

Legislative Council

Thursday, 27 August 1992

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

PETITION - PORT KENNEDY AREA PROTECTION

Regional Park Creation Support - Golf Courses or Large Scale Tourist Facilities Disallowance

Hon Reg Davies presented a petition bearing the signatures of 547 citizens of Western Australia urging the Parliament to protect the outstanding scientific, recreational and conservation values of the Port Kennedy area by creating a regional park and requesting the Parliament to refuse to allow the development of a tourist facility, golf courses and marina in the Port Kennedy area.

[See paper No 351.]

ELECTORAL AMENDMENT (POLITICAL FINANCE) BILL

Instruction to Committee of the Whole

THE PRESIDENT (Hon Clive Griffiths): It is quite proper for this item to appear on the Notice Paper as a motion but it would not be appropriate to deal with it until the Bill has been read a second time.

MOTION - STANDING ORDER 230 AMENDMENT

New Paragraph - Second Reading Speech, Tabled and Incorporated in Hansard

HON J.M. BERINSON (North Metropolitan - Leader of the House) [2.35 pm]: I move -

That Standing Order No 230 be amended by adding a new paragraph as follows -

- (2) For the purposes of this order it is sufficient in relation to a Bill originating in the Legislative Assembly to move the motion for the second reading and then Table a copy of the speech that would otherwise be given orally by the Minister or Member in charge of that Bill. Any speech so Tabled shall be incorporated in *Hansard*.

This is a matter of limited practical effect, but one which I think must have occurred to almost all members at some time. I have in mind a situation where a Bill has passed through the Legislative Assembly and is introduced into the House in circumstances where there has been no change to the Bill in the course of its consideration in the Assembly and for all practical purposes no change to the second reading speech either. I am quite sure that I will not be the only member of the House to have been impressed with the fact that speeches in those circumstances are very often delivered in a way which defies comprehension in that they are read so quickly, and in some cases, which has caused some complaints, quietly as well. The whole process comes down to meeting a requirement of form rather than any requirement of practical purpose. This motion suggests that we should consider doing away with that process and, where the circumstances are appropriate, take advantage of a rule which would allow the second reading to be moved but the second reading speech to be tabled. I expect that to be followed by an order that any second reading speeches tabled in that way would be incorporated in *Hansard*.

I am very conscious that it could be argued that even the second reading speech of Bills which originate in this House are also gabbled from time to time. Members will have had experience of that as well, especially as sessions move towards their end. Nonetheless, and in spite of various forms we maintain to assert the separateness and independence of this House, the truth is that where a Bill is introduced in the other House and the second reading speech is for all practical purposes unchanged when it is due to be presented in this Chamber, no real purpose is served by going through the process again. There is nothing ideological about this; that will be obvious to everyone. I put the proposal in an open way for the consideration of members in the hope that they will consider whether anything would be lost

by doing without the formality. In my view, nothing at all would be lost and, on the contrary, we would gain both time and a semblance of sense about what we are doing, which is very often absent in current circumstances. On that limited basis, I commend this motion to the House.

HON GEORGE CASH (North Metropolitan - Leader of the Opposition) [2.41 pm]: The Opposition has given consideration to this motion and is unable to support it. I shall give the reasons for the Opposition's decision and comment on some of the matters raised by the Leader of the House in his speech in support of the motion. Firstly, the Leader of the House argued that no real purpose is served by reading a second reading speech in this House, I assume on the basis that it had been read previously in another place. That attacks the fundamental structure of both Houses, inasmuch as both the Legislative Assembly and the Legislative Council are separate, distinct and independent Houses of Parliament in this State. Our Standing Orders clearly recognise that because one in particular states that members in this House may not recognise the proceedings in the other place. That surely identifies the separateness and independence of this House. The Leader of the House also talked about whether any practical purpose was served by reading a second reading speech in this House. I put it to members that Parliament is all about people talking, speaking, conversing and debating but, more than that, it is about listening to what other parties or persons may say with regard to all manner of things. This is a public place - I am pleased to see Hon Doug Wenn listening so intently to my comments - and that is why there is a Public Gallery which is open at all times the House is sitting.

Hon J.M. Berinson: Have you ever observed the faces of the members of the public in the Public Gallery as we have gone through this garbled process on many occasions?

Hon GEORGE CASH: Yes I have, and on controversial matters I have observed the public to listen very intently to every word the Minister has uttered in the second reading speech. On less controversial matters they do not appear to be as interested.

Hon J.M. Berinson: Or present in such large numbers.

Hon GEORGE CASH: The Leader of the House is correct that they are not present in such large numbers. On occasions, much to my disappointment, I have observed that the Public Gallery is not filled to capacity. However, the fact remains that the Public Gallery is open at all times the House is sitting for the very reason that every citizen in this State is entitled to come into the Public Gallery and listen to the comments of any member in a second reading speech on a Bill. It is now proposed to incorporate second reading speeches in *Hansard* and thus deny not only members of the public, but also members of this Parliament the opportunity of listening to the reasons a member may wish to put forward for proposing legislation in this House. That strikes at the heart of the fundamental principles of this Parliament. The Public Gallery is open to the public, and the debates in this House should not be hidden. More than that, the process enables members of the public to be informed of the Government's intentions. I suggest that the Minister seeks to take away from the public its right to hear the views of the Government and other members with regard to second reading speeches for the introduction of Bills.

Hon Max Evans: How could it be called a second reading speech if it were not a speech but was tabled for incorporation in *Hansard*?

Hon GEORGE CASH: That argument could indeed be followed. This Chamber is very much a public debating place. If the Leader of the House is arguing that it takes some time to read a second reading speech to the House and have it recorded in *Hansard* and that is one of the reasons for automatically incorporating the speech in *Hansard*, I point out that the opportunity exists for the Government to make its second reading speeches shorter.

Hon J.M. Berinson: Hon Max Evans always complains that we do not put enough details in second reading speeches.

Hon GEORGE CASH: On average we spend no more than 10 minutes a day throughout the session on the reading of second reading speeches in this House. If the Leader of the House wants to start parliamentary proceedings 15 minutes earlier every day for the purpose of maintaining the reading of second reading speeches, not just to the House but also the community, I am sure the Opposition will accommodate him.

Hon J.M. Berinson: You would be well aware that the process does not even out that way.

In the last week of the last sitting we spent two to three hours on second reading speeches.

Hon GEORGE CASH: I have been in this Chamber on every day during the sessions and I have never experienced two to three hours of second reading speeches at one time.

Hon J.M. Berinson: One such day stimulated this motion.

Hon GEORGE CASH: It is within the capacity of the Leader of the House to ensure that this Legislative Council sits for such a period as to ensure matters are properly debated. One of the prerequisites to debate is that members are aware of what the Government or any other member proposes in respect of a Bill in the second reading speech. That is a matter of time management and one that the Leader of the House can address any day of the week.

Hon Sam Piantadosi: You now have an audience in the Public Gallery.

Hon GEORGE CASH: This Parliament is a public place so that people can listen to the Government outlining its proposals for changes to the law. The Leader of the House is suggesting that Government proposals generally -

Hon Garry Kelly: Could the second reading speech be read just when there are people in the Public Gallery?

The PRESIDENT: Order!

Hon GEORGE CASH: That is a puerile comment and I would have expected better from the Chairman of Committees. This is a very serious subject. This place is open to the public, and we are debating whether the spoken word is to be heard by the public or whether we shall cover things up by incorporating second reading speeches in *Hansard* rather than listening to why a Government may wish to change a law. It seems to me, and it is obvious from some of the comments that are made in this House from time to time, particularly by Government members, that few members read *Hansard*. Few members of the public have access to *Hansard* or are moved to read what is contained in *Hansard*. The only way that members of the public can be involved in the debates in this House is, firstly, if they listen to what the Government proposes and talk about it in the community, or, secondly, if they attend here, take some interest in what is going on, and respond by making representations to their member of Parliament. It seems to me that the Government wants to take that opportunity away from people.

The Leader of the House stated that this is a fairly simple argument; one either agrees or disagrees. I disagree with this proposal, for fundamental reasons. I want the Legislative Council to remain a public place. I want members of the community to be able to come in here and listen to the proposals of the Government or members generally. I do not want the situation where we hide things from members and from the community. I remind members of the problems that we had in the late 1980s with the WA Inc saga, where the Government would not come clean and let the Parliament know what was going on. The reason that the Burt Commission on Accountability was established was to ensure that there was some accountability in Government. Those members who have read the report of the Burt Commission on Accountability will know that the commission believes that this Parliament is entitled to be informed about what the Government is doing or not doing, and that by being informed it is able to form its own views about various matters. The Government is trying by this motion to prevent people from listening to our debates.

Several members interjected.

The PRESIDENT: Order! Members should come to order when I call order. Interjections are not only rude but also are discourteous to the member who is addressing the Chair.

Hon GEORGE CASH: The Leader of the House stated, in supporting this proposal, that from time to time speeches are read quickly or quietly by Ministers, and often they are garbled. The solution to that is squarely in the hands of the respective Ministers. If Ministers believe in what they propose on behalf of the Government, they should put it to the Parliament in a way that is reasoned and can be understood clearly by all members. If Ministers want to demonstrate by their reading of second reading speeches that they have no real interest in the subject and could not care less about the Government's proposals, and that all they are really doing is carrying out their responsibilities as a representative Minister, then that will be obvious from the way in which they handle matters in this House.

For some time in the Legislative Council we have argued that Ministers of the Crown in this House are responsible for the matters that they bring before this House and that, when they speak, they speak as Ministers of this House. If we allow speeches to be incorporated in *Hansard*, I can see the day approaching, as has been the case with questions, when Ministers will claim that they are acting only in a representative capacity, and when a question is raised about the intent of a speech or about a problem that relates to a speech, the Minister will say to this House, "I do not know what you are talking about. I had my ministerial officer incorporate it in *Hansard*. My job is just to have it incorporated, and I certainly do not accept any responsibility. I have not even read the speech." That is not an unreasonable scenario of what may happen if we allow speeches to be incorporated in *Hansard*.

It is critical that second reading speeches be read to this Parliament. If the problem is purely a lack of time, we should say to the Leader of the House, "We will sit an additional 15 minutes a day. If at the end of the session it will take an hour or two to read to the House and into *Hansard* the second reading speeches, then let us sit for additional time in order to do that." We should not throw everything out the window just because we want to save a few measly minutes in a sitting day, and we certainly should not throw everything out the window so that we have a situation where Ministers can deny that they have any responsibility for matters that are brought into this House under their name.

We oppose the motion on those grounds. We are not against any change to the proceedings of this House that will streamline those proceedings, but we will not throw out the rights of the community simply because some Ministers in this House are not prepared to recognise the importance of second reading speeches being read to this House.

HON GARRY KELLY (South Metropolitan) [2.56 pm]: The Leader of the Opposition has read too much into this motion. It is interesting that he should adopt that attitude at a time when we are promoting efficiency and structural adjustment in the workplace and when various groups in the community are making changes to their work practices, but we are exempt. I recall that in 1982 we used to go through the ridiculous ritual of reading out questions that were to be placed on notice. A member would say, "I give notice that at the next sitting day I will ask the Minister for such and such the following question", the question would be handed in, and the next day the member would get up and ask the question.

Hon W.N. Stretch: Questions have not been answered in as good a fashion since you dropped that practice.

Hon J.M. Berinson: But they have never been answered as well as they have been answered recently.

The PRESIDENT: Order! Let us concentrate on the motion.

Hon GARRY KELLY: Questions are answered more quickly in this Parliament than in any other equivalent Parliament in the Westminster system, where questions stay on notice for months and months and are sometimes dropped off the Notice Paper because there is no intention of answering them.

I can understand that in the case of legislation which is controversial or attracts a lot of attention, a Minister may want to read a speech to the House and into *Hansard*, but most of the run of the mill legislation has already been publicly aired in another place. I know that we do not take notice of the proceedings in another place -

Hon George Cash: This is the Legislative Council. It is not the Legislative Assembly.

Hon GARRY KELLY: The Leader of the Opposition has made his speech and I am making mine.

It would be more efficient, and it would certainly not be detrimental, if the second reading speeches for most legislation, and particularly machinery legislation, were incorporated in *Hansard*. A piece of legislation which comes into the Parliament at least once a session is the Reserves Bill, and that is the only piece of legislation that I can think of where the actual Bill forms the second reading speech, which outlines the geography and boundaries of the reserves that are to be changed or the accessways which are to be closed. There is a great deal of merit in the Minister for Lands laying that Bill on the Table and in people debating that Bill without having to go through the second reading -

Hon Reg Davies interjected.

Hon GARRY KELLY: I sought leave the other day to incorporate something in *Hansard*, and I was shot down in flames.

Hon George Cash: Is not that the very reason that we cannot afford to have things incorporated in *Hansard*? We did not know what was in it, and you acknowledged that.

Hon GARRY KELLY: We would not need this motion if things could be incorporated in *Hansard* by leave; and a single negative voice could frustrate the proposal.

The procedure is efficient and has a lot of merit. Reading second reading speeches into *Hansard* that are already on the public record is a sheer waste of time. I support the motion.

