to do. It is quite extraordinary that the committee did not seek evidence from the Premier, the then Minister for Education.

Several members interjected.

Mr Catania: You had the numbers.

Mr C.J. BARNETT: I will go along with the point made by the chairman of the committee.

The Premier, in her address this morning, said she was denied natural justice. She knew she was the Minister for Education at the time and she knew the terms of reference of the committee. If she had any concern at all, and given the report we have before us she would have very good reason for concern -

Several members interjected.

Mr C.J. BARNETT: Had the Premier any concern about her position or the committee's completing its job properly and reaching correct findings, surely she would have requested to appear before the committee or at least made a written submission. She did neither. The denial of natural justice was a strategy dreamed up last night. Suddenly today the martyrdom came out and she said she had been denied natural justice! Why did she not appear before the committee; why did the committee not invite her to appear before it; and why did the most obvious thing not happen? Could it be that the chairman and other members of the committee resisted inviting her or could it be that the Premier and/or her agents actively sought to ensure that she would not be called as a witness? I can think of no other reason that the Premier and Minister of the day did not appear before a committee inquiring into something for which she was responsible. She has no credibility on that score.

We have seen extraordinary behaviour from various Government members. All sorts of techniques have been used over the past 24 hours to divert attention from the finding that the Premier of Western Australia lied to this Parliament. We have witnessed many diversions; yesterday we spoke in this place about the orchestrated leaking of the information. That will be found out when the Select Committee on Privilege reports. We have seen an attempt by Government members to focus on briefings given to members of the Opposition and I refer

to the former Leader of the Liberal Party, the member for Kingsley, and so on. That might be an interesting discussion point; however, members should put it into some context. A briefing was given to the Opposition members. The member for Kingsley said that comments were made such as, "How do you feel about a joint venture?" One might say that he or she does not feel too good about a joint venture, or that perhaps one does, but there is a vast difference between a few ideas being floated around a room, and a Government and the responsible Ministers, with the power to sign contracts and give away land, being actively involved in detailed negotiations. It is nothing but a diversionary tactic by the Government to even refer to that. Attention has also been drawn by the Government to the absence of some members on this side of the House. Where is the Government's consistency on that issue? The Leader of the House asked why the Opposition did not introduce this motion last night. Two members of the Liberal Party are absent. The former Leader of the Opposition, the member for Jandakot, is in New South Wales on a trip that was planned months ago. The member for Marmion, Mr Jim Clarko, who is representing this Parliament in New Guinea, could not have been here last night. However, if the Leader of the House wants to adjourn this debate now, the Opposition will have it adjourned.

Mr Pearce: I am quite happy to take over the organisation of your party and put it on a sound footing, but can you ask me in advance?

Mr C.J. BARNETT: Does the Leader of the House want the debate adjourned so that all members can be present?

Mr Pearce: The House must vote on this today.

Mr C.J. BARNETT: How dinkum is the Leader of the House? He wanted the debate brought on last night, then he wanted all the members present, but now he does not want to adjourn the debate. The member has no credibility.

Mr Pearce: Members opposite cannot simply ask the Government to adjourn a motion of no confidence so that they can get their numbers ready. As the member for Darling Range said, the Opposition could not organise a two bed brothel. That is the truth about the Liberal Party. However, it cannot ask me to hold over for several days a vote of no confidence because it is not able to organise itself. That is Opposition members' responsibility; they are all grown up boys and girls now. All the Government's members are here. It called all its people back for this vote. It recalled members from the country areas and even stopped a member travelling to Taiwan because it takes this matter seriously. One of the Opposition's members has been doorknocking in Avon rather than being in Parliament.

Mr C.J. BARNETT: I am quite happy to take interjections but I am not prepared to listen to a speech from the Leader of the House. There were four diversionary attempts to shift the focus from the Premier and her line. The first was to leak the information. The second was to focus on the so-called briefings of fairly scant details to members of the Opposition. The third, as members have just witnessed from the Leader of the House, was to focus on people who are out of the State. The fourth and most serious diversionary attempt was the unprincipled attack on the Public Accounts and Expenditure Review Committee - an attack launched this morning by the Premier and backed by the Leader of the House, Deputy Premier and other Labor Party members. That situation is extraordinary. I waited all day to hear the member for Balcatta speak because I wanted to know whether he, as the chairman of that committee, would stand up and defend his committee. When the member spoke, not only did he fail to defend the committee, but also he joined in the attack. The Opposition calls on the member for Balcatta to resign as the chairman of that committee.

Mr Catania: Who else do you want to resign?

Mr C.J. BARNETT: He failed to defend that committee and joined the outrageous attack on the committee rather than defend it. He has nowhere to go. If the member has any integrity he must resign from his position.

