

Legislative Council

Tuesday, 24 May 1988

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 4.30 pm, and read prayers.

MINISTERIAL STATEMENT

Burswood Casino

HON J.M. BERINSON (North Central Metropolitan - Attorney General) [4.31 pm]: I seek leave to make a ministerial statement in respect of the Burswood Casino investigation.

Hon G.E. MASTERS: I assume that the Attorney General will afford the same opportunity to the Opposition if it wishes to make a response to the statement.

The PRESIDENT: That is not the question. The question is that leave be granted.

[Leave granted.]

Hon J.M. BERINSON: Despite repeated efforts to clarify the position of the Commissioner for Corporate Affairs in respect of the Burswood Casino investigation, there appears to be continued confusion in at least some sections of the media. Accordingly I made the following request to the Commissioner for Corporate Affairs this morning -

'State Affair' last night reported on the above matter in terms of the former Commissioner recommending to Government that a prosecution be initiated, and the Government failing to do so.

The "Daily News" this morning has again raised questions with me as to Ministerial authority to instruct the Commissioner on investigations.

Please set out the role of the Commissioner and the role, if any, of the Government in respect of such investigations generally and the Burswood Casino investigation in particular.

Following the tabling of the Ombudsman's report on related matters earlier this afternoon, I also asked for the commissioner's comment on that. On both matters he has replied in the following terms -

I refer to your memo of today's date and your subsequent request for my comments on the Ombudsman's report tabled in the Legislative Assembly earlier today.

The authority to conduct an investigation and decide whether or not to institute a prosecution rests solely with the Commissioner for Corporate Affairs acting as a delegate of the National Companies and Securities Commission (power to investigate arises under Section 16(A) of the Companies Code and to instigate prosecutions under Section 36(1) of the Companies and Securities (Interpretation and Miscellaneous Provisions) Act and the delegation arises under Section 12 of the National Companies and Securities Commission (State Provisions) Act and Section 45 of the National Companies and Securities Commission Act).

Under the formal agreement entered into between the Commonwealth and the States in 1978, the National Companies and Securities Commission is required by Clause 35(2) to delegate its power to the State Commissioner for Corporate Affairs to the maximum extent possible. It is a combination of the above written laws that has led to the Commissioner having authority to investigate and decide on prosecutions for all breaches of the Companies Code in this State.

Under the provisions of the Companies (Administration) Act 1982, the Commissioner reports to the Minister and in the Burswood matter, Mr Smith, the former Commissioner reported several times to the Minister during the course of an extended investigation. He ultimately reported on the 29 October 1987 to the Attorney General his conclusion that there was insufficient evidence to support a successful prosecution.

Shortly thereafter on 30 October 1987 he issued a press release setting out his decision. A copy of that press release is attached.

At no time did the Attorney General or any other member of the Government interfere in the process pursuant to which the former Commissioner reached his decision not to prosecute and nor could they, given the absence of legislative authority to do so.

After my appointment as Commissioner on 23 November 1987, I received a query from the Ombudsman dated 11 December 1987 with respect to an investigation he proposed making into Mr Smith's decision not to proceed with a prosecution.

I examined the file and spoke to Mr Smith and departmental officers involved with the issue. I reached the conclusion that an in-depth investigation had been carried out, legal advice including written and oral advice from the Solicitor General had been considered and the public interest issues taken into account by Mr Smith in reaching his decision. In my view all the proper processes had been complied with by the former Commissioner.

After carefully considering the Ombudsman's request, *inter alia*, I concluded that it was questionable as to whether he had jurisdiction to conduct an investigation. Consequently, I referred the matter to senior counsel for advice. That advice was received on 3 February 1988 and confirmed my preliminary view that he did not have jurisdiction. I forwarded a copy of the advice to the Ombudsman on 5 February 1988. At the same time, under the provisions of a delegation which I hold from the National Companies and Securities Commission (see Section 47(2) of the National Companies and Securities Commission Act), I, in the public interest, invited the Ombudsman to conduct an enquiry, conditional upon him not releasing the contents of any of the documents to any third party.

In making that offer to the Ombudsman, I expected that he would report to the Parliament his satisfaction or otherwise as to the circumstances which led to the former Commissioner reaching his conclusion that no prosecution should proceed. With due respect to the Ombudsman it would still appear to me to give him ample scope to conclude that he was satisfied or not satisfied with the processes by which Mr Smith reached his decision. Any report that the Ombudsman was not satisfied would clearly have required the issue to have been reopened.

Subsequent disclosures of confidential material in the Daily News of Friday 13 May, 1988 have caused me concern. As a result of those disclosures I feel all members of the Corporate Affairs Department who have had anything to do with this matter or access to the file are under suspicion of leaking otherwise confidential information. Consequently when the Attorney General requested that I conduct an investigation into the leakage of those documents, I spoke to the Commissioner of Police and requested that he assign a senior police officer to conduct an independent investigation into the source of those leaks. At that time I determined that I should not participate in the investigation, either by directing it or in any other way, because like other members of the office I also was under suspicion with respect to the unlawful disclosure of the material concerned.

The unlawful publication of otherwise confidential material does not justify me in the public interest publishing further material which would and should ordinarily remain confidential. I do not therefore at this stage propose exercising my discretion under the provisions of Section 47(2) of the National Companies and Securities Commission Act to disclose any further material on this matter.

At the same time I am concerned at and conscious of the continuing public debate having the effect of undermining the confidence of the business world in the way in which their affairs are handled by this Office.

It is signed by Graham MacDonald, and dated 24 May 1988. For completeness, I also refer to the attachment consisting of the Press statement issued by the former commissioner, Mr Alan Smith, issued on 30 October 1987. It reads as follows -

The Commissioner for Corporate Affairs, Mr Alan Smith, announced today that the investigation into the Burswood Property Trust was now finalised. He said no useful purpose will be served in pursuing the matter further.