HON MURRAY MONTGOMERY (South West) [3.00 pm]: This motion was considered by the National Party last week and in its wisdom the party decided that the motion was not one which should be brought into this House. I wonder whether the independence of this House has been considered by the Government. What purpose would this procedure serve? This is a House of debate and review. If the intention is to table second reading speeches, why have any subsequent second reading debate? We could merely incorporate the second reading speech in *Hansard* because that would be an extension -

Hon J.M. Berinson: Be fair! A second reading speech, in a large proportion of cases, is identical with that presented in the Legislative Assembly and then presented here. Speeches in the course of debate, by their nature, cannot be identical.

Hon MURRAY MONTGOMERY: Is this an independent House of Parliament?

Hon J.M. Berinson: Of course.

Hon MURRAY MONTGOMERY: Why should we not be extended the courtesy of the Minister's reading his second reading speech? We are independent. Why should we say that it has been delivered in the other place and therefore we do not need to do the same here?

Hon Garry Kelly: It is the same material.

Hon MURRAY MONTGOMERY: This place is independent. This is a place where we talk about the issues involved. The second reading speech is part of the whole exercise. I can think of no reason to change our procedure. I am not saying that we should never make changes to Standing Orders, but in this instance I see no reason for us to rely on newspaper reports to tell us what is contained in a second reading speech - even though it would probably be accurate.

Hon Garry Kelly: It would be in *Hansard*.

Hon MURRAY MONTGOMERY: The Press would pick it up. However, that is not sufficient reason not to hear it from the Minister's lips, or to hear what the Minister believes is the Government's program.

Hon T.G. Butler: You cannot keep your face straight.

Hon MURRAY MONTGOMERY: I can keep my face straighter than the member interjecting.

The PRESIDENT: Order!

Hon MURRAY MONTGOMERY: The Government has not thought through this suggested change. The argument for changes to the Standing Orders to perhaps streamline some of the business of this House is not being served by bringing a motion to this place to allow second reading speeches to be tabled after having been read in the other place. Members of Parliament, particularly on this side, should be extended the courtesy of hearing a second reading speech so that they can understand the Government's legislative program. We do not support the motion.

HON PETER FOSS (East Metropolitan) [3.03 pm]: I agree with the remarks made by Hon Murray Montgomery, but I would like to take the matter a little further. The statement by the Government that the second reading speech to be delivered in this House will automatically be the same as the one in the other House is unfortunate.

Hon J.M. Berinson: I did not say that. I said that a proportion of the second reading speech was the same.

Hon PETER FOSS: Unfortunately, we often hear speeches which are exactly the same as those in the other House when it is entirely inappropriate to have that. They have not taken account of changed circumstances and sometimes do not pick up amendments properly. Sometimes they contain things which are inappropriate to be said in this House. Sometimes, on the run, the Minister must make changes to his speech. Over the years it has been assumed that when one delivers a second reading speech in this House it is perfectly all right not to give any thought whatsoever to how it should be delivered in this place or whether anything new should be said. One of the advantages of having two Houses of Parliament is that by the time debate is finished in the one place a member in the second House should be able to give a far better second reading speech than that given in the first House.

It is only because of the laziness and the "She'll be right, mate" attitude and "Just stick the same speech in the other House" attitude that we reach the stage where a suggestion is made such as that in this motion. Once we start being lazy, once we start ignoring the real reason for speeches in this House, we see this habit that the Government has fallen into where it does not think about second reading speeches in the second House. The mentality is to trot out the old one with a new name at the top. This is where the whole situation has gone wrong. This is where the fault occurred in the first instance. This is the reason the Government intends to take the next step and think that we should not do anything. We will become so lazy that we will not be prepared to write a new second reading speech. We will not be prepared to think about it or bother to read it. That is how the Government has arrived at this state of mind.

If we do not even read second reading speeches, we will reach a similar situation to that referred to by Hon Garry Kelly; that is, the fact that we no longer read questions on notice. Not only will the Minister not read aloud his second reading speech, he will not read it at all to see whether it is right or wrong - in the same way as the Leader of the House has said he does with questions on notice. He allows questions on notice to go into the answer book without reading them; and so we will have second reading speeches in this House without his having read them. Then, if there is anything wrong in the second reading speech and we query what the Minister has said in it, the facts and the reason it has been introduced, the Minister will say that he should not be blamed. He will say that it was not his speech; it might be in *Hansard* under his name, but he did not even read it. He will say that he did not even see it and that someone else wrote it; it is exactly the same as the one delivered in the Legislative Assembly. He will say that if we had read the one in the Legislative Assembly we would have understood what it was all about. He will say that a mistake occurred in that House; it was picked up down there, but it was not corrected when it came to the Legislative Council.

The Government has started with a lazy attitude. It already has a lazy attitude to second reading speeches, and that has brought it some trouble. Because it is lazy and because it has done nothing, the Government's attitude is that it is not necessary to read aloud the second reading speeches. This does not represent the beginning of slack practice; it is not the beginning of Ministers' throwing away their responsibilities. We are half way through that situation because Ministers in this House already take insufficient responsibility for second reading speeches. We are not at the beginning of the rocky road to not taking responsibility - we are half way down it.

The suggestion in this motion shows the absolute bankruptcy of thought and understanding of parliamentary practices that this Government has. It does not surprise me one bit.

Hon George Cash: We cannot take points of order on speeches incorporated in *Hansard*.

The PRESIDENT: Order!

Hon PETER FOSS: As Hon Murray Montgomery said, obviously afterwards we would not bother to deliver our own speeches in reply. We would get those given in reply from the other place and put our names to them. We would table our speeches. They might sound a little like those delivered in the other place by a member down there, but it would look good in *Hansard*. *Hansard* would be twice the size. People wanting to find out what a law was all about would read the second reading speech given in the Assembly and perhaps then decide to read the second reading speech delivered in the Council to find out what the Act meant. They would discover identical speeches.

We would be ignoring our responsibility as parliamentarians if we were to accept the motion. The Government would be abdicating its responsibility to learn from what happens in the other House, to make certain that a second reading speech that came to this House gave some assistance to people who later would need to read the law and make some sense of it. The Government should provide informative second reading speeches, and not merely go through the performance of saying, "Here you are. The speech is the same as in the other place so don't bother to read it; you can read the one in the Legislative Assembly."

The next question will be, why bother to have a second reading speech at all because we can always read the one delivered in the Legislative Assembly? In fact, the delivery of a second reading speech in this place might be rather like the situation with answers to questions: "I move that the Bill be read a second time - and if you want to know why, read the second reading speech in the other place." That is what we will have next, judging by the way the Government answers questions. I oppose the motion.

HON D.J. WORDSWORTH (Agricultural) [3.09 pm]: Probably the last speaker has covered the grounds of this debate, although I remind members that at one time - something like 100 years ago - a Minister in this House would have more pride than to hand in a speech that someone had made in another place. Never in my time was that allowed. Every speech that came into this House was unique. That was before Hon Joe Berinson's time.

Hon J.M. Berinson: I have always thought that most of my speeches were unique.

Hon W.N. Stretch: The Leader of the House once read the wrong one.

Hon D.J. WORDSWORTH: Without boring the House too much - we have argued the point and proved it - it is quite ridiculous to try to hand in a speech that has not been read. At what stage does it become a speech? The uncorrected green copy cannot be published, but can a Minister correct the green? Does that mean that a Minister can come back and have another crack at correcting his speech, which was not even read? Standing Orders do not contain any provision to incorporate any document into *Hansard*. That is another bad habit that the Leader of the House brought with him from Canberra. Such incorporations were never intended for this House, but the habit seems to have crept in because the President is in the unfortunate position where he must carry out the wish of the House and if the House demands something be incorporated, it is incorporated despite there being no provision for it. As has been pointed out, members do not know what the devil is being incorporated. They have no opportunity to make a point of order, a correction or anything else. The whole idea is quite stupid. In the Legislative Assembly, I hope, some intelligent speeches are made. Surely Government members might say something intelligent and worthwhile down there.

Hon John Halden: Why? The Opposition wouldn't understand it.

Hon D.J. WORDSWORTH: It is quite obvious that the Opposition makes a worthwhile contribution, and Government members might even think that members on their side make a contribution. Members could not be sure whether the Leader of the House wanted to shove a new speech, an old speech or a corrected speech into *Hansard*. A Minister could say that the intention in the second reading speech is the same, but there is a difference on, say, page 5, line 4 where he had changed a couple of words. This Parliament is not a machine where pieces of paper with speeches are shoved in and *Hansard* comes out the other end. It should not be mechanical, with no debate or conversation. This motion is ridiculous and could even be a red herring because we do not have enough on the Notice Paper to occupy ourselves.

HON J.M. BERINSON (North Metropolitan - Leader of the House) [3.13 pm]: As members know I am very sensitive to criticism especially of the kind that has been launched against me today. It has been rather hurtful.

Hon Murray Montgomery: You have taken it in.

Hon J.M. BERINSON: It is not surprising, but hurtful, to have such terrible motives ascribed to me -

Hon Peter Foss: It is laziness.

Hon J.M. BERINSON: - on what I thought was a simple, straightforward and practical proposition. Contrary to Hon David Wordsworth's suspicions, I am anxious to complete this debate. I thought it would have been finished half an hour ago given how simple and straightforward is the basic proposition. However, it might be in order to spend at least a

couple of minutes responding to the comments made on the other side. It is interesting to observe how, in the course of opposing this motion, members of the Opposition have been so negative about changes which have occurred in this House, which can only be regarded as constructive and useful. If not for that they would not have been adopted whether formally or informally as to the case may be. I was astonished in particular to hear interjections across the Chamber while Hon Garry Kelly was referring to the changed procedure for questions on notice. Mr President, like Mr Kelly and myself, you will recall the position which he outlined, and he was right. I will give members an example by taking a question at random from the Supplementary Notice Paper containing questions and replies. Adopting Hon George Cash's question 573, under the previous system he would have stood and given notice that he intended at the next sitting of the House to ask the Minister representing the Minister for Fisheries -

- (1) How many processing licences for the pilchard fishery have been issued in the Esperance region in the past 12 months?
- (2) How many processing licences have been issued for fisheries other than rock lobster and pilchards in the Esperance area in the past 12 months?

That would have been duly recorded and the next day Mr Cash would have stood up and repeated the question that he had read the previous sitting day.

Hon D.J. Wordsworth: You couldn't do that at all.

Hon J.M. BERINSON: I bet Mr Wordsworth wished that he had. Even accepting that correction, and I am happy to be corrected -

Hon George Cash: You exaggerated a bit far.

Hon J.M. BERINSON: - I ask what possible purpose was served by reading questions that would be put on notice - which took as much as half an hour a day - and then handing them in to be put on notice? The decision was made to change that process so that the piece of paper that a member read from in the course of giving notice was simply handed over without reading from it. That has saved as much as half an hour a day. Hon Garry Kelly had some interjections directed at him suggesting that even that was not a good idea. How on earth can anybody argue for a return to that process? The end result in logic of the criticism which he received on that would be for someone to move a motion that we revert to the old system. That would be absurd and no-one would suggest it. It was not seriously argued when the change was first mooted, and even now to suggest that there was some purpose to that is an unfortunate reflection of the negative view which is taken on almost anything that involves change. Hon David Wordsworth commented about leave to incorporate material in *Hansard*. The Western Australian Parliament was not original in introducing that practice. It has been the practice not only in the House of Representatives but also in many other Parliaments, and for a very good reason: It saves the other absurdity that we used to have in this House where a member with a four page or even a 20 page document of genuine interest to members and the readers of *Hansard* would have to read the 20 pages through in the absence of leave to incorporate them in *Hansard*.

Hon W.N. Stretch: You saw what happened to Minister Ros Kelly because she only read the covers!

Hon J.M. BERINSON: That has nothing to do with this.

Hon W.N. Stretch: It has everything to do with this.

Hon J.M. BERINSON: That has nothing at all to do with the contribution to efficiency of the simple capacity to incorporate matters in *Hansard*.

Hon George Cash: Of course it does; you are avoiding the issue again.

Hon J.M. BERINSON: I am frankly astonished it is still the subject of criticism. One thing we could learn from other Parliaments is that we should accept it as desirable, if not as a formal rule, that any member wishing to incorporate any document in *Hansard* should provide copies in advance to the leaders of other parties so that when the question is asked as to whether leave is given members at least know what leave is given to.

Hon George Cash: That is positive. Why did you not implement it? You have been in Government nine years.

Hon J.M. BERINSON: It has always been my view that that should be the case, as I have rarely asked to have anything incorporated in *Hansard* there has not been the need. I put it seriously to members because it largely meets whatever residual complaints there might be about the incorporation process.

Finally, in response to implied or explicit accusations that my motion somehow constitutes an attack on democracy and the rights of the public who normally throng our Galleries, it is instructive to look at the practice of the American Congress and at the congressional record. Whatever else one might say about the American Congress, hardly anyone would be bold enough to suggest that it is not a fully democratic forum. It is interesting to observe that it has a system - it certainly was the case the last time I looked at the record, although I admit it was some years ago - which is largely the reverse of our adjournment debate. According to the congressional record its equivalent of the adjournment debate takes place at the beginning of proceedings. Representatives or senators rise and say, "Mr President" or "Mr Speaker", whatever the case may be, "I wish to discuss the very important question of the preservation of the Swan Brewery and I seek leave to incorporate the remainder of my comments in the congressional record." A list of these important contributions is put on the record, available for dissemination in the precise terms desired by the member and without American democracy crumbling in the slightest as a result.