Mr Pearce: Let's resign the whole committee!

Mr C.J. BARNETT: I remind the House that there is no doubt that the former Minister for Education and now Premier of Western Australia, sadly for this State - party politics aside - lied to this Parliament on at least six occasions. Carmen Lawrence is now known in the community as a liar.

MR COURT (Nedlands - Leader of the Opposition) [5.04 pm]: This has been a very serious debate. It has taken a day in this House to debate the motion of no confidence in the Premier. As the Leader of the House knows, it is a convention of this Parliament that a motion of this type be introduced at the earliest possible opportunity.

Mr Pearce: I pointed that out this morning.

Mr COURT: I know that. The Leader of the House criticised the Opposition for not having introduced this motion yesterday. The Government has taken much joy in running around with the media. It has a very effective mechanism to build up much misrepresentation of information. As I explained earlier today, I believe that this morning was the earliest possible opportunity for this motion to be introduced. The member for Floreat mentioned that this motion should be deferred until next week. Under the conventions of this House it would not be proper for that to occur. It is disappointing that, to my knowledge, three of the Independent members will abstain from this vote. To his credit, the member for Morley explained last night that he was prepared to support a suspension of Standing Orders so that this motion could be debated today. However, because of a commitment he had given publicly, along with the member for Perth, he would not support a no confidence motion in the Government which could lead to the resignation of members and possibly to an early poll. It is important that the public understand the procedure relating to this matter. At least two Independent members have stuck by their word on this issue, and the Opposition cannot complain about that. It is particularly important that the media understand the convention on no confidence motions because much misinformation has circulated the corridors of Parliament House today.

Opposition members listened in silence to the Premier's opinion on whether the majority report's findings that she had lied to and misled the Parliament were accurate. It was an interesting speech, but did not get to the point. The first part of the Premier's speech cleverly tried to paint a picture that under the Labor Government the operation of the Ministry of the Premier and Cabinet has changed. She implied that now there is a "you-beaut" system in place where terrific records are available and people have a good knowledge of what is taking place in the Cabinet. A couple of changes have occurred in the ministry. The first is that the ministry is about 20 times bigger than it used to be but is regarded as being ineffectively administered. The 1988 period about which I am talking was when the WA Inc debacles were at their height. The Royal Commission has made the observation that it had no problem getting all the records of Cabinet meetings and departments which were kept during the Liberal Government. However, it complained that under the Labor Government, from 1983 onwards and as its term proceeded, the Cabinet minutes became smaller and smaller, and more and more departmental records were missing. That is the difference between the two Governments. The Government has tried to paint the picture today that it has kept pretty good records; however, the Royal Commission has found otherwise.

Mr Gordon Hill: The Royal Commission has lost a lot of reports itself.

Mr COURT: The Minister is the last person who should be speaking about losing reports! I mentioned in my earlier comments the cowardly approach adopted by the Government in this matter. It first denigrated the committee and attacked the personalities of the members, and then tried to blame David Parker for everything. The Leader of the House said at one stage that the Treasurer was a different person from the Premier, and he might have been carrying on those negotiations. It is important that all members understand that the former Deputy Premier, Mr Parker, resigned on 26 April 1990. We are talking about a series of Cabinet meetings and minutes in October 1990, long after he had gone. The Government cannot blame Mr Parker for Treasury preparing Cabinet submissions in relation to guarantees, when the chap was not there. The Government has been playing verbal gymnastics. Imagine the Minister for Land's arguing about the meaning of the words "established in Fremantle". He wanted us to believe that that meant "established anywhere". Imagine being so pedantic!

The reality is that commercial dealings took place, and the Government knew about it but did not tell this Parliament. The Premier, Deputy Premier and other members on the Government side of the House have done nothing to change the view of this Parliament that they did, in fact, lie and mislead the Parliament. They cannot do so, because the facts have been laid out and the Government cannot refute those facts. The Premier tried to, but she was unsuccessful. As the Deputy Leader of the Opposition pointed out, the Government was

prepared to go to the extent of denigrating the Public Accounts and Expenditure Review Committee and its members, and when the chairman of that committee spoke in this debate he did not defend the operations of his committee against a Premier who, on a television program last night, said the committee system did not work and that it was wrong.

This Parliament operates under the Westminster system which determines the standards by which it is run and by which you, Mr Speaker, control the House. We are faced with the findings of a majority report and, following our investigation into that report, we believe the findings are quite justified. According to the standards set under the Westminster system the appropriate action for the Premier and Deputy Premier would be to resign, without our introducing a motion in this Parliament. However, we recognise that these people do not play by the rules and, in the true WA Inc fashion of the Burke and Dowding Governments, they will continue to tough it out. The issue raised in this House today will not go away, irrespective of whether the Government likes it, because it adds further to the events of the past nine years. As one Independent member said, the Government might survive this no confidence motion but the public is losing confidence in a Government that has given us a decade of this type of rule.