In arriving at this decision Mr Smith said he had carefully considered the very thorough investigation and legal advice received. Upon that consideration and having

regard to normal criteria in relation to prosecution including consideration of the interest of the unitholders and the public he could not justify institution of proceedings.

Mr Smith said the investigation was conducted in the normal course of administration of the Code. The secrecy provision of the Code prevented him from giving a detailed outline of the matter.

STATEMENT

Burswood Casino

HON G.E. MASTERS (West - Leader of the Opposition) [4.39 pm]: I seek leave of the House to make a statement concerning the Burswood Casino report.

Hon J.M. BERINSON: I am happy to agree to the Leader of the Opposition's request subject to his agreeing in turn that his statement should be limited to the time occupied by my own statement, namely seven minutes.

The PRESIDENT: Order! Is leave granted?

Hon J.M. BERINSON: Mr President, could we please have an indication from the Leader of the Opposition that he is agreeable to that? The point is, Mr President, none of us wants to use ministerial statements as a launching pad for full debate.

The PRESIDENT: To make a statement in this House, a member merely has to indicate to the House what the statement is about. There is no room for anybody to question or debate or do anything else about it. We are gradually reaching the situation in this House that when somebody seeks leave to do something, we have two or three long speeches although no provision exists for any speech. If a member feels that a member seeking leave to make a statement does not give sufficient explanation in his inquiry for that leave, then the answer is to say no, because one voice stops the leave. I will simply put the question again. Is leave granted?

Hon J.M. BERINSON: Mr President, I seek your indulgence for a short time; that is, to suggest to the Leader of the Opposition that he amend his request so as to seek leave to make a statement not exceeding seven minutes.

Hon G.E. MASTERS: Mr President, let me put it this way: I have sought the leave of the House to make a statement in exactly the same terms as the Attorney General made that request. I gave him that facility as we normally do. I have never heard of anyone - Opposition or Government - requesting some sort of time limit. Indeed, I recall some statements being made of something like 20 minutes duration. I shall be as quick in my statement as I usually am. I need to make points; therefore, I cannot guarantee that my statement will be six, seven or 10 minutes.

The PRESIDENT: I am concerned about members' refusal to accept the rules and practice of this place. In the interests of saving time we generally take twice as much time in endeavouring to save time. The question is whether the Leader of the Opposition wants to give that assurance by way of interjection to the Attorney General; that is up to him. The Attorney General knows what he can do in order to make sure that a statement is very brief indeed. It only takes one word.

[Leave granted.]

Hon G.E. MASTERS: I wish to make a brief statement about the Attorney General's statement dealing with the Burswood Property Trust and the Burswood Casino report, and to make some further comments in view of the explanation he has given today which appeared to be a bit of a whitewash, and designed to protect the Attorney General more than anything else. The Attorney would have knowledge of a document from the Ombudsman dealing with this matter, which was tabled in another place earlier today. I regard the letter by the Ombudsman tabled in another place - and which may or may not be tabled in this House at a later time - as the most devastating document I have ever read or heard presented to this Parliament.

Hon J.M. Berinson: Rubbish!

Hon G.E. MASTERS: Hon. J.M. Berinson is the Minister responsible in this area and he has

no alternative but to take the blame for some activities that are taking place and indeed some of the criticisms made by the Ombudsman in his letter. As he knows, the overwhelming belief is that massive corruption exists in Western Australia. There is also concern in the media, in the public arena, and certainly in Parliament. We are talking about the Corporate Affairs document which the Attorney General referred to, the leakage of that, the advice that Mr Smith took, and the decision made without direction from the Attorney General, and the issue has been brought to a head.

Hon J.M. Berinson: Are you accusing Mr Smith of corruption?

Hon G.E. MASTERS: No, I am not. I have the highest regard for Mr Smith.

Hon J.M. Berinson: Thank you for that much.

Hon G.E. MASTERS: I am not so sure about Hon J.M. Berinson, but for Mr Smith I have.

The PRESIDENT: Order! Again I remind honourable members about a couple of things I have said in recent times. The solution to my comments is in the hands of this House but while I am President I will, to the best of my endeavour, ensure that the rules are complied with. Every member is charged with the responsibility of conforming with those rules. If members do not like the rules, they have no right to disregard them. They have the right to change them but until they are changed, and while I am here, they will be conformed with. Apart from all the conversations being carried on, which are out of order, I say to the Leader of the Opposition that when he or when any member seeks leave to make a statement, inherent in that leave - if it is granted - is the requirement not to embark on a debate. If, in response to the statement by the Attorney General, you wish to embark on debate on the contents of the statement, the proper course should be followed - which is not the course you are following.

The crux of the matter is that what we will eventually have is debate by leave, because if members start bringing in debatable matter under privilege it is reasonable to assume any other honourable member ought to be able to expect leave to answer the debatable matter. We will then finish up with large scale debate by leave of the House. That is not the rule and it is not the spirit of leave granted. That would be one thing if provision were not available in Standing Orders for some other facilities for bringing in debatable matter. The fact is there is provision. I suggest to the Leader of the Opposition that I will not sit here and have a one-sided debate carried on under privilege of leave of the House. He is allowed to make a statement; he is not allowed to bring in debatable accusations.