Hon George Cash: They get one minute, that is the reason they do it.

Hon J.M. BERINSON: As I said previously, I can count as well as other members and I am aware this motion does not have the support of members. As I indicated at the outset, and given that it is a non-partisan proposal, I accept that the House does not wish to proceed in this way.

Hon Mark Nevill: I will support it when members on the other side introduce it.

Hon J.M. BERINSON: I am happy to leave the result of this motion to the consideration of members.

Question put and negatived.

STANDING COMMITTEE ON LEGISLATION

Crime (Serious and Repeat) Offenders Sentencing Act and the Criminal Law Amendment Act, Release of Second Report - "Premature Release of Contents of Report" Special Report - Channel 9 Premature Committee Publication, Contempt of the House

Committee

The Deputy Chairman of Committees (Hon J.N. Caldwell) in the Chair.

Hon GARRY KELLY: I move -

That the committee recommends to the House that -

- (1) A contempt of the House is disclosed in the report of the Legislation Committee.
- (2) The House declare accordingly.
- (3) In the circumstances, no further action be taken.

I draw the attention of the Committee to the special report of the Standing Committee on Legislation titled "Premature Release of Contents of Report". As members are aware I released the Legislation Committee's second report on the Crime (Serious and Repeat) Offenders Sentencing Act and the Criminal Law Amendment Act on 8 July at a Press conference at 1110 Hay Street, Perth. The night before I released the report I was watching the channel 9 news at Parliament House and found it included a short segment of two or three minutes which referred to excerpts from the draft copy of the report. While driving home I contemplated how Channel Nine obtained a copy of the draft report and why it quoted from the report when it had not been released pursuant to the Standing Orders of this House. I telephoned Channel Nine, in my capacity of Deputy President, and advised the newsroom that in my view the telecast of material from an unreleased committee report constituted a contempt of the House. I strongly advised Channel Nine not to repeat the telecast on subsequent news bulletins. Channel Nine did not repeat the item. I also

telephoned the acting editor of *The West Australian* and made the same points to him. In addition I phoned Channel Two.

Hon P.G. Pendal: What happened in those cases?

Hon GARRY KELLY: At that stage *The West Australian* was trying to obtain a copy of the report because it was endeavouring to run a story, but I gather that on advice from its legal eagles it chose not to do so. Channel Two ran a segment on "The 7.30 Report" but it was discrete and did not quote from the document. It used the incorrect terminology which indicated to me it was not referring to a report of the committee of the House. An informal inquiry was undertaken to ascertain how Channel Nine obtained a copy of the report, but no conclusion was reached. The segment on channel 9 showed graphics taken from the report, and that was a further contempt of the House. As chairman of the Legislation Committee I do not want to indulge in a witch-hunt and have a long drawn out Privileges Committee process to find out why Channel Nine ran a story on it.

Hon Mark Nevill interjected.

Hon GARRY KELLY: This was a late draft report so there is not much difference between it and the final report. Nevertheless it had not been released pursuant to Standing Orders, so Channel Nine should not have used it.

Hon D.J. Wordsworth: Was there not a Press release on it?

Hon GARRY KELLY: The Press conference was to be held the next day. This occurred the night before. Channel Nine took my advice in relation to its premature publication and did not broadcast the information in following bulletins. We do not know how the channel obtained a copy of that draft report. That channel, and the other channels, should be made aware that the House regards seriously the publication of reports of committees of the House before they are released through the proper processes and procedures of the House. To do otherwise is a contempt of the House which is not to be condoned. Paragraph 6 of the special report states -

In all the circumstances, the Committee does not wish to take this particular matter any further. However, the Committee advises all media outlets that in the case of any future instances of premature publication of its reports, it will recommend to the House that the case be referred to a Committee of Privilege, with a view to imposing an appropriate sanction.

I leave my comments there and commend the motion to the committee.

Hon PETER FOSS: I support the remarks made by the Chairman of the Standing Committee on Legislation. Obviously the proceedings of this House should be drawn to the attention of Channel Nine so that it knows what happened on this occasion. Perhaps other media outlets should also be informed so that they appreciate the fact that any repetition is unlikely to result in the same recommendation.

Question put and passed.

Report

Resolution reported, and the report adopted.

CONSERVATION AND LAND MANAGEMENT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon Kay Hallahan (Minister for Education), and read a first time.

Second Reading

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [3.34 pm]: I move -

That the Bill be now read a second time.

The origin of this Bill lies in the conclusions drawn by Mr Darryl Williams AM QC in his report on allegations of illegal logging and accountability procedures in relation to logging in our south west forest which was tabled by the Minister for the Environment on 17 March

1992. A considerable commitment of Government resources from the Department of Conservation and Land Management, Crown Solicitor's Office and Office of the Auditor General was made to enable Mr Williams to carry out his comprehensive investigation.

Mr Williams found that there was no evidence to sustain conservationists' allegations that illegal logging operations had occurred. He also found that the Department of Conservation and Land Management could satisfactorily demonstrate that its management, allocation and audit procedures could account for the timber removed from the forest. In his report, Mr Williams qualified his conclusions by expressing an opinion that there is serious doubt as to whether the excellent contractual system for logging developed by the department is authorised by a proper legal framework within the Conservation and Land Management Act and he recommended that the Act be amended accordingly. The Crown Solicitor's office has provided advice to the effect that these contracts are not susceptible to any categorical opinion about invalidity and as there is room for legal uncertainty it is desirable that the Act should be amended to eliminate the possible doubt; that is to say, these contracts will remain vulnerable to legal challenge unless the doubt raised by Mr Williams is redressed in accordance with his recommendation.

I point out that the existing contracts for timber harvesting and associated forest management requirements have been entered into by both contracting parties in good faith, after a public tendering process, on the mutual understanding that they were authorised by the Conservation and Land Management Act. Some of these contracts cover periods of operation of up to five years with a renewal option of three years and they are all a key element of the department's integrated logging program. The value of the contracting system to this State, the timber industry and the timber harvesting contractors is significant to say the least. In the year 1990-91 some 1 506 297 cubic metres of timber was harvested under contract and as a result contractors were paid a total of \$33 799 821. Gross value of the sale of this timber is \$69 204 588 of which royalty represents \$29 533 136.

This Bill addresses the doubt raised by Mr Williams with the intent of extending the legal framework of the Conservation and Land Management Act to ensure that existing and future contracts for timber harvesting and associated forest management requirements cannot be disrupted, thereby maintaining and securing the continuity of supply of log timber to this State's mills. I am sure that all members of this House will agree that these contracts cannot be left vulnerable to legal challenge as to their validity when such a challenge has a catastrophic potential to negate the recovery of our timber and building industries from the current economic recession. I commend the Bill to the House.

Debate adjourned, on motion by Hon P.G. Pandal.

RESERVES BILL

Second Reading

Debate resumed from 27 May .

HON N.F. MOORE (Mining and Pastoral) [3.38 pm]: I do not wish to say a great deal about this Bill during this debate. The Bill contains a great deal of information about various clauses which are different and discrete, so no reason arises to discuss the whole matter during the second reading debate. This Bill is brought forward every year as it is a requirement of the Land Act that the Parliament decide on any amendment to class A reserves.

I have a number of queries related to certain proposals contained in the Bill about which I will request information from the Minister before being prepared to give approval to at least one of the clauses. I will indicate to the Minister now, to save time later, the information that I require. It may be possible for the Minister to obtain that information between now and when we discuss that clause.

Hon Kay Hallahan: That is a very sensible approach, Mr Moore.

Hon N.F. MOORE: Good. I am seeking information on clause 13 which relates to the D'Entrecasteaux National Park. The purpose of this clause is to include a number of reserves within the D'Entrecasteaux National Park. Members will be aware that the national park is the subject of considerable mention in a document called "Resolution of Conflict - A Clear

Policy for National Parks". That policy was released by the Government in November 1990 to inform the mining industry, in particular, of its policy on mining in national parks. The document states in part -

All proposals for new or extended National Parks will be subject to detailed biological and mineral petroleum resource assessment prior to being presented to the Government for approval.

Legislation will be introduced so that the creation of new National Parks and extensions to National Parks will require Parliamentary approval.

Basically, that means that prior to an area of land being included in a national park, whether it be land adjacent to an existing national park or a totally new national park, the land must be assessed from a biological perspective and from a mineral petroleum perspective before it is presented to the Parliament for its approval as a national park. It is necessary for that to occur before Parliament's approval is granted. It is my understanding that those areas which are intended to be included in the national park have not been subject to mineral petroleum resource assessment. I am prepared to go along with the policy set down by the Government for the purposes of this debate - but for no other purpose, I might add, because I think this is a crazy document. Assuming that this policy is in place, it is fair for me to ask for the tabling of the mineral petroleum resource assessment of those areas which are to be included in the D'Entrecasteaux National Park. If the policy of the Government has been followed, and the resource assessment has been conducted, it should be available for the House to see before Parliament is expected to approve the inclusion of this land. In other words, I am asking the Government to indicate by tabling these documents that its policy on the resolution of conflict has been followed to the letter. I want to see evidence that that resource assessment has been undertaken when we debate clause 13 before I support the Government's policy on the creation of the national park. There are several other less significant matters which I will discuss during the Committee stage of the Bill.

HON J.N. CALDWELL (Agricultural) [3.44 pm]: The National Party will also consider the Reserves Bill closely at the Committee stage. We welcome the tabling of those papers by the Minister. The area in the south is a controversial area of land, as many mining companies have been considering it for sand mining. I also draw the attention of the House to clause 17 which contains a numerical error on line 9.

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

HON KAY HALLAHAN (East Metropolitan - Minister for Education) [4.33 pm]: I am pleased that there is a fair amount of agreement on this Bill, except in one significant area and perhaps in other areas which can be dealt with in Committee. I appreciate the spirit of cooperation with which debate on this Bill has proceeded and no doubt that will continue.

Question put and passed.

Bill read a second time.

Committee

The Deputy Chairman of Committees (Hon D.J. Wordsworth) in the Chair; Hon Kay Hallahan (Minister for Education) in charge of the Bill.

Clauses 1 to 4 put and passed.

Clause 5: Reserve No. 15185 in the Shire of Augusta-Margaret River -

Hon N.F. MOORE: In discussion on the first clause of the Bill which relates to a particular alteration or cancellation of a reserve, I place on the record my appreciation of the provision by the Department of Land Administration of a very comprehensive document outlining the purpose of each clause and the changes involved, and also a map indicating the area of land under consideration. The information provided to the Opposition is very helpful and I indicate my appreciation to the officers of the department for providing that service. When I received that document, I sent copies of the relevant clauses to the appropriate local authorities and other interested organisations for their comments. I do not have a personal knowledge of all the land involved in a Reserves Bill so, as the person handling the Bill, I shall rely on the advice provided by local authorities and other interested parties.

Clause put and passed.

Clauses 6 to 12 put and passed.

Clause 13: Reserves Nos. 36996, 41466, 17495, 26628, 28478, 28479 and 15776 (D'Entrecasteaux National Park) -

Hon N.F. MOORE: This is the clause to which I referred in the second reading debate. It relates to the extension of the D'Entrecasteaux National Park in the south of the State and it is proposed to add a number of areas to that national park. The Opposition acknowledges that the area is environmentally sensitive, but it also acknowledges that it is potentially rich in mineral sands. The Government, in an attempt to have its way with respect to mining and exploration in national parks, published a document "Resolution of Conflict - A Clear Policy for National Parks". I was interested to read in the introduction that the new policy would be introduced as legislation in Parliament but, notwithstanding the fate of the legislation, the Government committed itself to adherence to the principles contained in the policy document. In effect the Government is saying that it will try to get this through the Parliament but if the Parliament does not agree it will stick with the policy anyway. That is disgraceful.

Within that document is a statement that any new national parks or extensions to national parks should be the subject of detailed biological and mineral/petroleum resource assessment prior to their being presented to the Government and then Parliament for approval. Since this clause affects a great deal of land and significantly increases the size of the D'Entrecasteaux National Park, I am very keen for a copy of that resource assessment, particularly as it relates to mineral sands mining but also to any other mineral or petroleum resources that might be available in the national park, to be made available to the Opposition before a decision is made on whether to agree to clause 13.

Hon KAY HALLAHAN: The Department of Minerals and Energy has advised that it has determined that there is no petroleum potential in the park or proposed extensions due to the rock types under the majority of the park, which are not prospective for petroleum. In respect of other minerals, part and ongoing prospecting have provided no indication of minerals other than heavy mineral sands. The heavy mineral sands are currently being evaluated under special approval of the Minister for Mines in accordance with the resolution of conflict policy. No report is available for tabling today. However, I will ask the Minister for Mines to confirm the position that I have advised to the Chamber, and to provide the Chamber with a copy of that ministerial advice at the earliest opportunity.