Division

Question put and a division taken with the following result -

Ayes (21)			
Mr Ainsworth	Mr Grayden	Mr Nicholls	Mr Watt
Mr C.J. Barnett	Mr House	Mr Omodei	Mr Wiese
Mr Blaikie	Mr Kierath	Mr Shave	Mr Bradshaw (<i>Teller</i>)
Mr Bloffwitch	Mr Lewis	Mr Strickland	
Mr Court	Mr McNee	Mr Fred Tubby	
Mrs Edwardes	Mr Minson	Dr Turnbull	
Noes (27)			
Mrs Beggs	Mr Grill	Mr McGinty	Mr Taylor
Mr Bridge	Mrs Henderson	Mr Pearce	Mr Thomas
Mr Catania	Mr Gordon Hill	Mr Read	Mr Troy
Mr Cunningham	Mr Kobelke	Mr Riebeling	Dr Watson
Dr Edwards	Dr Lawrence	Mr Ripper	Mr Wilson
Dr Gallop	Mr Leahy	Mr D.L. Smith	Mrs Watkins (<i>Teller</i>)
Mr Graham	Mr Marlborough	Mr P.J. Smith	

Question thus negatived.

[Questions without notice taken.]

House adjourned at 5.38 pm

QUESTIONS ON NOTICE

SEPTIC TANKS - EFFLUENT FORCED TO SURFACE BY HEAVY RAINS

Locations - Health Risks

1021. Mr McNEE to the Minister for Health:

- (1) Are there any areas in the Perth metropolitan area where effluent from septic tanks is being forced to the surface by heavy rains this winter?
- (2) If so, would the Minister provide a list of the localities affected?
- (3) What are the health risks associated with this sort of problem?
- (4) What is the Government doing to minimise such risks in -
 - (a) the short term;
 - (b) the long term?

Mr WILSON replied:

(1)-(2)

Yes. There have been some problems in the Belmont and South Guildford areas due to rising groundwater due to heavy rains.

- (3) If the problem is not managed by reducing the surface flooding, potential health risks may occur from infectious type diseases; for example, hepatitis A and gastroenteritis.
- (4)
 - (a) The Minister for Water Resources has advised the Water Authority will be commencing the construction of additional sewers in some areas of Belmont in approximately two months' time.
 - (b) Restriction on future development without sewer in accordance with the Government's sewerage policy and initiatives to phase out septic tanks under the MUST program.

POLICE - REGIONALISATION OF TRAFFIC PATROLS, RURAL AREAS

Implementation

1054. Mr BRADSHAW to the Minister representing the Minister for Police:

- (1) Will the proposal to relocate Police traffic officers from country towns to regional centres be proceeded with?
- (2) If so, when?
- (3) Which towns will be affected?

Mr GORDON HILL replied:

- (1) Yes.
- (2) Has commenced but will be in operation over three to four years depending on human and financial resources.
- (3) Modules will be located at -

Kununurra	Kalgoorlie
Derby	Merredin
Broome	Northam
South Hedland	Norseman
Karratha	Narrogin
Newman	Bunbury
Carnarvon	Busselton
Meekatharra	Manjimup
Leonora	Albany
Geraldton	Katanning
Dalwallinu	Collie
Tom Price	Esperance
Three Springs	Eucla
Exmouth	

POLICE - DRUG TRAFFICKING*State and Federal Police Cooperation Measures - Division of Responsibilities; Street Value of Drugs Seized*

1096. Mr COWAN to the Minister representing the Minister for Police:

- (1) What formal and informal means are used to ensure maximum co-operation between the State and Commonwealth Police in the detection of drug trafficking in and through the State?
- (2) What is the division of responsibilities between the State and Commonwealth Police in relation to this issue?
- (3) For each of the last five years, what has been the volume and/or estimated street value of the various illegal drugs seized by police -
 - (a) at Perth Airport;
 - (b) elsewhere in the State?