Hon G.E. MASTERS: I am making a statement. I am referring to Corporate Affairs Department and Burswood Management Limited reports. I am making a statement in reference to that matter which was raised by the Attorney General in his statement to the House. I further make the statement that the Opposition is deeply disturbed by a report from the Ombudsman tabled in another place - a person responsible to the Parliament of Western Australia, an officer of the Parliament of Western Australia, who has sent a report to the Parliament making statements that must be of deep concern to members of Parliament and more particularly to the Attorney General as the Minister responsible for corporate affairs. The Ombudsman's letter states that he was wrongly quoted. Indeed, he says that he has been advised that the letter was sent to a Mr Samuel referring to the Burswood Property Trust and signed by the Executive Director of the National Companies and Securities Commission, Mr Schroer. The Ombudsman has seen the letter and has written to Parliament saying that he is deeply concerned with the contents of that letter to Mr Samuel because they are untrue. The letter states -

Dear Mr Samuel

Burswood Property Trust

Further to your letter of 8 October 1987, I have now been informed that the matter you raised has been considered by the Western Australian Ombudsman and he is satisfied with the enquiries that were made by the Corporate Affairs Department in Western Australia.

The evidence gathered has been reviewed and it was decided, on the basis of legal advice, not to institute proceedings against any party.

That letter came to the attention of the Ombudsman. The Ombudsman said that he was not satisfied because he had not carried out any inquiries. A letter was sent by the NCSC to Mr Samuel stating that inquiries be carried out when the Ombudsman had made it clear in a statement to this House that he had not reviewed the situation and that he had no knowledge of the matter.

Hon J.M. Berinson: Who does he blame?

Hon Doug Wenn: Will you circulate it?

Hon G.E. MASTERS: Of course I will.

Hon J.M. Berinson: Who does he blame for the wrong advice?

Hon G.E. MASTERS: He has advised that the NCSC was advised by the Corporate Affairs Department. On that advice he wrote to Mr Samuel accepting the advice of the Attorney's department.

Hon J.M. Berinson: The NCSC is not my department.

Hon G.E. MASTERS: The NCSC wrote to Mr Samuel after receiving a complaint from Mr Samuel that the Corporate Affairs Department had advised the NCSC that the Ombudsman had carried out a review of the situation, and he had not. Members of both sides of this House are deeply concerned that the Ombudsman has been incorrectly quoted.

Hon J.M. Berinson: By whom?

Hon G.E. MASTERS: By the Attorney General's department.

Hon J.M. Berinson: No. Your words indicate that he was wrongly quoted by the NCSC.

Hon G.E. MASTERS: I am happy to read the whole letter.

Hon J.M. Berinson: I would prefer you to do that because you will see that the Ombudsman does not blame anyone.

Hon G.E. MASTERS: Every member of this House and of another place should be deeply concerned with the contents of this letter. The blame must lay solely on the shoulders of the Attorney General and his office.

Hon J.M. Berinson: You are wrong again.

Hon G.E. MASTERS: The letter is signed by E.G. Freeman, the Parliamentary Commissioner for Administrative Investigations.

Hon J.M. Berinson: Why don't you get the facts straight?

Hon G.E. MASTERS: I am reading them now. The letter states -

By letter dated 11 December 1987 I wrote to Mr M.P. O'Connor, the then Acting Commissioner for Corporate Affairs (the acting Commissioner) regarding a complaint by Mr J.A. Samuel. The complaint concerned a decision of Mr A.D. Smith, the former Commissioner for Corporate Affairs, following an investigation into the Burswood Property Trust. His decision was not to institute proceedings against certain persons for alleged breaches of the Companies (Western Australia) Code.

In that letter I also expressed concern about a letter written by Mr R.J. Schoer, the Executive Director of the National Companies and Securities Commission (the NCSC) to the complainant dated 20 November 1987 which read:

"Dear Mr Samuel

Burswood Property Trust

Further to your letter of 8 October 1987, I have now been informed that the matter you raised has been considered by the Western Australian Ombudsman and he is satisfied with the enquiries that were made by the Corporate Affairs Department in Western Australia.

The evidence gathered has been reviewed and it was decided, on the basis of legal advice, not to institute proceedings against any party.

I regret I am not able to assist you further.

Yours sincerely,
R J Schoer
Executive Director"

My concern was that the information concerning my involvement was quite incorrect since at the date of the letter I had not commenced an investigation into Mr Samuel's complaint!

This matter was not specifically addressed by Mr G. McDonald, the present Commissioner for Corporate Affairs, (the present Commissioner) when he wrote to me on 5 February 1988 regarding Mr Samuel's complaint and the question of my jurisdiction. In the circumstances I decided to commence an own motion investigation, pursuant to section 16(1) of the Parliamentary Commissioner Act, into the question of whether any officer of the Corporate Affairs Department had misinformed an officer of the NCSC concerning the involvement of the Parliamentary Commissioner for Administrative Investigations in Western Australia in respect of the complaint by Mr J.A. Samuel. By letter dated 17 February 1988 I requested a report from the present Commissioner.

By letter dated 19 February 1988 the present Commissioner forwarded to me copies of relevant file notes. I interviewed the acting Commissioner and corresponded with the Executive Director of the NCSC. The matter was also the subject of discussion with Professor D.C. Pearce, the Commonwealth Ombudsman, who arranged for a member of his staff to visit the office of the NCSC and peruse its file.

In my interview with the acting Commissioner he recalled that he had a telephone discussion with Mr K.I. MacPherson, an officer of the NCSC in mid November 1987. He said that the telephone discussion centred on a complaint to the NCSC by Mr Samuel that the Department was not acting on his complaint. Mr O'Connor said that he advised Mr MacPherson that a decision in relation to the complaint had been made and a press release issued and that Mr Samuel had written to me seeking an explanation of the delay (prior to the announcement of the decision). Mr O'Connor said that he further told Mr MacPherson that he had responded to me in general terms indicating that the matter was proceeding in the normal course and that there were no unusual delays. He said that he indicated to Mr MacPherson that as a decision had now been announced he expected that the Ombudsman would not pursue the matter. Mr O'Connor made no record of his telephone discussion. He explained that this was not unusual particularly in a case such as this where the Commissioner had made his decision.