Hon N.F. MOORE: I am interested in the Minister's comments. I am also amused when people state that there is no potential to discover anything in a particular area of land, because only today I spoke to a gentleman in the mining industry who told me that five major mining companies explored a 200 ha area north of Leonora, and none of those companies found anything. However, his company recently explored the same area and found 240 000 potential ounces of gold. The point I am making is that many areas of land in Western Australia and, indeed, the world would appear on the surface to not be prospective or likely to contain mineral or petroleum wealth.

The Minister's response to my request is not adequate, bearing in mind certain other factors contained in the resolution of conflict in respect of D'Entrecasteaux National Park, which states -

- * Exploration will be allowed to continue for three years (36 months).

That is, from November 1990. It continues -

- * After this period no more than one per cent (1%) of the total land area will be excised from the Park.
- * Additional land will be incorporated into the Park.
- * Any approval to mine in D'Entrecasteaux will require a commitment to secondary processing investment within Western Australia so that the full benefits of the resource can be returned to Western Australians through jobs and technology transfer.

Planned extensions to this Park would double its size to an area of 115,000 hectares.

When boundaries are completed and excisions made some 99 per cent of the total park area will be safeguarded from exploration and mining. This means that economically strategic resources will be available without jeopardising the park's conservation values.

The constraints on mining activity in that park are severe and in fact quite absurd. It is absurd to suggest that only one per cent of the park can be used for mining, bearing in mind that it is not beyond the realms of possibility that 50 per cent of that park may be worth \$50 trillion at some time in the future and someone may decide that mining is a far better use of that land than to tie it up as a national park.

Hon Kay Hallahan: Could not the Parliament decide about that at that time?

Hon N.F. MOORE: The Government has decided that regardless of what the Parliament may determine, this is what it will do. The Government has made an extraordinary claim to the powers that it thinks it has in this matter. The Government has decided, in its attempt to ingratiate itself with the green movement, to put these silly constraints on activity in D'Entrecasteaux National Park. We are being asked to increase considerably the size of that national park, knowing that, if we do, activity on the land that will be added to it will be constrained by the resolution of conflict policy, which places severe and unnecessary constraints upon the mining industry. Before I will be prepared to agree to increase the size of that national park, I will need to have more knowledge about the resource assessment of that park than I have now.

Recently, some of my colleagues and I were fortunate to visit some of the south west mining areas as guests of the Chamber of Mines and Energy of Western Australia, and during that visit Cable Sands Pty Ltd demonstrated the way in which it conducts exploration for mineral sands in the south west. After that demonstration had been carried out, it was very difficult to tell where the vehicle, the drill and the operators had been. The mining industry has an impressive ability to respect the sensitivity of the environment. It is ludicrous to put constraints on the mining industry at a time when our economy is suffering and when the mining industry's effect on the environment is virtually nil, particularly when compared with other industries.

I am not trying to be difficult, but the Minister, as the Government's representative in this Chamber, should abide by the rules set by the Government; namely, that all proposals for new national parks or extensions to national parks should be subject to detailed biological and mineral/petroleum resource assessment. The Minister should also provide, for the sake of those people who may have a slightly greener tinge than I have, the biological assessment which has been conducted on D'Entrecasteaux National Park so that she can convince them that that area should be made into a national park because of that biological assessment. We should defer the debate on this clause until such time as the Minister can table a document to indicate that a biological assessment has been conducted.

Hon BARRY HOUSE: D'Entrecasteaux National Park comprises a vast area of land, and this clause seeks to amalgamate into that park a large amount of additional land. It is hypocritical for the Government to ask this Chamber to enlarge a national park when people all around the State are complaining about the lack of resources of the Department of Conservation and Land Management to service national parks in Western Australia. While I have no objection per se to this clause and I cannot disagree with the proposal to enlarge D'Entrecasteaux National Park, additional resources must be provided to CALM to manage that land. It is one thing for the Government to claim the land; it is another to control and manage it. The Government must provide the resources to do that.

Hon Norman Moore mentioned that D'Entrecasteaux National Park was a very valuable piece of land - far too valuable to be locked away forever. It is largely unexplored and potentially is an enormous resource for the State, particularly in minerals. The State cannot afford to put that away forever and tell our mining companies they cannot touch it. That is not to say that there are not some magnificent pieces of country along that coastline which should be protected. We would all agree that certain individual pieces of land and beaches should not be touched by anybody, and I believe the mining companies would readily agree with that, too.

It has concerned me for some time that the Government has caved in to the demands of a

group in this State which wants the D'Entrecasteaux area locked away and protected from development of any sort. That area of the southern coastline is just starting to feel the people pressures which many other areas of the south west are already feeling; and mining is one of those pressures, along with the provision of services for those mines. For instance, the powerline which will service Beenup has already been the subject of very tortuous and controversial debate. In my view, and in the view of the shire councils in that area and many other people, the powerline should go to Beenup from Manjimup, not via Picton through established farming properties, interfering with the lifestyle of many people through the north-south route. If it goes across from Manjimup to Beenup it will complete that triangular grid and make a much more comprehensive network for the power to service new industries such as the mine, which is just east of Augusta.

The agenda of a minority is very clear - that is, to resist any sort of development along the southern coastline at all costs - and the Government seems to have caved in to that minority view. I believe the coastline itself and the D'Entrecasteaux National Park as it is established under this legislation will be better served if we have some control over development and over the resources associated with that development. At the moment the control is very haphazard and loose. We have already seen an enormous spread of dieback throughout the area, which under current management practices is very hard to turn around. However, with proper management - which would involve some development - I believe we would see a much better D'Entrecasteaux National Park in the future.

Hon KAY HALLAHAN: I have taken account of what members opposite have said. I will draw the concerns of Hon Barry House about the resourcing of the Department of Conservation and Land Management to the appropriate Minister. However, I indicate to Hon Barry House that the Government does not agree with his observation that it has caved in to any particular interest group. The Government has made a very considered decision on the proposal currently before the Chamber to significantly expand that very important national park and I have no doubt that he would not be able to justify the sorts of observations and comments he has made to a very broad constituency in Western Australia that is very concerned about the quality of life and environmental matters.

I will have available next week the document Hon Norman Moore would like to see, and we will see if that can satisfy his demands and concerns. In those circumstances, we cannot proceed further with this clause today.

Further consideration of the clause postponed, on motion by Hon Kay Hallahan (Minister for Education).

Clauses 14 and 15 put and passed.

Clause 16: Reserve No. 7537 (John Forrest National Park) -

Hon DERRICK TOMLINSON: This clause proposes to almost double the size of the John Forrest National Park. In effect it implements a recommendation of the Darling Range System 6 area No M21, John Forrest National Park, which was described in the so-called Red Book as an area of open space of regional significance because of its high conservation and recreation values. Those values were of even greater significance because of the proximity of its location to the Perth metropolitan area, or the growing part of the Perth urban area.

It is also an area of some significance to the Main Roads Department, because the proposed Perth-Adelaide national highway route bisects the northern section of the proposed extension of the national park. The Department of Planning and Urban Development has in fact imposed planning control areas in the northern part of the proposed extension of the park. The most recent of those planning control areas - namely, planning control area No 24 - was announced in early July this year. It is the second section of the proposed highway along Toodyay Road, bypassing the notorious Red Hill section of the existing Toodyay Road. The section of the proposed highway which is now a planning control area which adjoins planning control area No 24 quite effectively cuts the north western section of the proposed extension of the national park from the remainder of the park. The north western section that is to be cut from the remainder of the park by the proposed Perth-Adelaide national highway contains areas which have been identified in environmental studies carried out on behalf of the Main Roads Department as areas which contain significant vegetation. Given the nature

of the significant vegetation, one would assume that it also contains significant fauna. That fauna is of a kind which ranges fairly extensively when grazing. In the present circumstance it would range quite extensively through the proposed area of the extended national park. What effect do the planning control areas have upon the proposed purposes of the extension of the John Forrest National Park in this recommendation?

Hon KAY HALLAHAN: The effect of the planning control area will be that any uses of the area would need to be approved by the State Planning Commission. It is a protection mechanism.

Hon DERRICK TOMLINSON: The planning control area imposes constraints upon the proposed use, yet here we have a proposal to convert the area into a national park. Until two years ago the John Forrest National Park was a game reserve. It is now a national park rather than a game reserve, and no longer used for hunting and shooting. Do the planning control area and the powers of the Department of Planning and Urban Development impinge upon the decision which this Parliament is about to make relating to the inclusion of the proposed lots in the reserve?

Hon KAY HALLAHAN: Under the Land Act, five per cent of the national park can be utilised for other purposes; so the planning control area provides protection in that the use of the five per cent would have to be approved by the State Planning Commission. It would not prevent the road from being developed along the alignment.

Clause put and passed.

Clause 17: Reserve No. 25113 in the Shire of Kent -

Hon J.N. CALDWELL: I move -

Page 18, line 9 - To delete "10812.0866" and substitute "107812.0866".

Amendment put and passed.

Clause, as amended, put and passed.

Clauses 18 to 20 put and passed.

Clause 21: Reserve No. 39820 (Lane Poole Reserve) -

Hon N.F. MOORE: The information provided indicates that clauses 21 to 24 have been included together in the consideration of the department because they all relate to the same general area of the Lane Poole Reserve. Perhaps I may be forgiven if I digress from clause 21 to clause 24 or a combination of the four. My comments relate to a matter that is not included in those clauses but is included in the explanatory notes for the Lane Poole Reserve area. The notes state that the purpose of reserve 39821 will also remain unchanged. The recently released forest strategy proposes that this reserve become a national park and any changes to the purpose will be considered at a later date. The map shows reserve 39821 coloured pink - the colour normally reserved for the reserves to be changed. One would think they would become green! Reserve 39821 is not part of the Bill but we are advised that 39821 will become a national park in due course. Is that the intention of the Government? Concern has been expressed by the Shire of Collie about that proposal. It is not a proposal for change at this time but will be considered in the future. Reserve 39821 contains an area of private land which will be totally surrounded by national park in the event that the Government is to proceed with the intention to make reserve 39821 a national park.

I now quote from a letter from the Shire of Collie which has been provided to me and which will clearly indicate the concerns -

I am not sure to what extent an "A" Class Reserve will affect the on-going rights of the surrounding land owners but Council would be concerned if their existence was threatened or impinged upon in any way - at least to any extent more than the present situation of being surrounded by State Forest. Some of the property owners have legal road reserve access whilst others have access only by way of (unvested) forest roads. If it was the intent of the "A" Class Reserve status to deny property owners access then the whole matter would have serious ramifications.

If the Minister intends to go down the path of turning a reserve into a national park, it will totally surround some private land in the area. The shire is concerned about the future access

to this land. Can the Minister indicate whether the landholders will be threatened in any way by this move regarding access?

Hon KAY HALLAHAN: Reserve No 39821 is seen as part of the Lane Pool Reserve, and it is intended as a separate exercise to convert it to a national park.

Hon N.F. Moore: I understand that, but I want to know about access. I refer to the land blocks at the bottom of the map.

Hon KAY HALLAHAN: It will involve no change to the legal status of the landholders, or to their access. If they wanted to sell the land at some time in the future, it may be that CALM would be the purchaser. However, there will be no change to the legal access to those properties.

Hon N.F. Moore: Are you giving an assurance on behalf of the Minister that their access rights will be retained and unfettered when it becomes a national park?

Hon KAY HALLAHAN: Yes.

Hon N.F. MOORE: I thank the Minister for that assurance. I will relay it to the Shire of Collie and the landowners.

The Boddington Shire Council has expressed concern in general terms about the administrative problems with having non-contiguous land with a single identifying number. In this exercise some reserves are non-contiguous, but are being identified with the same reserve number. I might add that the Minister has written to the shire and pointed out that the Department of Land Administration is unwilling, as is CALM, to change its well established practice of consolidating reserves whenever it is practical to do so. I wonder whether the Government will consider this matter further, as it is confusing for people.

Hon KAY HALLAHAN: We must debate this Bill next week, and I will request the rationale for the practices to which the member referred and provide them to the Committee then. It may be that, in view of the rationale provided, the Government will be prepared to deviate from it.

Hon BARRY HOUSE: I am pleased to hear the Minister give that undertaking, because I have received some correspondence from the Waroona Shire Council which made the same point regarding administrative problems associated with combining non-contiguous pieces of land with a single identifying number. That is confusing when locating properties in emergencies, such as fires, and identification on maps.

Clause put and passed.

Clauses 22 to 24 put and passed.

Clause 25: Reserve No. 25798 in the Shire of Cranbrook -

Hon BARRY HOUSE: I relay to the Minister concerns expressed by the Shire of Cranbrook after I contacted the shire about this proposal within the Reserves Bill. The shire letter reads in part -

... I wish to advise that Council has not had any prior notice of the proposal -

That is a matter of concern.

Hon Kay Hallahan: And most unusual.

Hon BARRY HOUSE: The letter continues -

- however there does not appear to be any difficulties with the proposal other than Department of Conservation and Land Management will be required to deal with two Local Authorities in future discussion on the reserve.

The Unicup Progress Association have developed a picnic and skiing area at the lake and Council would be interested to ensure that this facility remains, with the Association continuing to be responsible in consultation with CALM for its management.