Mr GORDON HILL replied:

- (1) A formal procedure exists between the Intelligence Units of the Australian Federal Police and State Police Force to exchange information relevant to each other's jurisdiction. The Drug Squads of the Federal and State police have a more informal interaction of information through specially appointed liaison officers.
- (2) The Australian Federal Police and Customs Service are jointly responsible for law enforcement in relation to the importation of illicit drugs into Australia, utilising the legislation of the Customs and Crimes Acts. The State police deal with matters involving manufacture, cultivation, distribution and use of illicit drugs within the State. This is controlled by the Misuse of Drugs Act and Poisons Act. Each jurisdiction is empowered to invoke the Statute law of the other.
- (3)
 - (a) The area of seizure of illegal drugs at the Perth Airport has until recently, been the responsibility of the Australian Federal Police. The Perth International Airport still remains under their jurisdiction. No State statistics are available on the various drugs seized at either airport.
 - (b) It is difficult to quantify, or draw comparisons between the amount of drug seizures over the past five years, due to the many different types of illicit drugs seized and the different methods of measuring those drugs. Statistics of individual drugs are available. The estimated street value of the drugs seized, as per the Western Australian Police annual reports are -

1986-87	\$34 856 571.01
1987-88	\$24 697 598.94
1988-89	\$32 875 885.00
1989-90	\$20 667 325.00
1990-91	\$33 778 725.00

POLICE - RURAL TOWNS*One Officer Stations*

1097. Mr COWAN to the Minister representing the Minister for Police:

Which country towns currently have one officer Police stations?

Mr GORDON HILL replied:

Bencubbin
 Broomehill
 Dumbleyung
 Dwellingup
 Gascoyne Junction

Koolan Island
Nannup
New Norcia
Trayning
Wickepin
Yalgoo

POLICE - DOMESTIC DISPUTES
Intervention Guidelines and Special Powers

1121. Mr COWAN to the Minister representing the Minister for Police:

- (1) What special powers currently exist to enable the Police to intervene in a domestic dispute?
- (2) In practice, what guidelines are used to determine whether or not to intervene?
- (3) (a) Do the Police have the power to press an assault charge if no formal complaint is made by the victim;
(b) if yes, what is the approximate proportion of violent domestic disputes attended by the Police where this power is used?

Mr GORDON HILL replied:

- (1) There are no special powers attributed specifically to domestic disputes.
- (2) Domestic disputes in practice are treated in the same manner as any other dispute or offence involving personal violence. There are guidelines relating particularly to domestic disputes, contained in police routine orders. The current emphasis is on intervention and mediation, but where evidence of an offence exists the appropriate charge is preferred.
- (3) (a) Yes, provided that there is independent evidence that will be supported by the victim in any subsequent court process, or the victim is not in a position because of physical injury or some other circumstance to formally complain.
(b) No statistics are available.

GOVERNMENT DEPARTMENTS AND AGENCIES - QUESTION ON NOTICE
1863 (1991)

Actual Rates, Charges, Levies, and Fees Details

1134. Mr HOUSE to the Deputy Premier, Minister for State Development; the Goldfields:

In relation to the answer to question on notice 1863 of 1991 as the 1991-92 and 1982-83 Budget papers and annual reports only contain totals of estimated receipts for departmental revenue, would the Minister provide details of all the actual rates, charges, levies, and fees which were imposed under the Minister's portfolio responsibilities in those financial years?

Mr TAYLOR replied:

See Premier's response to question 1133.

GOVERNMENT DEPARTMENTS AND AGENCIES - QUESTION ON NOTICE
1873 (1991)

Actual Rates, Charges, Levies, and Fees Details

1144. Mr HOUSE to the Minister for Aboriginal Affairs; Multicultural and Ethnic Affairs; Seniors:

In relation to the answer to question on notice 1873 of 1991 as the 1991-92 and 1982-83 Budget papers and annual reports only contain totals of estimated receipts for departmental revenue, would the Minister provide details of all the actual rates, charges, levies, and fees which were imposed under the Minister's portfolio responsibilities in those financial years?

Dr WATSON replied:

See Premier's response to parliamentary question 1133.

POLICE - SOUTH PERTH STATION
Relocation and Staff Transfer Proposal

1149. Mr GRAYDEN to the Minister representing the Minister for Police:

- (1) Has the Commissioner of Police been approached with a request that the South Perth Police Station be relocated and the staff transferred?
- (2) If so -
 - (a) What was the reason given for the request;
 - (b) what was the source of the request;
 - (c) have any South Perth community organisations indicated support for the proposal;
 - (d) is the Police Department giving serious consideration to the proposal;
 - (e) if the answer to (d) is yes, will the Minister undertake to receive a deputation comprising residents and organisations in South Perth that strongly oppose closure of the Mends Street facility before any decision is made on the proposal?

Mr GORDON HILL replied:

- (1) Yes.
- (2) (a) South Perth Police Station is not central to the area population. The Village Green Shopping Centre at Karawara is a preferred location.
- (b) Letter from a member of the Legislative Council.
- (c)-(d) No.
- (d) Answered by (d).