In contrast, the file kept by the NCSC contained an office minute dated 18 November 1987 addressed to the Executive Director on the subject of the Burswood Property Trust and signed by Mr MacPherson. An extract of the minute (furnished to me by the Executive Director) stated:

"I have discussed this matter with Mr Mike O'Connor the acting Commissioner for Corporate Affairs in Western Australia who informs me that the issues raised by Mr Samuel were considered by the State Ombudsman who has advised that he is satisfied with the inquiries that were made by the Corporate Affairs Department in Western Australia . . ."

I repeat, "the issues raised by Mr Samuel were considered by the State Ombudsman who has advised that he is satisfied with the inquiries".

Hon J.M. Berinson: That differs from Mr O'Connor's statement.

Hon G.E. MASTERS: The letter continues -

The Executive Director of the NCSC has confirmed to me that he relied on the above minute when he wrote to Mr Samuel on 20 November 1987.

That is the letter that I referred to earlier which stated that the Ombudsman had carried out an investigation or review. In fact he had not. The letter continues -

On the information before me I am unable to determine how the misunderstanding arose between the acting Commissioner and Mr MacPherson.

Hon J.M. Berinson: Precisely!

Hon G.E. MASTERS: To continue -

In these circumstances I cannot reach any conclusion as to whether an officer of the Corporate Affairs Department misinformed an officer of the NCSC concerning my involvement.

Hon J.M. Berinson: He is blaming no-one, but you've reached a conclusion, haven't you?

Hon G.E. MASTERS: The letter continues -

The fact remains however that the letter to Mr Samuel from the Executive Director of the NCSC dated 20 November 1987 was incorrect insofar as it referred to my involvement.

The letter was incorrect so far as the Ombudsman was concerned.

Government members interjected.

Hon G.E. MASTERS: Surely I am able to explain the horror members on my side feel at the content of this letter! It continues -

Having regard to the responsibilities of the NCSC and the Commissioner for Corporate Affairs and the importance of their respective roles, it is clearly essential that misunderstandings of this sort do not arise in the future.

The letter was signed by E.G. Freeman.

The Opposition is deeply concerned about the content of the letter, and with good reason in view of the report from the Corporate Affairs Department leaked somewhere along the line from the Minister's department and his refusal to make available to the public and to the Parliament information that would clear up the matter forever and a day. Obviously there is something to hide. We will continue to raise the matter until the Minister accepts full responsibility and tells us what is behind it.

[Questions taken.]

[Resolved, that business be continued.]

ADDRESS-IN-REPLY - SECOND DAY

Motion

Debate resumed from 17 May.

HON G.E. MASTERS (West - Leader of the Opposition) [5.31 pm]: I support the motion moved by Hon Doug Wenn. I think that the words of that motion should certainly be referred to by whoever leads off for the Opposition because they are important. Hon Doug Wenn's motion to His Excellency, Professor Gordon Reid, Governor of the State of Western Australia and its dependencies in the Commonwealth of Australia, began as follows -

May it please Your Excellency -

We, the Members of the Legislative Council of Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to deliver to Parliament.

They are very important words and on behalf of everyone in this House I express our sincere thanks for the way that Professor Reid presented his Speech. He did it in an exemplary manner, as he always does, and we extend our warm appreciation to him for it.

That was the easy bit. It is quite obvious that the Labor Government has been dreading this session. It is nearly six months since we last sat in this place. The Government has been putting the session off and using one excuse after another to do so - whether it be to allow the new caretaker Premier and the new Ministers to get the hang of their new jobs or whether it was the visit of Her Majesty, the Queen. The fact is this session has been put off time and again. It is obvious to everyone this was to avoid the humiliations and scandals which have been erupting across this State following upon the financial wheeling and dealing and the gross mismanagement and abuse of the public purse by this Government. It has not worked.

Hour after hour there are new revelations. I was shown one today - a letter to the Ombudsman claiming that someone had lied. The Government could not possibly delay forever bringing the Parliament together. The Government put it off, hoping everything would go away, but it has not gone away.

Hon Kay Hallahan: We like the Parliament sitting. We believe in democracy.

Hon G.E. MASTERS: The Minister likes the Parliament sitting. I suggest she asks Government members in the other place whether they like it.

The events of recent months have stunned the public, the media here and people all over the world. People everywhere are asking, "How could this possibly happen?"

Hon T.G. Butler: You're stunning!

Hon G.E. MASTERS: Do members opposite not read the newspapers? Even in the overseas newspapers, the activities of this State's Government are being reported.

Several members interjected.

The PRESIDENT: Order!

Hon G.E. MASTERS: This Government's activities have been reported in the overseas Press and this State has become a laughing-stock. Hon T.G. Butler is one of the worst.

Hon Kay Hallahan: You're the laughing-stock.

The PRESIDENT: Order! The Minister for Community Services and Hon Tom Butler should stop interjecting.

Hon G.E. MASTERS: Over recent days we have seen events which must have stunned the people of Australia. We have seen what appears to be a campaign of intimidation and threat against the public, the media and members of Parliament themselves.

Hon Mark Nevill: You're absurd.

Hon G.E. MASTERS: All right. Let me put this to the honourable member: Does he support all the writs that are being thrown at members of Parliament by people on his side of the House? As soon as anything upsetting is said, members of the Labor Government slap a writ on the person who said it.

Hon Kay Hallahan: You mean untrue and slanderous.

Hon G.E. MASTERS: What about the raid on the *Daily News*? Do members opposite call that funny?

Hon Mark Nevill: We do not apologise for that.

Hon G.E. MASTERS: Hon Mark Nevill does not apologise for it. It is like being in a police State; the Government is trying to intimidate and threaten people. The Government will not muzzle people; it will not muzzle members on our side and it will not muzzle the Press. Members opposite know that as well as I do.