Two points arise from that letter: First, the lack of consultation prior to the proposal; second, the assurance sought by the shire that the picnic and skiing area developed on the lake will be allowed to continue in the future.

Hon KAY HALLAHAN: I take the point made by the Shire of Cranbrook. I have read the notes available to me and it seems that agreement was made with the Shire of Manjimup, and an oversight could well have occurred in not contacting the Shire of Cranbrook. Do the two shire boundaries abut?

Hon Barry House: Yes.

Hon KAY HALLAHAN: Maybe a misunderstanding has occurred there. The shire has indicated that the proposal causes it no concern apart from the matter of the picnic area. I am not in a position to say whether the picnic and skiing area will be able to remain, but I assume that commonsense will prevail and that the area will remain available to the public. As we must debate this Bill next week, I will make inquiries and advise the Committee on this matter.

Hon N.F. Moore: Clause 25 refers to the Shire of Manjimup, and it may be necessary to amend the clause.

Hon KAY HALLAHAN: We shall postpone clause 25 and deal with it next week following accurate, up-to-date advice.

Hon W.N. STRETCH: The Unicup Progress Association spent a great deal of voluntary time and money building that area from an uninhabited lake. Could the Minister obtain an official assurance from the Department of Conservation and Land Management that access will continue to be allowed to Lake Unicup for recreation purposes and that its status as a recreation area be retained?

Hon KAY HALLAHAN: I am happy to obtain that advice for the member for next week.

Further consideration of the clause postponed, on motion by Hon Kay Hallahan (Minister for Education).

Clause 26 put and passed.

Clause 27: Reserve No. 17158 at Mullewa -

Hon N.F. MOORE: The departmental notes provided for the information of Parliament state that it is intended ultimately to change a small area of the reserve, which is currently classified as class A, to a class C reserve. The Shire of Mullewa has expressed its support of the proposal to cancel the class A reserve classification; however, it is concerned about the proposed reclassification. The Shire of Mullewa sent a letter to Hon Margaret McAleer which was relayed to me. Under the heading of "Reserve 17158" it reads -

Council is aware of this proposal and has relinquished its interest in the said land. It accordingly has no objection to its incorporation into Reserve 33475.

... Reserve 33475 was formerly the Mullewa-De Grey Stock route and in 1975 its purpose was established as a Conservation of Flora and Fauna with vesting in the WA Wildlife Authority. From Council's viewpoint there are two issues at stake. Firstly there has been no consultation with Council on the proposal to change the classification. This has very far-reaching implications due to the fact that the reserve in its northward travel bisects the northern half of the Shire. The Council therefore has a number of road reserves passing through the reserve, and by tradition a number of gravel sites. If the A Class status is likely to affect Council's ability to undertake its roadworks, and any other municipal functions, then an opportunity for consultation should be afforded to identify the potential of the impact on the road system. The Carnarvon-Mullewa Road forms the eastern boundary of Reserve 33475 and historically its maintenance and construction upgrading is linked to the reserve. Council would wish to identify and secure gravel supplies for this road from the reserve, as it has been doing for many years.

The Shire of Mullewa has a problem similar to that of the local authority in the Mt Lesueur area which was concerned that its gravel pits would disappear under the weight of national park status. I suggest that the Minister advise the Minister for Lands that he should consult with the Shire of Mullewa about its gravel supplies so that ongoing maintenance of roads in that area can be continued, particularly that of the Carnarvon-Mullewa road, which is a very important access road to the Murchison area.

The Shire of Mullewa raised another issue in its letter, which reads -

The second matter of importance is the possible development of an iron and steel mill associated with the identification of the iron ore deposit at Talling Peak. The project is in its pre-feasibility phase and, given the projected development cost of \$1 billion and the direct employment of 2,000 workers during the construction phase and 800 as the operating workforce, it will be a very significant development in the Mid West region. It will cause deep concern if, during this phase, or the following feasibility phase, at a time when it is critical to evaluate road and rail options, the State Government creates an A Class reserve along the very corridor from which land may be required for these important transport routes. A survey of the route for a railway line from Mullewa to Talling Peak was undertaken many years ago and the route then chosen adjoined, and went partially through, Reserve 33475. It is a matter of conjecture exactly where and when a railway line will be constructed, but needless to say an A classification will provide a large impediment to the planning and development process.

Companies wishing to develop mineral deposits in particular and other industrial developments have difficulties getting access to land that has some form of classification attached to it, especially when it is an A class reserve. I am encouraged to hear that a company is considering developing the Talling Peak iron ore deposit with the potential for a steel mill down the track. It is my view we should be doing all in our power to encourage these sorts of developments. I hope the Government will take into account the real concerns raised by the Shire of Mullewa.

Hon KAY HALLAHAN: Changing the classification of the reserve from A class to C class does not change its usage; any additions or deletions to an A class reserve must come before the Parliament. The change in classification would not impact on future road demands in the area of the iron ore deposit, but it may well impact on the proposed railway. I mentioned earlier in the debate that five per cent of the area can be used and given over for road reserves. That would not change because of a change in the status from A class to C class. Members should accept this clause on my undertaking that there will be consultation with the council. It will be fully apprised of the information I have just given to the Committee and assured that any potential needs for a rail option will be considered.

Hon N.F. MOORE: I thank the Minister for that contribution. Once the land becomes a class A reserve it will require approval from Parliament to excise an area if it is required for a railway, a mine or some other development. With the crazy electoral system we have it is not inconceivable for the balance of power to be held by an environmentalist or a member of the greens. Such a person may decide to oppose development of any sort on what I would consider to be spurious grounds and against the best interests of this State, but which that person might consider to be significant. Parliament would not therefore excise the required area. I know that the Minister's Government is sensitive to the needs of industry, as will be the Government which the Opposition will lead next year. The Minister indicated that by excising an area of the Hamersley Range National Park to allow for Hamersley Iron Pty Ltd to build a railway. Given a similar situation on a future class A reserve I am sure the Government would do the same thing as the Opposition. However, that is not to say it would be able to do it. Before the Minister proclaims reserve 33475 as a class A reserve she should talk with the people involved with the Talling Peak deposit to find out what are their preliminary requirements and leave the area as a class C reserve. If they do not need it there would be nothing to stop the Minister making it a class A reserve at a later stage. We should not place hurdles in the way of development which a Government of either persuasion might not be able to overcome. It is a very real concern to the mining industry and important to the economy of the State. We could resolve future problems here and now with a bit of commonsense.

Hon KAY HALLAHAN: I agree with Hon Norman Moore's comments. The Government certainly does not want to stand in the way of a development which will provide much needed employment opportunities and prosperity for Western Australia. I will therefore refer the member's comments to the Minister for State Development and the Minister for the Environment. I am confident that they will deal with the matter comprehensively because they will not want to stand in the way of developments to which the Government is committed. The matter will be very thoroughly assessed.

Clause put and passed.

Clauses 28 to 32 put and passed.

Clause 33: Reserve No. 11710 (Yalgorup National Park) -

Hon BARRY HOUSE: On the surface, this clause appears to show eminent commonsense. It excises four non-contiguous pieces of land and includes in the national park an adjoining piece of land to create roughly the same area. There does not appear to be any objection to that. Will the reserves be A class, C class vested in the shire, or be sold to adjoining landowners? The Shire of Harvey believes that the excisions should be placed under appropriate management and control.

Hon KAY HALLAHAN: I understand that a private occupier adjacent to this area has given up an almost equal area of land. It is an exchange arrangement and that is why this reserve is before the House. It does not seem to be a complicated matter. The four parcels of land will go to the private landowner.

Clause put and passed.

Clauses 34 to 38 put and passed.

Progress

Progress reported and leave given to sit again, on motion by Hon Kay Hallahan (Minister for Education).

ADJOURNMENT OF THE HOUSE - ORDINARY

HON J.M. BERINSON (North Metropolitan - Leader of the House) [5.38 pm]: I move -

That the House do now adjourn.

Adjournment Debate - Standing Committee on Constitutional Affairs and Statutes Revision - Record of Work Performance

HON JOHN HALDEN (South Metropolitan - Parliamentary Secretary) [5.39 pm]: I congratulate Cheryl Edwardes, MLA and members of the Select Committee on Delegation of Parliament's Legislative Function. I have a copy of the committee's report, most of which I have read, and recommend it to members. The committee was established to examine uniform non-bank legislation throughout the States without Commonwealth involvement and to ensure that associated problems do not arise regarding this area of legislation in the future. The Legislative Assembly committee was appointed on Thursday, 4 July 1992 and reported approximately 10 weeks later, after 25 submissions and nine meetings. It travelled extensively throughout the Eastern States.

That matter was referred to the Standing Committee on Constitutional Affairs and Statutes Revision on 3 July 1990. Two years later, the committee has failed to report. I understand that the committee has not considered it at all except to gloss over the matter in the minutes.

Hon R.G. Pike: Which committee are you talking about?

Hon JOHN HALDEN: The member's.

Hon R.G. Pike: What was the subject?

Hon JOHN HALDEN: Uniform legislation. The committee has had that reference for only two years! Does the member not remember it? We referred it from this House to that committee. I understand that a committee staff member visited Victoria. However, the matter has not been discussed in any depth by the committee and it is now two years later.

As an indication of this committee's inactivity, it has tabled one report since its inception - on 24 October 1991. It has spent the past 10 months interviewing 14 witnesses in relation to the Women's Information and Referral Exchange. The activities of this committee have caused me to reconsider whether the House should also reconsider at an early opportunity a motion by the Attorney General for the committee to be disbanded. The chairperson has brought this House into disrepute by not pursuing the matter that the House directed the committee to pursue. It is appalling that a committee of the other House can do the job in 10 weeks, and do it well, and this House's committee cannot pursue the matter in any depth in two years. The chairperson stands condemned by that inactivity.

The committee was also supposed to consider a petition in relation to child sexual abuse. It

called for submissions on the matter. At that time the Attorney General said that the matter had been researched to death and there was no need for this committee to research it again. It was ludicrous for the committee to call for submissions. What was required and what the Government did was legislate responsibly on that issue. The honourable member now wants to treat the inquiry into WIRE in the same way as he treated that inquiry into child sexual abuse. There have been four inquiries into WIRE and I doubt whether the quality of the report of this committee will be anywhere near the standard of the reports of the Australian Securities Commission, the Legal Aid Commission, the Public Service Commission or the Ombudsman.

I have been on the Standing Committee on Government Agencies for some time. I have enjoyed my experiences on that committee and it works hard. All the other committees of which I am aware work hard. None has the appalling record of work performance of this committee. In three years it has laid down one report and I do not think it met at all for the first 12 months of its life; I may be wrong, it may have met once. I have witnessed the performance that goes on in that committee. It is a Star Chamber designed to build up the ego of the chairperson.

The PRESIDENT: Order! When the member discusses these issues he must take account of Standing Order No 356. He is getting dangerously close to coming into conflict with it.

Hon JOHN HALDEN: I am aware of that Standing Order relating to the discussion of proceedings of a committee. I do not intend contravening it.

The PRESIDENT: The member is getting close.

Hon JOHN HALDEN: Mr President, I accept your advice and I thank you. The involvement of the media in the hearings of this committee and the threatening environment it creates all bolster the ego of the chairman. This process gravely concerns me and many others, particularly witnesses who have been forced to endure the interrogation practices followed by this committee. I do not propose to allow that to continue. I assure the House that in my new role as a member of the committee I will insist that the member discontinue the practices he has used in the past. If he continues there will be a number of referrals to the Standing Orders and Procedure Committee about the practices used by this committee. I am not saying that as a threat; I say it because members of this Council must behave properly and be responsible and its committees must act likewise. I intend doing my best to ensure that happens. If the member considers that a threat, so be it. However, I will use the avenues of the House in an appropriate way to ensure that this place is not brought into disrepute by this chairman and this committee.

*Adjournment Debate - Standing Committee on Constitutional Affairs and Statutes Revision
- Record of Work Performance - Rejection of Remarks*

HON R.G. PIKE (North Metropolitan) [5.46 pm]: Of course, I repudiate all incorrect remarks made by Hon John Halden. The member is reminded, as is the House, that I discovered that on only Tuesday night of this week. The Labor Party replaced Hon Mark Nevill with Hon John Halden as a member of the Standing Committee on Constitutional Affairs and Statutes Revision, so I approached Hon John Halden and told him that there were no fewer than 16 reports relating to petitions that had to be dealt with by the committee at its next meeting. I also told the member that, given the detail of the allegations that had been made against Hon Kay Hallahan in writing, and that she instructed the department that Greenburg -

The PRESIDENT: Order! I advise the member that he is in conflict with Standing Order No 356 and that he should cease to transgress.

Hon R.G. PIKE: Sixteen items were ready for the committee to deal with at its next meeting and I cancelled the meeting out of courtesy to him so that he could have time to study the reports.