MINES REGULATION ACT - AMENDMENTS
Proclamation Date

1207. Mr KIERATH to the Minister for Mines:

- (1) Considering that amendments to the Mines Regulation Act 1946 were passed through both Houses of Parliament approximately two years ago, when is it expected that this legislation will be proclaimed?
- (2) Why has it not been proclaimed to date?
- (3) Has the Kelly report been a factor in this delay?
- (4) (a) Is there disagreement between Ministers;
- (b) has this affected proclamation in any way?
- (5) How is this delay contributing to safety and welfare in the mining industry?

Mr GORDON HILL replied:

- (1) A date has not yet been set for proclamation. Refer response point (2).
- (2) Proclamation of the amendments has been delayed pending consideration of the report of the Kelly inquiry into occupational health and safety in the mining industry, in order to develop appropriate regulations and for the issue to be discussed with various parties affected by the legislation.
- (3) Refer response point (2).
- (4) (a) Relevant Ministers have been discussing the issue to enable all matters to be taken into consideration before a decision is made.
- (b) Refer to points (2) and (4)(a).
- (5) It is my understanding the mining industry is starting to put in place the requirements of the legislation, in anticipation of proclamation. The delay,

necessary to finalise important related issues, should not, and as far as I know, is not being used to avoid obligations in relation to occupational health and safety.

**RANGEVIEW REMAND CENTRE - HIGH SECURITY INTERNMENT FACILITY
UPGRADING PLANS**
Landscaping

1247. Mr MacKINNON to the Minister for Community Development:

- (1) Has the Government any plans to upgrade the Rangeview Remand Centre into a high security internment facility?
- (2) If so, what are the details of those plans?
- (3) What landscaping is proposed at the centre to screen the facility visually from residents and motorists?

Mr RIPPER replied:

- (1) The Rangeview Remand Centre as is usual with remand facilities is already designated as a high security centre.
- (2) Not applicable.
- (3) An amount of \$130 000 has been set aside for extensive landscaping and planting on the Rangeview site. Extensive landscaping has already been undertaken between the main entrance to the centre and Murdoch Drive.

**AGRICULTURE PROTECTION BOARD - BIRD PESTS CONTROL,
HORTICULTURAL INDUSTRY**
Mist-netting

1269. Mr HOUSE to the Minister for Agriculture:

Can the Minister outline the position of the Agriculture Protection Board with regard to the use of mist-netting to control bird pests in the horticultural industry?

Mr BRIDGE replied:

The Agriculture Protection Board recognises the need for the control of bird pests in the horticultural industry and has experimented on the use of mist nets for the control of parrots in orchards and silvereyes in vineyards, with indecisive results. Recent changes to Federal regulations governing supply of mist nets mean that they cannot now be obtained for experimentation on, or be used for, the control of birds. The Agriculture Protection Board has therefore withdrawn from further experimentation on mist nets.

**WATER AUTHORITY OF WESTERN AUSTRALIA - WORKING PARTY ON
RATES AND CHARGES**

Meetings - Gross Rental Value System Replacement, New Charging Policy

1271. Mr HOUSE to the Minister for Water Resources:

- (1) Further to question on notice 1028 of 1992, has the working party on water authority rates and charges met since 28 October 1987?
- (2) If yes, can the Minister outline when these meetings occurred and the issues discussed?
- (3) How long will the move away from basing water charges for non-residential on the gross retail value take?
- (4) What charging policy will the authority introduce to replace the gross rental value system?

Mr BRIDGE replied:

- (1) No.

- (2) Not applicable.
- (3) The speed of tariff reform away from charges based on gross rental value will be determined by the amount of change in the incidence of charges that the community is willing to accept each year. The change in the incidence of charges that would occur with any reform would be substantial. It is envisaged that the most acceptable sequence of change would be the phasing out of GRV based charges over a five to 10 year time frame.
- (4) A pay-for-service charge based on some physical characteristic of the service provided is the most likely option. This charge would be based on the standard of service that is available and could be related to the potential flow rate from the service or the size of the service or meter.

BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND - CONCERNS

Legislation Review; Moratorium on Levy Payment by Agriculture and Mineral Resources; Revenue

1273. Mr KIERATH to the Minister representing the Minister for Training:

- (1) With respect to the building and construction industry training fund (BCITF), is there a high level of dissatisfaction with the BCITF, and that it is considered by the business community as an unreasonable tax on development?
- (2) Will the Minister review the legislation with a view to addressing these concerns?
- (3) Will the Minister confirm that a moratorium on the collection of the fund has been granted to the agricultural and mineral resources industries?
- (4) What revenue has been collected by the fund to date?
- (5) How have these funds been used?