The former Premier, Mr Brian Burke, will go down in history as the architect of selling off Western Australia and turning it into a corporate State, which is being run, as it has been in the past, for the preservation of the Labor Government and for the preservation of Mr Burke. Obviously the Government is set to dispense, and does dispense, favours and rewards to friends and benefactors. Everyone knows that the Government gives rewards to its friends and benefactors. That is called "corruption of privilege" -

Hon T.G. Butler: Look who's talking.

Hon G.E. MASTERS: Hon Tom Butler can laugh, but he should hang his head in shame. In straight words, corruption of privilege occurs where rulers - and the Labor Party is the ruler of this State at this moment - misuse powers which are held in trust by returning political favours through selectively doling out special privileges and contracts, and by baling out friends, employing friends and so on. Such privileges as we all know are just capital. They are financial rewards at the end of the day. Where those privileges cannot be justified, that is corruption. Everyone is now talking about the political corruption in Western Australia. It is not just the media in this State, but the media across the nation and indeed in many parts of the world.

Several members interjected.

Point of Order

Hon A.A. LEWIS: I suggest that it would be an idea to remind members who are interjecting that interjections are not covered by parliamentary privilege. Those members could face libel cases if they keep on the way they are.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): I do not have to warn members of that. They should be well aware of it.

Debate Resumed

Hon G.E. MASTERS: It is obvious to everyone that three people are mainly responsible for the debacle that has occurred in this State. I call them the "three Bs" - Burke, Bryce, and Berinson. They were the three leaders who were responsible over a period of time; they were the leaders of the Labor Party. They were the people who gave the orders. I can tell Hon Joe Berinson that the buck stops with him because he is the last of them. Three conspirators, sitting in a row, two ran away, and that left Joe.

Hon Mark Nevill: That is pathetic.

Hon G.E. MASTERS: In five years Western Australia has fallen from being the most respected, corruption free State in the country to a State which is now described across the board as the most politically corrupt and the worst in Australia. That has occurred in five years under the Labor Government. No State, no nation in the world, is declining as rapidly as Western Australia or has developed such a tarnished reputation in such a short time. That is the record of the Labor Government. We read it in the newspapers every day. I am surprised that the Government dares even to come to Parliament.

Hon T.G. Butler: Tell me why.

Hon G.E. MASTERS: Over this period of time, Labor has forsaken its principles. I know many members on the other side of the House support me in this. Labor has turned away from its traditional supporters. I know Hon Fred McKenzie, Hon Sam Piantadosi, Hon Jim Brown and Hon Robert Hetherington rely on, and are, strong supporters of the old principles and traditions. Nevertheless, this Government has sold itself to the highest bidder at any price for power. Its supporters are leaving it in droves. Not one Labor member could say honestly that he represents the working man. Their traditional supporters have gone. One only has to look at the by-elections in recent weeks to understand that. A few ALP members have attempted to stand firm with Labor's traditions; Mr Butler is not one of them.

Hon T.G. Butler: What do you stand for, Mr Masters?

Hon G.E. MASTERS: I stand for honesty and decency. I can understand that Government members are upset. They have not stood by their principles or traditions. Their supporters have been overwhelmed by the actions of the three leaders of the party, Mr Burke, Mr Bryce, and Mr Berinson. They have been overwhelmed by the Executive which has been topped up with people it has bought with fancy jobs and cars. There are more chiefs than indians. The Government should be ashamed of itself because it has moved away from its supporters.

I am pleased to see that Mr Fred McKenzie is back because he is one of the few Labor Party members who stands by his principles. Most other members have moved away from them.

Hon S.M. Piantadosi: Who has moved?

Hon G.E. MASTERS: I do not think Mr Piantadosi has moved away. Neither has Hon Jim Brown, Hon Robert Hetherington or Hon Fred McKenzie. They have stood by their old supporters. The others have buried themselves, and that is a tragedy. The executive of the party rules; there are more chiefs than indians. I give Mr Burke credit because he is very astute. He knew when to get out. He made a fine judgment because he knew he would be found out. Since he retired there has been headline after headline about his mistakes. Mr Bryce said that he would not stay and take the blame; he decided to go, too. Mr Berinson has attempted to avoid his responsibilities for all that we have read about what is happening in this State. Mr Burke walked out before he got caught and left behind a caretaker Premier who was the fourth in line of succession. Nobody else would take the job. Mr Berinson declined to accept the responsibility; he believes he is safer here than in the other place.

Hon Graham Edwards: Particularly with you here.

Hon P.G. Pandal: He did not want to be captain of a sinking ship.

Hon G.E. MASTERS: Dead right, he did not. As usual he declines to take any responsibility and to answer questions when he should. In all of these events -

Hon S.M. Piantadosi: What events?

Hon G.E. MASTERS: I refer to Mr Burke and Mr Bryce and Mr Berinson refusing to take the blame. How Mr Burke must have hated Mr Dowding. He is certainly up to his neck in these headlines. Mr Burke walked out when he knew the going was getting tough and he knew the blame would be placed on his shoulders. He is just as ruthless and as selfish as Robert Holmes a Court was with his shareholders; but this Labor Government will have to face its shareholders in less than 12 months and explain its position, and the man responsible will not be there to help.

In the next few weeks we will continue to raise matters that have been in the headlines in recent weeks. We will continue to point out how the Government has connived its way into this position and how it has put at risk enormous amounts of the public's money to support its friends. I hope that Hon Joe Berinson listens because he will need to answer all of the questions asked of him as time goes by. Members are entitled to receive answers to questions relating to spending of the taxpayers' money.

Hon Mark Nevill: You have not demonstrated what you were asking.

Hon G.E. MASTERS: Many people have suggested that Mr Berinson was Mr Burke's wimp. I do not agree with that. Many people said he did as he was told. I certainly believe that Mr Berinson's advice has been crucial in all of these financial deals. He has been one of the arch conspirators. We will not be fobbed off until we have had explained to us the dubious deals, the political appointments, and the special privileges that have been afforded to some people. The Ombudsman has indicated in his letter that someone, somewhere in a Government department, told lies. At the end of the day, that accusation should be answered.