For the benefit of the member, who has obviously been fed a line of drivel by the Labor Party on this matter, the motion referring the uniform legislation issue to the committee was moved by me; it is a matter in which I have a particular interest and a matter on which next week I will be introducing an amendment to the Standing Orders for control. When the staff member went to the Eastern States to investigate this matter, I expressed concern about the volume of work that the committee had to do. We have received a petition from Hon Max

Evans, for example, dealing with the Permanent Building Society which I estimate will involve the committee in six months of solid work. I was advised by an officer of this House that the uniform legislation matter would be dealt with by another committee and I placed it on hold. Subsequently, the Legislative Assembly passed a motion forming a Select Committee for precisely the same reason as this House referred the matter to the Standing Committee on Constitutional Affairs and Statutes Revision. Consequently, there is no reason for that committee to duplicate the work which the other place has done, and is to do, notwithstanding the fact that the inquiry originated in this House.

In relation to the child sexual abuse issue, from information given I think by Mrs Jan Bennett and others, there is a significant difference between what we reported and what the Attorney General eventually did. Members should bear in mind that we have no capacity to get into the mind of the Attorney General.

I will deal with the general comments made by the member: His comments about a Star Chamber and interrogation are answered very precisely by the comments made by Hon Peter Foss yesterday and by the straight out facts.

Several members interjected.

The PRESIDENT: Order!

Hon R.G. PIKE: The facts are that the witnesses are invited and, in the main, have legal representation. I was responsible for the Standing Orders that provide -

Several members interjected.

The PRESIDENT: Order!

Several members interjected.

The PRESIDENT: Order! I ask Hon John Halden to cease his constant interjections in order that the member can conclude his remarks before his time expires.

Hon R.G. PIKE: The fact is that almost every witness is accompanied by a legal adviser. I invite members to peruse the transcripts of evidence because they will find that at the beginning of each session I inform the person being examined that he or she has the absolute right to refer to his or her lawyer or adviser at any time and that the committee will wait until he or she is ready to answer.

Hon John Halden's remarks indicate his nature, bias and straight out antagonism, even before he has started as a member of the committee. His fatuous threats are of no account. I invite him again to read the transcripts. If he does so he will find these are the facts of the matter. They also make the point, which is the most valid point of all, that in this House there exists an adversary system - there is Government and Opposition. When a committee is inquiring, for example, into de facto relationships, where there is no conflict, the adversarial nature of the House is not extended to the committee system. When members are examining a matter of significant dispute, such as the Women's Information and Referral Exchange and Western Women, that adversarial relationship is visited upon the committee. What this apology for a Government is in the business of doing - bearing in mind that until today not one public comment has been made by me about the functions or decisions of the committee -

Hon T.G. Butler: You have not made any.

Several members interjected.

Hon R.G. PIKE: What the Labor Party in this State sees itself as having to do is attack the committee.

Several members interjected.

The PRESIDENT: Order! I now call on Hon Tom Butler to cease his interjecting.

Hon R.G. PIKE: Not one item of the committee's determinations or decisions has been made public. All that has happened is that, under the Standing Orders of this House, a Standing Committee has conducted its hearings in public session and the media has reported the sworn evidence of the participants, but the Government does not like the evidence because it puts it on the spot. What did the Premier start out with?

Several members interjected.

The PRESIDENT: Order!

Hon R.G. PIKE: The member for Kingsley wanted a Select Committee and the Government used its numbers in the other House to stop it being established. It did not want to inquire into the facts. Then it had a Public Service inquiry, and what did we find out about that? It was an alleged whitewash. Then there was an inquiry into the Public Service inquiry.

Point of Order

Hon JOHN HALDEN: Under Standing Order 356 the Public Service inquiry into WIRE is a consideration before the committee. The member's comments clearly breach the Standing Order.

The PRESIDENT: Not in the context in which he is speaking.

Debate Resumed

Hon R.G. PIKE: Following that the Ombudsman investigated the matter to ascertain whether any Minister or anyone else incorrectly directed the Public Service inquiry. What else did we have? Slips, no go, the Government decided to have a QC investigate the law as it relates to the matter. Then the Legal Aid Commission was authorised and funded to act on behalf of those who lost money. We have now had about six changes and each one has been brought about by the fact that the public knowledge of the evidence has been such that it has this Government squirming like a worm on a hook and it cannot get off.

Hon John Halden has set out to discredit the committee by his attacks upon its veracity when an observation of the detail of the transcript will reveal it has been scrupulous in sticking to the rules, except in the case of one witness from a Government department - who some allege is generally referred to as a member of the sisterhood - who publicly objected to the nature of the inquiry. It is a matter of public record that she was taken to account by Hon Peter Foss, and she did not like it. Now we have the Labor Party manoeuvring and manipulating to attack me as the chairman, to call it a kangaroo court and to talk about the environment of the committee when nothing but courtesy, proper procedure and total propriety has occurred throughout. The facts speak for themselves. The attendance of Hon John Halden on the committee will be looked forward to because we had a hiccup with the member he replaces and now we will have two "cups" and very little else.

[The member's time expired.]

Adjournment Debate - "Northern Suburbs Transit System - Schools Incentive Project.

Information Kit."

HON N.F. MOORE (Mining and Pastoral) [5.56 pm]: In question time today I raised the matter of this conglomeration of documents titled "Northern Suburbs Transit System - Schools Incentive Project. Information Kit." It has been printed on recycled paper, is in the form of an envelope and is in full colour. The Minister advised that children in a number of schools in the northern suburbs would receive a copy of this document. Inside one finds a letter from the Chairman of Transperth addressed to "Dear 'Future Commuter'". I would be inclined to say, "Dear Future Voter or Elector". The letter says, "You are a commuter of the future." It really means, "You are an elector of the future." What it does not say is, "Take this kit home to mum and dad and show them the wonderful pictures." The kit contains a coloured supplement which was published in a number of northern suburbs newspapers and is about the Perth-Joondalup railway. The inside pages of the supplement show an aerial photograph depicting different parts of the railway line. Also shown is a photograph of the Premier and it states what a wonderful job the Government of Western Australia is doing with the railway line. The supplement cost \$25 000 and was distributed throughout the northern suburbs at taxpayers' expense to promote the Government and the railway line. For some reason the Government believes the railway line is a panacea for its electoral problems in the northern suburbs and is the vehicle for winning the seats of Joondalup and Whitford.

Another coloured supplement is titled "Perth-Joondalup Railway Progress Update" and contains a series of coloured photographs. Another coloured supplement is titled "They will soon be closer. Joondalup-Perth." It includes another range of photographs, a map and fantastic information provided by the Government of Western Australia to the constituents of the northern suburbs. Another coloured page is headed "Your brief for the project" and

contains briefs for several projects to be undertaken by students. The first project is for year 8 students and the brief given to them is -

"You are an executive of the Western Australian Tourism Commission. You are required to write and design a brochure for visiting Japanese tourists. Your brief is to outline a day trip from Perth to Mindarie Keys, travelling only by public transport and highlighting points of interest along the way."

The second project is for year nine students and it reads -

"You are the creative director of an advertising agency. Your brief is to create an advertising campaign to increase patronage on the Northern Suburbs Transit System. Market research shows that the system is under-utilised by people aged 45-50. Create a campaign that will appeal to this age group."

The PRESIDENT: Order! The House is still in session and the time for members to carry on those sorts of conversations is, I hope, getting close but it has not yet arrived.

Hon N.F. MOORE: The brief continues -

Campaign to consist of:

1 poster layout.

1 full-page newspaper advertisement (text and layout). May be in full colour, spot colour or black and white.

1 script for a 30-second television advertisement (including shot list and/or story board).

That sounds like a fairly good way of getting somebody to do a campaign to be used prior to the election for promoting this aspect of the Government's policy. The brief continues with the third project for year 10 -

"A modern day interpretation of Romeo and Juliet, with a happy ending. Romeo lives in Beaumaris and Juliet lives at Carine. Both must rely on public transport if their love is to survive."

Format - Choice of:

Book form (pictorial is an option).

Video

Play

Story board

Hon P.G. Pandal: Next year they are giving Mr McKenzie the role of Romeo!

Hon N.F. MOORE: I draw this to the attention of the House because clearly an enormous amount of public money is being spent on the campaign to promote the Joondalup railway line. It is clearly an electioneering campaign being conducted by a Government agency, Transperth, and clearly at the behest of the Premier and the Minister for Transport. They are using children in our schools to promote a political campaign, and they are going to extraordinary lengths to get across the message that the Government is building a railway line for the people of Western Australia that will cost them \$6 every time somebody gets on it. It is an example of the extent to which this Government is prepared to go to promote its project.

I raise this not just to complain about the waste of my money, but to compare it with the Marandoo project in my electorate. It has been waiting two years to get going and it will create thousands of jobs in this country. Hundreds of millions of dollars will be invested by the private sector, and the Environmental Protection Authority report has just been released after procrastination upon procrastination by the Government and Government agencies for years. The EPA requires the company to go further and provide more reports, and has said that at the end of the project it must restore the area to national park standards. That means a hole in the ground measuring two kilometres by four kilometres, several hundred metres deep, must be filled in.

Hon J.M. Berinson: Who suggested that the EPA would require that?

Hon N.F. MOORE: What is a national park standard? Is it the retention of a wilderness area or natural environment? If that is what it means, the hole must be filled in. If that is not the

case, why does the EPA make that provision? It should tell the company that it can carry out its mining and walk away from the site when it is finished.

The Government has done nothing but delay this project which is absolutely vital for the future of Hamersley Iron Pty Ltd. The Government and its agencies have done nothing but frustrate and delay this project, yet on the other hand it has spent thousands of dollars of taxpayers' money promoting a project it thinks will win votes for the Labor Party in the northern suburbs. For some reason the Government seems to think that the seat of Pilbara is in its pocket. I advise the Government that the Marandoo project is worth far more to this State than the northern suburbs railway line, and if it gave the same amount of attention to Marandoo as it gives to this railway line I would be very happy and would sit down and be quiet. If Marandoo had received the same amount of attention as the railway line it could have been off the ground 18 months ago, and thousands of people who are presently part of the 11 per cent unemployed would have jobs. For the sake of simple political expediency the Government gets involved in this type of activity, spends our money trying to brainwash children to win votes and, at the same time, has the EPA delaying a massive project which the State of Western Australia desperately needs.

*Adjournment Debate - Standing Committee on Constitutional Affairs and Statutes
Revision - Record of Work Performance - Rejection of Remarks*

HON J.N. CALDWELL (Agricultural) [6.05 pm]: I rise to defend the Constitutional Affairs and Statutes Revision Committee, of which I am a member, and also the chairman of that committee, Hon Bob Pike. I draw the attention of the House to two factors to which consideration should be given. Firstly, two members of the committee cover 90 per cent of the State in their electorates - one is Hon Mark Nevill and the other is me. On many occasions the chairman, Hon Bob Pike, tried to contact us to organise a committee meeting but we were unable to attend because of prior commitments in our electorates. I made every effort to attend meetings when I possibly could, and I am sure Hon Mark Nevill also did so. I am sorry that he is not in the Chamber tonight to defend himself because the committee members attempted to do as much work as they could under very difficult circumstances, while at the same time looking after the people in their electorates.

Secondly, I advise members that many of the witnesses we asked to give evidence in relation to the Western Women group made excuses for not attending. Others were unable to attend for various reasons. One lady broke her leg and said she would not be available to give evidence for two or three months.

Hon John Halden: So the committee did not meet.

Hon J.N. CALDWELL: The committee had to contend with those events, and I believe that lady's leg is now better and she will give evidence to the committee on Thursday. Those two points illustrate the difficulties with which the committee was faced.

The Government is very touchy on this matter and it may be because the committee is hot on the trail. Members opposite may laugh but I wonder why they are sitting on the edges of their seats and making speeches such as that made by Hon John Halden. It was a most objectionable speech to committee members and to the chairman, Hon Bob Pike. It is detrimental to make such a speech in the adjournment debate. I welcome Hon John Halden on the committee and I know that with all his expertise he will hasten matters along. Of course, he has one advantage, he lives in the city so it will be easier for him to attend meetings. The committee has been working extremely well, Hon Bob Pike is the most meticulous chairman, and I do not think any member could have done a better job.

Adjournment Debate - Design Visions, Art Gallery of Western Australia

HON PETER FOSS (East Metropolitan) [6.08 pm]: I draw members' attention to a significant event in Perth at the moment which is Design Visions at the Art Gallery. I do not believe people realise how privileged we are to have such an outstanding international exhibition of craft in Western Australia. It is unique. We are the only place in the world which has this triennial craft exhibition. Anyone who has seen it will recognise it as an absolutely stunning exhibition. I recommend all members to visit it because I think they will find themselves amply rewarded. I offer my congratulations to the Director of the Art Gallery, Paula Latos-Valier, to Mr Bell, the curator, who arranged this exhibition, and the whole of the Art Gallery management for having put so much effort into this exhibition. It is

a great opportunity for people who do not regard themselves as experts in these matters to learn something about craft. Not only is this exhibition on at the Art Gallery, but also the Russian exhibition is on display which includes a lot of items of craft. At the same time, close to that at the Crafts Council of Western Australia, the Perth City Council is displaying more craft. In Fremantle, in your electorate, Mr President, members will find the Western Australian Neckworks Award exhibition, arranged by JAMGA - the Jewellers and Metalsmiths Group of Australia. This is a student based Australia wide competition. Even if members do not regard themselves as experts in the craft area, this is a great opportunity to be exposed to a large amount of high quality crafts at various levels - international, national, State and student levels. I believe members will find that being exposed to such a wide range of craft will enable them to learn a tremendous amount about it. I recommend to members that they go along to as many of these events as they can. We should congratulate the persons who put on these exhibitions because they are a great credit to Western Australia.