Dr GALLOP replied:

The Minister for Training has provided the following reply -

- (1) No.
- (2) The Building and Construction Industry Training Fund and Levy Collection Act requires that a review be undertaken within six months of the third anniversary of the day on which the Act comes into operation, which effectively is the latter half of 1994, as the Act commenced operations on 1 July 1991.
- (3) A moratorium on the payment of the levy by resource and agricultural industries has been granted. Discussion on the interpretation of the criterion as it impacts on the resource and agricultural industries has been undertaken.

(4)-(5)

The member is referred to the answer to question 1026.

ROEBOURNE - SWIMMING POOL *Government Funding*

1275. Mr BRADSHAW to the Minister representing the Minister for Sport and Recreation:

- (1) Is the Government funding a swimming pool at Roebourne?
- (2) If yes, where will the funding be allocated from?

Mr GORDON HILL replied:

- (1) Yes.
- (2) Jointly funded by the State Government and the Roebourne council. State Government funds have been allocated from the community sporting and recreation facilities fund and the Department of State Development.

QUESTIONS WITHOUT NOTICE

UNIVERSITIES - LAND ENDOWMENT

Urban Zoning - Valuation \$24 million

332. Mr COURT to the Premier:

- (1) Is the land to be used to provide endowment income for the State's universities zoned for urban development?
- (2) Is the valuation of \$24 million based on its being zoned urban?

Dr LAWRENCE replied:

(1)-(2)

I am sure it has been said before, but I was just checking with the Minister for Housing, that the land is zoned urban but subject to the approval of Parliament for the change to the zoning. I am not directly involved, but that is the advice I am given. Clearly, the valuation is based on the assumption of an urban zoning. The Minister for Housing has outlined before to this Parliament that the valuation of \$24 million is based on that assumption. Were the Parliament to see fit to knock that back - and given the perversity of this place it is a remote possibility - the outcome might be different. Based on that Executive Council decision and subject to parliamentary ratification, the land is valued at \$24 million.

MOTION OF NO CONFIDENCE - PREMIER

Member for Avon's Participation

333. Dr EDWARDS to the Leader of the House:

Did the member for Avon take part in today's debate on the no confidence motion against the Premier?

Mr PEARCE replied:

No. The member for Avon, who is a member of the Public Accounts and Expenditure Review Committee, the report of which was effectively being debated today, was not in the Parliament during the course of the debate to either speak or cast a vote on the issue. That did not stop him from speaking on commercial radio in Perth calling on the Premier to tell the full story with regard to the claims he, among others, made in the report. On the one o'clock news program on radio station 96FM the following report was made about the member for Avon who called from Geraldton, where he was campaigning for the National Party candidate against the Liberal Party member who was in this Chamber to hear the explanation and cast his vote -

One of the report's authors, National Party MP, Max Trenorden, has called on both Carmen Lawrence and Ian Taylor to tell the full story. He says the report has been based on hard evidence and not allegation.

From long distance, the member for Avon was recorded as follows -

It's clear, it's on the record. It's clear, that both of those individuals said that once it got to government they wiped the slate clean of Notre Dame. They misled the Parliament, grossly. And it's on their heads. It's up to those two individuals now to tell the state exactly why they did that process.

The reason they would have to tell the State and not the Parliament is that is the only way the member for Avon will hear about it. He is in the State; he is not in the Parliament. It is disgraceful that the member, who is a signatory to the Public Accounts and Expenditure Review Committee report, would absent himself for party political campaigning when an issue such as the fate of the Government is on the line. That shows how seriously he and the National Party take the issue. In all of the low standards that have been shown in the various parts of this debate, no-one has shown a lower sense of his own personal responsibility than the member for Avon.

UNIVERSITIES - LAND ENDOWMENT
Vice-Chancellors, Informed by Premier Date

334. Mr HOUSE to the Premier:

Can the Premier tell me exactly on what date she informed each vice-chancellor of the universities of the endowment land grant outlined by Minister Hallahan earlier this week?

Dr LAWRENCE replied:

At no stage have I indicated to anyone that I informed them. That was left to the Deputy Premier and the Minister for Education.

POUND STERLING - DEVALUATION
Implications for Economy of Western Australia

335. Mr CATANIA to the Premier:

What are the implications for the State economy of this week's sharp drop in the value of the pound sterling?

Dr LAWRENCE replied:

We have been here now for two days debating a matter that while it might have been seen as serious, particularly by "external" members of this Parliament, it has obviously not been regarded as serious by members of this Parliament either as to the quality of the debate, or the willingness to attend and organise parties to be here, everyone in this Parliament can reach the reasonable conclusion that this was a stunt. While members opposite have been indulging themselves in this way - and the people of Western Australia understand that that is what they have been doing - there are things going on around the world of great significance to Western Australia. One is the very serious fluctuations in the United Kingdom of the pound sterling, and the suspension of its membership of the mechanism for tying currencies to one another, the meeting in Brussels - all of which have potential to seriously influence the Western Australian economy.