Hon Mark Nevill: That is a distortion.

Hon G.E. MASTERS: It is absolutely true. Somebody told lies.

Hon T.G. Butler: You read the letter and did not understand it.

Hon G.E. MASTERS: Would someone tell Hon Tom Butler to shut up? He is a wimp who has no understanding of anything, who does everything he is told, and who has not expressed one opinion or idea in this House. I understand why he is a little upset.

Similar events in the past have forced Ministers to resign. However, under this Government, the Minister responsible for the Midland abattoirs affair did not resign, just as the Minister responsible in this matter will not resign. Under the Westminster system there is no excuse for Ministers not resigning when they have been found to have misled the Parliament. This Government has no respect for the traditions of this place. The Liberal Party has moved for the setting up of a Royal Commission to investigate corruption in this State. A corruption commission should also be established. I imagine that when a Bill is introduced into this House members on the Government side will support it. A commission, properly set up and comprising independent people, not friends of the Government or friends of the Opposition, is the only way to go.

I support the National Party's proposition to appoint a Select Committee to investigate this matter. After all, it is the role of this House to investigate these areas. I support what was said in another place today by the National Party in support of its motion to set up a Select Committee comprising members from all parties to investigate allegations of corruption. I do not think it is enough, but it is a start and I am happy to see that the Legislative Council is fulfilling its role. Apart from the proposed Select Committee an independent group such as a corruption commission should be formed to investigate allegations which are made not only against members of Parliament, but also against anyone. Nevertheless, the National Party has proposed the appointment of a Select Committee and I support its proposition. With all that is going on in this community we need to bring to justice those people who has misused and abused the system and the public purse. They should be investigated and if sufficient

evidence is forthcoming they should be brought to justice and, if necessary, some offenders should be extradited.

I will recap on what I have said: We have had the abattoir scandal, the Fremantle Gas and Coke Co Ltd scandal, the scandals involving the Swan Building Society and the Teachers Credit Society which the Government allowed to operate for far too long and which cost this Government so much money. Why is the Rothwells guarantee continuing? Surely questions should be asked about it. The State Superannuation Board's dealings over recent times and the State Government Insurance Commission's dealings involving huge sums of money should also be investigated. I am not talking about small sums of money.

Hon T.G. Butler: You are talking nonsense.

Hon G.E. MASTERS: Government members say I am talking nonsense and that I have no proof. We have gone over the abattoirs issue and the money spent by this Government. If members consider what Government agencies have done over recent months they will realise that those agencies have put at risk nearly \$1 billion. The scandal involving the SGIC involved \$800 million and \$150 million was involved in relation to Rothwells. With the money involved in the Teachers Credit Society, the Swan Building Society and others the total amount is \$1 billion and that is what the Opposition is talking about.

Hon Graham Edwards: What would you have done?

Hon Mark Nevill: Would you have put it under the bed?

Hon G.E. MASTERS: What does the member mean? The Opposition certainly would not have allowed the public's money to have been put at risk in relation to SGIC and Rothwells. I am talking about \$1 billion which is more than the total taxation collected from the taxpayers of Western Australia for the whole year and the member asks, "Would you have put it under the bed?"

Hon Mark Nevill: Where would you have invested those funds?

Hon P.G. Pendal: That is the question being asked by some of the Labor members.

Hon G.E. MASTERS: I suggest that the Government should look at a reduction in taxation; that would be much better than taking risks and buying BHP shares at above the market price. Have those shares reached \$8 yet?

Hon J.M. Brown: Have a look at them now.

Hon G.E. MASTERS: Have they reached \$8? Members know that is guaranteed by the SGIC.

Hon J.M. Brown: No, but they are better than you thought they would be.

Hon G.E. MASTERS: I suppose that even worse is the blatant bailing out by the Government of some of the high flyers who are wealthy people in their own right. It is quite obvious that the dealings of the SGIC in bailing out Mr Holmes a Court at above market prices was a disgraceful situation. It could have been done much more cheaply, but I would have preferred that it had not been done at all. If we had done what this Government has done when we were in Government all hell would have broken loose. I am talking about \$1 billion - \$13 million to the Swan Building Society, \$16 million to the Teachers Credit Society, \$150 million to Rothwells, \$800 million to the SGIC, and so on. Can members imagine what would have happened if this had occurred in another country?

If members want some examples, in March 1985 the State Superannuation Board made a certain investment, under the chairmanship of Mr Len Brush and with the then Premier, Mr Brian Burke's authorisation but with no reference to Cabinet or Ministers. It was described as a generous deal. At the opening of this session of Parliament I asked Hon Joe Berinson whether he had been consulted on the Central Park development project and his answer was no. The State Superannuation Board agreed to finance the Bond Corporation. It advanced \$100 million stating that over a 10 year period it would pay for all the development costs and it would capitalise the interest until after the development had been completed. At the end of the day Bond and the Superannuation Board would have each have a half share in it. I can imagine that Mr Bond laughed all the way to the bank. It was an unbelievable deal, approved by the then Premier without reference to Cabinet or to his own party. I do not hear any comment from Government members about that.

Hon T.G. Butler: When you start making sense we will comment on it.

Hon G.E. MASTERS: The sense is that \$100 million was spent in that way. Hon Tom Butler, with his mediocre brain, would not invest in that way. This disgraceful deal was approved by Mr Burke, the then leader of the Labor Party. Now, of course, the board has a new chairman and, realising how bad the deal was, the board desperately tried to buy its way out of it, which will probably cost the taxpayers of this State \$50 million. The Government has certainly put at risk the money invested. That is how good Mr Burke's authority was. The State Superannuation Board is gambling again and we understand there is some doubt about its accounting system.

Several members interjected.

Hon G.E. MASTERS: I can understand the reason that members opposite are getting upset.