Adjournment Debate - Marandoo Project

HON J.M. BERINSON (North Metropolitan - Leader of the House) [6.11 pm]: I will confine what I have to say to comments made by Hon Norman Moore a moment ago. I do not know why Mr Moore has such a set against Romeo and Juliet, the northern suburbs railway, and freedom of information, respectively. He seemed to be anxious to deliver a serve against each. For the moment I will restrict myself to commenting on the last of his remarks relating to the Marandoo project.

For Hon Norman Moore to suggest that the Government has dragged its feet on this project is to ignore the facts entirely. No-one could have been firmer in their support of this project than the Premier. She has been strong and explicit on this matter. This has not been a mere matter of words; on the contrary, as Hon Norman Moore would surely know, the Government has passed no less than three special Acts of Parliament in order to expedite this project -

Hon N.F. Moore: You still can't get it off the ground.

Hon J.M. BERINSON: - and see it through the difficulties it has met. There cannot be a shadow of doubt that the Government shares the interests of the whole community, including the Opposition, about this matter.

Hon N.F. Moore: You are a useless Government!

Hon J.M. BERINSON: The Government shares the community's interest in ensuring that the Marandoo project proceeds at the earliest possible time.

Question put and passed.

House adjourned at 6.12 pm

QUESTIONS ON NOTICE

**ROYAL COMMISSION INTO COMMERCIAL ACTIVITIES OF GOVERNMENT
AND OTHER MATTERS - LEADERSHIP FUND**

Government Superannuation Board - \$75 000 Donation for Election Campaign

250. Hon PETER FOSS to the Attorney General representing the Premier:

- (1) Is the Premier aware of the evidence in the Royal Commission that the Government Superannuation Board contributed \$75 000 to the leadership fund for the Australian Labor Party election campaign?
- (2) Will the Government -
 - (a) take immediate action to prevent dissipation of the fund; and
 - (b) commence action to recover from the leadership fund the apparent improperly paid donation?
- (3) Was any part of the leadership fund used in the recent Ashburton by election?
- (4) Will the Premier give an undertaking not to use any of the leadership fund until the Royal Commission's report has been made -
 - (a) because of this alleged illegal donation; and
 - (b) because other donations to the leadership fund may have been improperly and illegally obtained?

Hon J.M. BERINSON replied:

The Premier has provided the following reply -

- (1) I am aware of the allegation.

(2),(4)

In view of the fact that this fund no longer exists this question is not applicable.

- (3) No.

**AGRICULTURE, DEPARTMENT OF - "NATURALIZED PAMPAS GRASS IN
WESTERN AUSTRALIA" REPORT**

Lake Jandabup, Exact Location of Grass

481. Hon P.G. PENDAL to the Minister for Police representing the Minister for Agriculture:

I refer to a Department of Agriculture publication/report entitled "Naturalized Pampas Grass in Western Australia" by J. Dodd and S.G. Lloyd, dated October 1991, and ask -

As the existence of pampas grass in the area of Lake Jandabup, as mentioned in the above document, has been challenged by a local resident, what are the details of the exact location of the grass?

Hon GRAHAM EDWARDS replied:

The Minister for Agriculture has provided the following reply -

Two large clumps of pampas grass were growing at the south end of Lake Jandabup on the west side of the lower bend in Hawkins Road. The clumps were readily visible and specimens were collected by Agriculture Protection Board staff and positively identified in May 1991.

HERITAGE COUNCIL - LAND NEAR SWAN BREWERY SITE

Giving Land to Aborigines - Consideration

494. Hon P.G. PENDAL to the Minister for Education representing the Minister for Heritage:

With reference to the *Sunday Times* article of the 9 August 1992 edition, page 12, which states that the Heritage Council of Western Australia is looking at giving land near the old Swan Brewery to Aboriginal people -

- (1) Is it correct that the council is considering giving some land in the vicinity of the brewery to the Aboriginal people?
- (2) If so, which portions of land are under consideration, even on a tentative basis?

Hon KAY HALLAHAN replied:

Reply provided by the Minister for Heritage -

(1)-(2)

I have suggested that the council examine the possibility for interpretation of Aboriginal cultural heritage values in the non-leased parts of the registered site.

SWAN BREWERY SITE - ARCHAEOLOGICAL DIG PROPOSAL

495. Hon P.G. PENDAL to the Minister for Education representing the Minister for Heritage:

- (1) Has the suggestion been put to the Minister or the Heritage Council that an archaeological dig be carried out on the old Swan Brewery/Old Mill sites?
- (2) If so, will he agree to such a dig?
- (3) If not, for what reasons?

Hon KAY HALLAHAN replied:

Reply provided by the Minister for Heritage -

- (1) A suggestion has been made that an archaeological dig be carried out on the old Swan Brewery/old mill sites.
- (2) In respect of the Swan Brewery an archaeologist will be made available to supervise any excavation works and record any items of interest. The developer will be responsible for ensuring that an archaeologist is available when excavation work is carried out, to record any items of interest. In respect of the old mill, I am advised that a preliminary archaeological dig has already been carried out by the National Trust in association with the University of Western Australia's Archaeological Department.
- (3) Not applicable.

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION *Mismanagement Complaints*

517. Hon GEORGE CASH to the Minister for Corrective Services:

When did the Minister first become aware, either formally or informally, of the allegations of mismanagement, misappropriation and possible fraud in the building services division of the Department of Corrective Services?

Hon J.M. BERINSON replied:

I was advised by the executive director on 7 July 1992 that he intended to establish an internal review on that day into the operation of the building services division of the Department of Corrective Services. The review was reported to me as being based on complaints related to management practice in the division. The report was not in terms of "misappropriation and possible fraud".

MUSEUMS - BROOME AND BUNBURY *Regional Museums Establishment Time Frame*

531. Hon GEORGE CASH to the Minister for The Arts:

- (1) As a result of the report on Western Australian museums by Professor Tom Stannage has any time frame been recommended for the establishment of regional museums at Broome and Bunbury?
- (2) Does the Government have suitable land available in these centres to locate a museum?

- (3) When is it expected the Government will commence building a museum in these regional centres?

Hon KAY HALLAHAN replied:

- (1)-(3) In June 1992 the recommendations of the state task force for museums policy were released for public discussion. Public submissions have been sought as to those recommendations. As the period set aside for public comment on the recommendations of the task force has not concluded, no implementation strategy has been established.

JURIES ACT - AMENDMENTS

532. Hon GEORGE CASH to the Attorney General:

With reference to the announcement by the Attorney General on 10 September 1991 that Cabinet had approved amendments to the Juries Act which would reduce the number of people needed for jury duty and speed the jury selection system -

- (1) Has the legislation to amend the Juries Act been drafted?
(2) If yes, when will the legislation be brought before the Parliament?

Hon J.M. BERINSON replied:

- (1) Yes. A Bill to amend the Juries Act was introduced into the Legislative Council on 17 October 1991. When it became apparent that important proposals in the Bill would be opposed, the Bill was not proceeded with.
(2) Because of the pressure on the legislative program for the remainder of this session, further consideration of the Bill has been deferred to 1993.

PRISONS - FOREIGN PRISONERS

Transfer Scheme

533. Hon GEORGE CASH to the Minister for Corrective Services:

- (1) Is there an established scheme for the transfer of foreign persons imprisoned in Western Australia or the repatriation of Australian citizens imprisoned elsewhere in the world?
(2) If so, will the Minister provide details of such a scheme?
(3) If no to (1), what action has been taken to institute such a scheme?

Hon J.M. BERINSON replied:

- (1) No.
(2) Not applicable.
(3) Discussions are continuing between the Commonwealth and the State Governments.

JOONDALUP COURT - COMPLETION DATE

Operations Commencement Date

536. Hon GEORGE CASH to the Attorney General:

- (1) Will the law court at Joondalup be completed in December 1992 as previously advised?
(2) If no, when will the courts be completed?
(3) When will the courts be in operation?

Hon J.M. BERINSON replied:

- (1) No.
(2) The building is expected to be completed in about March/April 1993.
(3) July 1993.

**POTATO INDUSTRY - EDGELL-BIRDS EYE WORKING REPORT
RECOMMENDATIONS**

544. Hon GEORGE CASH to the Minister for Police representing the Minister for Agriculture:

Will the Minister ensure that public meetings are held with members of the Potato Growers Association and other interested parties to enable further consultation on the effect to the industry of recommendations contained in the Edgell-Birds Eye working report into the potato industry to which the Minister for Agriculture has referred in recent weeks?

Hon GRAHAM EDWARDS replied:

The Minister for Agriculture has provided the following reply -

A review of the effectiveness of the Potato Marketing Authority is required under the Marketing of Potatoes Act. This will be a broad ranging review encompassing an examination of all aspects including potato marketing and providing opportunity for consultation with interested parties. The report of the Edgell-Birds Eye working group will provide, among other things, background information to be considered in the course of this review.

HERITAGE COUNCIL OF WESTERN AUSTRALIA - MEMBERSHIP

552. Hon P.G. PENDAL to the Minister for Education representing the Minister for Heritage:

What are the names and occupations of the current members of the Heritage Council of Western Australia?

Hon KAY HALLAHAN replied:

The Minister for Heritage has provided the following reply -

Name	Position	Occupation
Mr Ian Molyneux	Chairperson	Architect
Mr Maurice Owen	Senior Vice Chairperson	Valuer/
	Chairperson/Member	Company Director
Ms Ainslie Evans	Vice Chairperson -	Local Govt
	Rural/Member	Councillor
Mr Frank Montgomery	Member	Accountant/ Company Director
Ms Robyn Taylor	Member	Lecturer
Ms Alannah MacTieman	Member	Solicitor
Ms Kate George	Member	Solicitor
Ms Agnieszka Kiera	Member	Architect
Mr Phil Griffiths	Member	Architect
Dr Cathie Clement	Coopted Member	Historian

QUESTIONS WITHOUT NOTICE

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Mismanagement Allegations - Facts Outlined to Minister 7 July

343. Hon GEORGE CASH to the Minister for Corrective Services:

I refer to question on notice 517 in today's Supplementary Notice Paper and the Minister's reply. What specific factors were outlined to the Minister on 7 July 1992 regarding the building services division of the Department of Corrective Services which gave rise to the commencement of that review?

Hon J.M. BERINSON replied:

A fairly lengthy discussion took place between the Executive Director of the Department of Corrective Services and me, and I cannot pretend to be able to specifically deal with all matters which were raised. However, in general the background was that the executive director had been made aware of a number

of complaints regarding the management and practice of the building services division of the department and that these had been subjected to a preliminary review by one of the departmental officers. It was as a result of the advice he received that he consulted the Public Service Commission and decided to initiate an internal review of that division.

The assertions which he brought to me were of a general nature as far as I recall. They included a couple of broad areas which were referred to in questions and answers earlier this week, but I do not believe that they came down to any detail of particular complaints which I would be able to put to the House. Indeed, it would not be proper to put them to the House in view of the fact that the review is proceeding.

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Mismanagement Allegations - Misappropriation of Public Funds and Possible Fraud Discussions

344. Hon GEORGE CASH to the Minister for Corrective Services:

Regarding the various facts that were outlined to the Minister regarding the problem at the building services division of the Department of Corrective Services, can the Minister advise the House whether questions regarding misappropriation of public funds and possible fraud were discussed by the executive director and the Minister?

Hon J.M. BERINSON replied:

I draw the attention to the House to the latter part of my answer to question on notice 517. It reads -

The review was reported to me as being based on complaints related to management practice in the division. The report was not in terms of "misappropriation and possible fraud".

I certainly had no recollection of those terms being used in the discussions between the executive director and me, but before I provided this reply to the question on notice I took the precaution of discussing the question with the executive director to be sure I had his agreement that the reply to the question as provided in today's Supplementary Notice Paper is correct.

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Mismanagement Allegations - Inquiry, Misappropriation of Public Funds and Possible Fraud Consideration

345. Hon GEORGE CASH to the Minister for Corrective Services:

Following the answer I received to my last question, can the Minister advise, notwithstanding the answer to question on notice 517, whether the investigation which is currently being undertaken within the Department of Corrective Services will also consider the question of misappropriation of public funds and possible fraud within the department?

Hon J.M. BERINSON replied:

The review is comprehensive and is intended to deal with all matters affecting the management practices of the building services division.

Hon George Cash: Does that include misappropriation?

Hon J.M. BERINSON: It includes everything.

Hon George Cash: Then the answer is yes.

Hon J.M. BERINSON: The answer is that it includes everything!

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Mismanagement Allegations - Inquiry, Areas Covered

346. Hon GEORGE CASH to the Minister for Corrective Services:

(1) Which areas are being covered by the Department of Corrective Services

investigation, and will the Minister confirm that areas of misappropriation of public funds and possible fraud are included in the inquiry?

(2) If other inquiries are taking place, will he outline them to the House?