I take the opportunity to inform the House I have been assured by Treasury officials that in the short term there is not likely to be any serious repercussions for our economy. However, over the past week the pound sterling has fallen about 15 per cent against the Australian dollar, and that is a dramatic fall which has obvious consequences for our trading position with Britain. Britain remains a major trading partner for Western Australia. The United Kingdom trade accounted for three per cent of our exports and seven per cent of our imports in 1991-92, and some impact can be expected. Nonetheless the return on our exports to the United Kingdom is likely to decline - something that should not be greeted with good cheer by members of the National Party. It is something that should be the subject of concern by this Parliament, and something that should have been debated in the course of the Budget debate. Where is the Budget and where are the Bills that we have prepared particularly to allow further changes to the Marandoo State agreement Act? What have we been doing instead? Entertaining the Opposition!

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Inquiry - Ministerial Discussions

336. Mr C.J. BARNETT to the Minister for Construction:

- (1) Has the Minister discussed with the Minister for Corrective Services matters pertaining to the current inquiries into the Department of Corrective Services' building services division?
- (2) If so, what is the Minister's understanding of allegations of mismanagement, misappropriation of public funds, and potential fraud within the department's building services division?

Mr McGINTY replied:

(1)-(2)

The short answer is no, with one minor exception. That is, about a fortnight ago the Minister for Corrective Services came to the back of this Chamber behind the Chair to ask me whether I had any recollection of discussing the matters internal to the Department of Corrective Services with him. His recollection was that I had not. I informed him that I had never discussed the matters with him, to the best of my recollection, and neither had he with me. Therefore the answer to the question is no.

EDGELL-BIRDS EYE - NOT WANTED CLAIMS

337. Mr P.J. SMITH to the Minister for State Development:

Has the Minister any evidence to support claims that Edgell-Birds Eye has been told that it is not wanted in Western Australia?

Mr TAYLOR replied:

Yes, and it is astounding that that should be the case. Edgell-Birds Eye is part of the Petersville group which employs about 3 700 people in Western Australia. Edgell-Birds Eye employs a reasonable number of people in this State, including about 100 directly dependent and a few indirectly dependent on its operations in the Manjimup area. I read with absolute astonishment that - coming from an Opposition that says it is pro-development and supposedly supports deregulation in Western Australia - the member for Warren is prepared to say that if Edgell-Birds Eye is not prepared to adopt a conciliatory approach to an overall industry structure, there is no place for the company in Western Australia. I find it astounding that a member who represents an area where the company puts probably \$40 million a year into the economy, where the company employs his constituents -

Mr Court interjected.

Mr TAYLOR: I made certain they stayed here last year!

It is a disgrace that the member can say to a leading food processing company like Edgell-Birds Eye that there is no place for that company in Western Australia, when we are in the process of trying to build up our reputation and standing, and to increase the number of jobs in the food processing area. It is about time the Leader of the Opposition showed enough courage to pull into line a few of his weak-minded members.

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION *Inquiry - Ministerial Discussions*

338. Mr BLOFFWITCH to the Premier:

- (1) What is the Premier's understanding of the irregularities which have caused the current inquiries into the Department of Corrective Services' building services division?
- (2) Has the Minister for Corrective Services kept the Premier fully informed on this matter?
- (3) Has the Minister for Construction kept the Premier fully informed as to the Building Management Authority's role in respect of its dealings with the building services division of the Department of Corrective Services and previously identified concerns of the BMA in respect of the purchasing process at the Department of Corrective Services?

Dr LAWRENCE replied:

(1)-(3)

The Minister for Construction and Housing has indicated that he has not had discussions with the Attorney General, and neither have I. Neither have I had discussions with the Minister for Construction and Housing except to simply turn around and ask him whether this matter had been drawn to anyone's

attention. It is probably being investigated by the people who have been given that job. It is not my role as Premier to interfere in that process. It should properly be undertaken. If there has been any impropriety it will be dealt with properly.

MARANDOO MINE - IRON ORE RESOURCE
Economic Assumptions Validity

339. Dr ALEXANDER to the Minister for State Development:

- (1) Has the infill drilling program at Marandoo in the Pilbara confirmed that resources of iron ore are as extensive and valuable as predicted?
- (2) Are some reports that the resource is less extensive than anticipated correct?
- (3) In the light of such reports, are the economic assumptions of mine life and extent as outlined in the project environmental review and management program still valid?