Several members interjected.

Hon P.G. Pendal: That is what Parliament is for.

Hon T.G. Butler: To slander people. Is that what you are saying it is for?

Hon G.E. MASTERS: If the honourable member opposite suggests that we are slandering people he had better sue *The West Australian* because on Saturday, 7 May it published an article which goes through this matter chapter and verse. It states -

It was revealed yesterday that the deal, which amounts to an interest-free loan by the SSB to Bond Corp, has locked the SSB into funding the Central Park development for 10 years with all interest charges being capitalised until completion in 1991.

Further on it states -

The SSB's new chairman, Bill Rolston, has entered into negotiations to buy out Bond Corp's half for a figure believed to be in excess of \$50m.

If the member opposite is saying that I have no right to make such a statement in this House he had better think about suing the newspaper and should not criticise me. On 11 May 1988 *The Australian* made the following reference -

WESTERN Australia's State Superannuation Board - one of the big dealers in WA Inc - was yesterday revealed to be in direct conflict with the State's Auditor-General in the way it has accounted for settlement of a \$25.5 million contractual commitment.

The Auditor-General, Mr Alan Smith, has criticised the accounting in his latest annual report, released yesterday, and has suggested that the treatment adopted does not comply with accepted reporting practices.

Now there is some doubt about the accounting practices of the State Superannuation Board.

Hon J.M. Brown: It was in the annual report if you want to read it.

Hon G.E. MASTERS: I am saying that as recently as 11 May this year that article was published.

Hon J.M. Brown: You would not understand what the Auditor General was saying.

Hon G.E. MASTERS: Does that make it right?

Hon J.M. Brown: Yes, it is right.

Sitting suspended from 6.01 to 7.30 pm

Hon G.E. MASTERS: It appears that intimidation is being applied in various areas in the community, particularly in relation to the Press, and when there are raids on the Press and such intimidation it is just like living in Russia or in Chile; but I guess that is the way this Government acts and that is what we would expect.

I have talked about the Government's wheeling and dealing. If one looks at the newspapers day after day, week after week and month after month, one will read in the headlines about the Government's dealings, about "the highest roller in the West", about "Holmes a Court grabs \$1 million plus", and about "Bell chief's secret deal with the WA Government". Every day when one picks up the newspapers one finds there has been another Government deal, more wheeling and dealing; but the wheels are starting to fall off.

Hon Garry Kelly: That is your opinion.

Hon G.E. MASTERS: That is not just my opinion. When I say the wheels are starting to fall off I am saying the Premier and the Deputy Premier are starting to run for cover, as are the rest of Government members. A headline in *The West Australian* on 9 May 1988 said, "Premier backs deal with Bell", but the article then went on to say that Mr Dowding said on Channel 9's Sunday program that he would have preferred the State Government not to have been financially involved with Mr Laurie Connell's Rothwells Bank. So the Premier is starting to back off and wishes it had never happened. Of course he wishes that - they all do. It was reported in *The Financial Review*, on the same day that the Premier said he wished he had never heard of the \$150 million guarantee to Rothwells, that Mr Parker was saying with regard to Bond's Central Park development that neither he nor any Minister, nor the Cabinet, had been consulted on that deal. The article reports Mr Parker as saying he was confident no Minister in the Labor Government was aware of the agreement at the time it was signed. He said he had only found out about the deal a few weeks ago because he was the Deputy Premier. He went on to say that if the deal had gone to Cabinet, it would never have been approved.

So the Government has suddenly realised that it is in serious trouble. The stench of political corruption is pervading right through the Government's ranks, and Government members are running for cover. They are looking for a scapegoat because they can see things are going wrong, and they are going to ask in the very near future, "Who shall we blame?" We all know who they will blame: It will be the former Premier of Western Australia, Mr Burke. Government members are getting ready to dump him. It will not be long before we see them take his pictures off the wall because he will be an embarrassment. Government members will say he will cause them to lose the next election; and the Government certainly will. The Government will not survive all that has happened, and that is why the Premier is saying he wishes it had never happened, and that is why Mr Parker is saying his Government would never have agreed. There is a new breed, and they are running for their lives. They are getting ready to dump Mr Burke, and they will dump Hon J.M. Berinson next because he is one of the three Government members who was mainly responsible -

Hon Tom Stephens: When are you going?

Hon G.E. MASTERS: I will choose my time, which I suggest is more than the member will do. The other thing is I have been here; the member never will be.

Hon Tom Stephens: I will never be on that side again.

Hon G.E. MASTERS: The member will never be on the front bench.

Hon Tom Stephens: There is so much talent on this side of the House!

Hon G.E. MASTERS: I hope the member is excluding himself.

I make reference once again to the State Government Insurance Commission. Members will remember that earlier this afternoon I asked Hon J.M. Berinson a question because we now see the SGIC trading unfairly. We know that the SGIC is controlled largely by its deputy chairman, Mr Kevin Edwards. Mr Edwards is a senior - if not the senior - adviser in the Government. He is chief executive to Cabinet. I understand Mr Edwards often attends Cabinet meetings, and as the chief executive he has access to all the files and departmental records. Mr Edwards is also the second in charge of the SGIC, a Government agency, which in the words of the Minister and Premier is to compete fairly out in the community with the private sector. How can that be so when Mr Edwards largely controls the SGIC and reportedly conducted a big deal with Mr Holmes a Court only a few weeks ago? Mr Edwards was the man who conducted that dealing because the chairman was away. Mr Edwards is a chief Government adviser, and as I said he has access to all the records, details, financial arrangements, and final decision making; and he is in charge of a Government instrumentality that is competing with the private sector. How would the Australian Mutual Provident Society or any of the other large insurance companies like to have their deputy chairmen attending Cabinet meetings and having access to all Cabinet details and files? What happened here is the same thing. The Premier, and the Leader of this House, Mr Berinson, in statements to this House when the Bill dealing with the SGIC was introduced, said there would be no unfair trading. In other words, the SGIC would have no unfair advantage.