Hon J.M. BERINSON replied:

(1)-(2)

I do not know how far this process can go. I have said that the review will cover all matters affecting the operation and management practices of the building services division. It will cover everything. It is not designed to level allegations of any particular conduct; it is designed to investigate all matters relating to the management practices in that division. If anything untoward emerges, that will be reported. That simply follows as a matter of course.

However, I have no evidence before me and no indication that any reference of the sort that the Leader of the Opposition continues to insist on advancing will be involved. As I have said before, it is undesirable and unfair on the officers concerned for the Leader of the Opposition to continue with his implied accusations. For the sake of waiting three or four weeks for the completion of a proper process it is preferable that such accusations be avoided.

SCHOOLS - FIVE YEAR OLDS *Full Time Schooling - New Developments*

347. Hon T.G. BUTLER to the Minister for Education:

Are there any new developments concerning the Government's decision to phase in the voluntary full time preprimary program over the next three years?

Hon KAY HALLAHAN replied:

I am pleased to advise the honourable member and members that at one o'clock today a Press conference was called at which the names of the schools to offer the full time preprimary program were released. It is, therefore, a very significant day for education in Western Australia. Students in Government schools will now have the same opportunities as students who attend private colleges and private schools.

Hon Derrick Tomlinson interjected.

Hon KAY HALLAHAN: The program will provide that opportunity for all students.

Hon Derrick Tomlinson: The significance is that some will attend and some will not. The majority will not.

Hon KAY HALLAHAN: I think Hon Derrick Tomlinson's vehement interjection indicates that he thinks it is a good thing to extend the program to five year olds and that his only concern is that not all students will enjoy it in 1993.

Hon Derrick Tomlinson interjected.

The PRESIDENT: Order!

Hon KAY HALLAHAN: More mature members of the Parliament will realise that the phasing in of the program is a huge logistical exercise. It will be necessary to recruit teachers and assistants, and to start construction of permanent or transportable buildings. The announcement was, therefore, brought forward so that the important planning and work could proceed in an orderly fashion for 1993.

Hon P.G. Pendal: Before the State election.

Hon KAY HALLAHAN: A member interjected about this announcement being associated with the 1993 election. For the record and for the information of members who do not understand the program, it is not a politically popular situation to phase in a program like this. I reject the idea that this program is in any way related to the State elections, because many parents will be disappointed. That is not something which motivates a Government as it

approaches an election. Nevertheless, the Government is introducing the program because it has examined its cost and believes it is a very sound developmental program which will enable children to learn through play and be better prepared for school.

In answer to the critics who say we should spend the money better on other aspects of the education system, last year education was allocated an expanded budget and the same will occur this year. Everyone involved in education knows that the early years are the very important formative and effective years for students. I have not heard an educationist suggest that those are not the best years in which to be investing.

The PRESIDENT: Order! The Minister should be answering Hon Tom Butler's question.

Hon KAY HALLAHAN: The schools which have been identified in the Press release have indicated their support for the program through their staff and their community. They are located throughout the State, including those electorates in which members have actively worked against the program. I hope those members will not be punitive towards the parents in those electorates who were in favour of this program and who had the best interests of their children at heart.

I am happy to answer other questions on this matter. However, it is a voluntary program and the Government has undertaken to provide the part time provision. It is, therefore, a significant step today in that it opens up an opportunity for our students and brings equity to the preprimary school system which has not previously existed. I seek leave to table the list of schools which I released at one o'clock today.

[See paper No 352.]

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Mismanagement Allegations - Executive Director, Consultations With Other Agencies

348. Hon GEORGE CASH to the Minister for Corrective Services:

I refer to earlier answers to questions which I have asked this afternoon about the Department of Corrective Services. In view of the fact that the Minister has advised that the Executive Director of the Department of Corrective Services consulted with the Public Service Commission about his concerns about the building services division, did the executive director consult with any other external agencies, and if so, whom?

Hon J.M. BERINSON replied:

I do not believe that he consulted any other agency besides the Public Service Commission before his discussion with me. However, following that discussion, and as a result of it, he also consulted the Crown Solicitor.

CORRECTIVE SERVICES, DEPARTMENT OF - BUILDING SERVICES DIVISION
Mismanagement Allegations - Minister for Corrective Services, Discussions with Other Ministers

349. Hon GEORGE CASH to the Minister for Corrective Services:

Has the Minister had discussions about problems associated with the building services division of the Department of Corrective Services with any other Minister; in particular, the Minister for Construction? If so, can he indicate the nature of those discussions?

Hon J.M. BERINSON replied:

Members will know that some religions believe in a form of reincarnation which has human beings, after their sojourn on earth the first time, returning in some other animal form. I am getting a terrible mental picture - without any malice - of Hon George Cash's returning as a leech. He has been grasping on to this very standard regular review of a division of the

Department of Corrective Services and he seems unable to let go. There is no blood to be sucked from this question. A review is in process and when it is completed a report will be presented and then we will know what is the position and what should be done about it. The answer to his question is no.

CAMP QUARANUP - MANAGEMENT CHANGE

Staff Services Termination, 1 December

350. Hon MURRAY MONTGOMERY to the Minister for Sport and Recreation:

Is the Minister aware that, last Monday, staff at Camp Quaranup were told that on 1 December their services would be no longer required as the camp management was to change? The staff were offered some directions about their payout packages.

Hon GRAHAM EDWARDS replied:

No, I am not aware that that is the case. I will seek some information from the ministry to ensure that that is not the case. When I was in Albany recently exactly the same question was put to me, but the date was different. I checked with the Ministry for Sport and Recreation but was advised that the information was wrong. I therefore surmise that the member's question is based on a false premise.

Hon Murray Montgomery: It was based on a letter from the human resources officer at the ministry.

Hon GRAHAM EDWARDS: If the member puts the question on notice I will check with the Ministry for Sport and Recreation.

SCHOOLS - "NORTHERN SUBURBS TRANSIT SYSTEM: SCHOOLS INCENTIVE PROJECT. INFORMATION KIT"

351. Hon N.F. MOORE to the Minister for Education:

I draw the Minister's attention to the material distributed to Western Australian schools entitled "Northern suburbs transit system: Schools incentive project. Information kit".

- (1) Did the Minister authorise the kits, and if not, why not?
- (2) Have the kits been distributed to all schools in Western Australia, and if not, to which schools were they distributed?
- (3) Who paid for the kits - the Ministry of Education, the Department of Transport or somebody else?
- (4) What was the total cost of producing and distributing the kits?

Hon KAY HALLAHAN replied:

(1)-(4)

I am not in a position to provide all of the details asked for by the member. I and my colleague, the Minister for Transport, certainly endorsed the kit.

Hon N.F. Moore: Did you read it?

Several members interjected.

The PRESIDENT: Order! I am disturbed at the way these interjections are becoming the normal state of play during question time. I am particularly concerned about it when people use derogatory terms when they refer to other members in this Chamber. Some people in the community already have little enough regard for members of Parliament as it is without our taking the opportunity to demonstrate bad behaviour to them when they are visiting the place. I suggest that honourable members constrain themselves. They are now three-quarters of the way through question time and the longer I speak the less time they have to ask questions.

Withdrawal of Remark

Hon Graham Edwards: Mr President, if you are referring to my interjection, I withdraw it.

The PRESIDENT: I was not, but thank you for doing that.

Questions without Notice Resumed

Hon KAY HALLAHAN: The construction of the northern suburbs railway is a very significant event in the life of this community. The kits were distributed to raise awareness among young people about train travel. They were distributed to schools in the northern corridor - I cannot give the member a list of them, but they are possible users of the system. As I said, they were distributed to bring awareness of a great event in Western Australia, the opening of the line. The member should put on notice the points he wants answered and I will make the information available to him.

SCHOOLS - "NORTHERN SUBURBS TRANSIT SYSTEM: SCHOOLS INCENTIVE PROJECT. INFORMATION KIT"

Three Projects, Conducted During School Hours or at Home

352. Hon N.F. MOORE to the Minister for Education:

I refer to the kit which contains a paper entitled "Your brief for the project" which outlines three projects for three different year groups. Will the projects be conducted during school hours or will the children be expected to do those projects at home?

Hon KAY HALLAHAN replied:

I presume that will depend on the schools and teachers.

STANDING COMMITTEE ON CONSTITUTIONAL AFFAIRS AND STATUTES REVISION - WOMEN'S INFORMATION AND REFERRAL EXCHANGE INQUIRY
Cannot Sit while the House is Sitting Comments - Standing Orders Change

353. Hon MARK NEVILL to the Leader of the House:

- (1) Is the Leader of the House aware of a claim on ABC Radio this morning by Hon Bob Pike that it may be difficult for the Standing Committee on Constitutional Affairs and Statutes Revision to complete the Women's Information and Referral Exchange inquiry by 26 November 1992 because the committee "cannot sit while the House is sitting"?
- (2) Will the Leader consider whether there is a need to change our restrictions in this respect and will he consider a reference to the Standing Orders Committee?

Hon J.M. BERINSON replied:

(1)-(2)

Yes, I am aware of Hon Bob Pike's comments and I am more than usually astounded by them. It is true that Mr Pike's committee cannot meet while the House is sitting without an order of the House. The real problem, though, is that it does not seem to have sat at any other time either. Even though a committee cannot meet while the House is sitting, and accepting that in those weeks Tuesday mornings are also unavailable for practical purposes because of party meetings, there is still an awful lot of time left; all of Monday, all of Friday, and Wednesday and Thursday mornings in each week are available. In recess weeks the committee can sit on every day of the week. Therefore, in respect of this suggestion by Mr Pike that the problem of his committee is that it is hindered by its inability to meet while the House is meeting -

Hon George Cash: That is a fact, according to the Standing Orders.

Hon J.M. BERINSON: I have acknowledged that it is a fact, but a remarkably little fact in this context. I thank the Leader of the Opposition for that helpful interjection.

Point of Order

Hon PETER FOSS: I am not sure what ministerial responsibility the Minister is using in answering this question, but he seems to be using it to make a speech.

The PRESIDENT: Order! There is no point of order. The member asked the Minister, as Leader of the House, about a Standing Order of this place and I will not rule the answer out of order until he answers it.

Questions without Notice Resumed

Hon J.M. BERINSON: I am leading inexorably to the answer and I think it will be almost self-evident once we have some brief idea of the background facts. What are they? For example, how often has Mr Pike's committee sat in the 40 weeks, and I am omitting prorogued weeks, since the committee was established in November 1991?

Point of Order

Hon W.N. STRETCH: The Minister is now asking the House questions instead of answering them.

The PRESIDENT: There is no point of order.

Questions without Notice Resumed

Hon J.M. BERINSON: I am advised that Mr Pike's committee has sat a grand total of 13 times in 40 weeks, or once every three weeks. Of those 13 meetings, nine were in the 13 weeks when the House was sitting and, according to Mr Pike, apparently facing procedural difficulties. On the other hand, in the 27 weeks of recess time when there are no such difficulties, how often did the committee sit? It sat four times, or once every seven weeks. No wonder Mr Pike looks so exhausted every time he comes into the Chamber.

Hon Mark Nevill asked me whether I would consider the desirability of a change to the Standing Orders to accommodate Mr Pike's physical exhaustion by allowing his committee, or any other committee, to meet, contrary to our past practice, during times when the House is sitting. If there were any indication, either from Mr Pike's committee or any other committee that their processes could be assisted by a change of the Standing Orders in that respect, and without detriment to the work of the House, certainly I would consider it. I would be amenable to supporting a change of the Standing Orders to that effect. The remarkable thing is that no other chairman of this House's committees has raised this terrible obstacle that exists to the efficiency of Mr Pike. No other chairman has said, "My word, we would get our reports out in better time if only we were not restricted by this incapacity to sit while the House is meeting." Only Mr Pike has said that. Only the chairman of the committee that has sat only once in every seven weeks in recess time has said that he is restricted by this restriction in the Standing Orders.

Hon George Cash: You are a good actor.

Several members interjected.

Hon J.M. BERINSON: I do not know whether I am a good actor but sure as hell Hon Bob Pike is a terrible committee chairman.

The PRESIDENT: Order! The Attorney General is out of order. One of these days Hansard in its further use of the technology that is available will bring with it a video camera so that not only are the reporters able to record the spoken word, but also they will be in a better position to advise the public of the precise actions members use in order to demonstrate very effectively what they are trying to say. At the moment that does not happen, and I remind honourable members that all the Hansard reporters can do in this day and age is record the words and not the actions. That may save some people some energy. The point I make - and I feel at times like a cracked record because it seems I must say this every day - is that members in this place do not have to like what other people say or believe what they say, but they must listen to them. I ask members to do that.

Hon J.M. BERINSON: I will complete this answer with my hands in my pockets, Mr President! The facts speak for themselves. Let me summarise by saying,

as I indicated in an earlier debate today, that there is always room to improve our procedures, and when a proposal is put that might help in that respect it should be seriously considered. I think we all acknowledge that the committees are now a very important part of the work of this House, and if there is any substantial indication that the work of our committees would be assisted by the type of amendment flagged by Hon Mark Nevill, then of course we should at least consider it. For the moment, and particularly in respect of these remarkable comments by Hon Bob Pike, there is no such evidence.