Mr TAYLOR replied:

(1)-(3)

Hamersley Iron Pty Ltd did not mention concerns about the size or quality of ore body at Marandoo when I was present at the opening of its Brockman detritals operation. It is important to recognise that the Marandoo ore body is one important step in the company's development plans for its iron ore operations in the Pilbara. It is a critical one in the sense of following on from the operations at Tom Price as they start to wind down, and for the further development of other operations that exist to the east of the national park. I do not think anyone should underestimate the importance of the development of that particular deposit.

PORTS - FREMANTLE
Liberal Party Plans, Shipping Activity Cuts

340. Mr THOMAS to the Minister for Transport:

Is the Minister aware of Liberal Party plans for the Port of Fremantle which include reducing shipping activity through the port and privatising some services?

Mrs BEGGS replied:

I am aware of the plans the Liberal Party has for the Port of Fremantle. I am sure that many members in this House would agree with me that those plans would be a disaster for not only the port, but also the surrounding communities. I am very surprised to see the endorsed Liberal candidate for Fremantle, Mr Storey, is publicly promoting the party's disastrous plans for the port.

Mr Lewis: Was he involved in the Fremantle Port Authority?

Mrs BEGGS: One very vocal critic of Mr Storey said that his plans for the port would cost hundreds of jobs and cause small businesses to close. This critic said that Mr Storey's proposal to cut the port's vessel count by 40 per cent and cargo by 70 per cent would devastate the Fremantle and surrounding communities. This critic also said that it was scandalous that anyone would suggest removing jobs and placing more people in this area on the unemployment list, and that it would be sheer lunacy to reduce the port's activities and attempt to replace them with residential blocks and some industry. Finally, this critic said that it was insulting to the people of Fremantle to have their unique town compared with Toronto, Canada, as Mr Storey had done. The critic said that Mr Storey wanted to remove the character of Fremantle and replace it with a sterile, basically residential development that could be found anywhere.

Mr Shave: He was not a Liberal candidate when I said that.

Mrs BEGGS: The strident critic has just identified himself. It is none other than the member for Melville.

Dr Lawrence: The Leader of the Opposition said, as the Minister was reading out the member's comments, that that was ridiculous.

Mrs BEGGS: Did he?

Mr Court: I pointed out that it was not our policy, and the Premier knows it. The member for Fremantle knows who is against it too.

Mrs BEGGS: The member for Melville had quite a few other comments about his colleague Mr Storey, the Liberal Party candidate for Fremantle. The one comment that he made that I thought was really interesting was that he thought Mr Storey had cast serious aspersions on conscientious people and he found that totally unacceptable.

Mr Shave: Did you also mention when these comments were made by Mr Storey?

Mrs BEGGS: It does not matter, he is your candidate.

Mr Shave: I stand by my comments.

Mrs BEGGS: That is very good, because I must pick up the member for Melville on a point. In a Press release the member for Melville said that port activity had been going for more than two centuries. Actually the settlement of Fremantle was in 1829. I will correct the member for Melville, because I want to agree with him this time.

LOCAL GOVERNMENT - STIRLING CITY COUNCIL *Ward Boundary Changes*

341. Mr STRICKLAND to the Minister for Local Government:

With respect to the recent submission made to the Minister on changes to ward boundaries by the City of Stirling -

- (1) Was a deadline set by the Minister for the lodgment of this submission?
- (2) Was the requirement to make a submission the result of a ministerial request?
- (3) Is the Minister aware that there has been a total lack of community consultation or input on the proposals submitted?
- (4) Has any member of Parliament made representation to further adjust these boundaries to date and, if so, who?
- (5) Will the Minister allow an opportunity for other members to have input prior to his making a decision?

Mr D.L. SMITH replied:

(1) Yes. I met the Mayor of the City of Stirling early this week and told him I would be making a final decision by the end of this week.

(2)-(5)

The degree of community consultation in these matters is a matter for the local authority, and I am not personally aware of the exact process that the City of Stirling has been through. I am aware that the member for Scarborough has made comments through the local Press, which I have read, and if he thinks that is a representation I will take that as a criticism of the boundaries of the new Scarborough ward.

Mr Strickland: I have not made a representation, but he should tell the House who has.

The SPEAKER: The member for Scarborough has a good publicist.

Mr D.L. SMITH: I have certainly read the member's comments in the Press. Three different proposals have been forwarded to me from the City of Stirling. I understand that the first set was prepared by the staff, the second by what one

might call the Labor element on the council, and the third by the Liberal members of that council. I understand those sections of the council consulted with their Labor or Liberal counterparts in this Parliament in the course of preparation of those proposals. I am more inclined to accept the set prepared by the staff.