Hon Fred McKenzie: That is true.

Hon G.E. MASTERS: How can it possibly be true when the SGIC, in competing against the private sector, has as its acting chairman a man who has access to all the confidential reports of Cabinet?

Hon Fred McKenzie: That is your assumption.

Hon G.E. MASTERS: Is the member saying that is not true? It is true, and that is what we were advised. It has been reported in the Press and never denied. Are members opposite saying Mr Kevin Edwards does not have access to confidential Cabinet reports?

Hon Fred McKenzie: I do not know whether he does or not.

Hon G.E. MASTERS: I do, and he does.

Hon Fred McKenzie: How do you know? Who told you?

Hon G.E. MASTERS: That is what is happening. I asked a question of Hon Joe Berinson, the Leader of the House, at question time today. I asked him whether he still supported the statement he made in his second reading speech when he said to this House - when he stated, as the Minister in charge of the SGIC Bill - that the SGIC would receive no unfair trading or business advantage over the private sector. I asked him that question tonight, and what was his answer? "I did it on behalf of another Minister. It has nothing to do with me. I did not have responsibility." Whenever a Minister introduces legislation into this House, gives the second reading speech and handles the Bill, it is his responsibility and the words he states are his words and he must stand by them, otherwise he misleads the House. That is what I am saying. When the Leader of the House said, "They were not my words; I was acting for another Minister", he was not. The Leader of the House is back - thank goodness for that.

Hon J.M. Berinson: Since I am being misrepresented I thought I would do it on the spot.

Hon G.E. MASTERS: There is no misrepresentation.

Hon J.M. Berinson: I did not avoid that question, I answered it.

Hon G.E. MASTERS: The Leader of the House tonight said that they were not his words and that he was acting for another Minister.

Hon J.M. Berinson: And I also answered the question after I said that.

Hon G.E. MASTERS: That does not matter. The Leader of the House claimed he was representing another Minister.

Hon J.M. Berinson: I answered the question in spite of that.

The PRESIDENT: Order!

Hon G.E. MASTERS: The Leader of the House should read the answer.

Hon J.M. Berinson: You read it.

Hon G.E. MASTERS: And if it is the case, and he is now turning a somersault, I am at liberty -

Several members interjected.

Hon J.M. Berinson: The truth will out.

Hon G.E. MASTERS: I am more than pleased I will be able to ask similar questions and receive a proper answer from Hon Joe Berinson rather than have him say, "It is not my Bill, it is someone else's portfolio, I had nothing to do with it."

Hon J.M. Berinson: I did not say that.

Hon G.E. MASTERS: I cannot even ask whether he has been advised or consulted on something without being fobbed off.

Several members interjected.

The PRESIDENT: Order! Order!

Hon G.E. MASTERS: He has explained himself and now I know I can ask him questions with confidence.

Hon J.M. Berinson: Why can't you tell the truth?

The PRESIDENT: Order! Order! When I call order members should cease their interjections. It was not the Leader of the House who said your question was out of order, it was I.

Hon G.E. MASTERS: Let me just make the point of the SGIC and unfair competition. The Premier, in a "Government Notes" dated 1 July 1986, said this - but before he said it there was another statement from Hon Joe Berinson on 8 July 1986 recorded on page 1382 of the *Hansard* when he introduced the Bill. I will read out those words again because they are very important. He said -

The Government believes that competitive neutrality of the commission and corporation will be achieved by establishing the corporation at arm's length from the Government . . .

Competitive neutrality! If a senior Government adviser is given access to all Cabinet records, and departmental records, and that sort of information, how can the SGIC be fairly competing with the private sector, which does not have access to that information? The Attorney General said the SGIC would be at arm's length, but it could not be closer when a senior Government adviser is the acting chairman of the SGIC, carrying out major deals in competition with the private sector. The Government cannot say that organisation is at arm's length - it just is not. It is most unfair and I am sure the private sector would thoroughly enjoy and appreciate the same accommodation afforded to it as the SGIC has through Mr Kevin Edwards.

Mr President, I put to you that it is a clear breach of faith by Mr Burke, the former Premier, in public statements, and certainly a clear breach of faith - I would say misleading the House - by Hon Joe Berinson in the statements he made and in the events that have occurred since that time. We must have that on record because it seems that the Government is not going to change and will continue to allow the SGIC the unfair advantage it presently enjoys. The fact is that the SGIC, apart from all those things, is a Government agency with Government financial backing, and it will never go broke. That gives it a big advantage. It has in recent times, as I have already stated, put at risk \$800 million of public money, and Hon Mark Nevill said, "What would you do with the money?" We are talking about \$800 million of public funds, and he said that. I understand that the SGIC has something like \$60 million-worth of assets over liabilities. I think they were the figures presented to Parliament last year and reported recently in the media - and it claims a profit. It claims it is earning a certain amount of profit. I contend it certainly is not and the profit claims it makes are untrue. For example, the SGIC claimed it made a profit of \$67 million on the resale of some properties, but the sale was on the deferred payment terms with full payment not due until 1990. Also it claims a profit of \$12 million on half of the BHP shares, but the terms allow the buyer to return shares to the SGIC in a year if the price is below \$8. It has not reached \$8 yet so that is a risky business and it has not made a profit yet.

Now it is on a tight schedule and I understand there are some difficulties and concerns in the private sector about what is happening. The Government must know and understand that is the case. The SGIC legislation went through this House, hotly debated. It is no good the Government's saying the SGIC is at arm's length. Every penny it borrows, no matter where it comes from, must be approved by the Treasurer and if members dispute that they should look at the Act, and I will quote from it. It is under the heading of "Powers" in the SGIC Act, section 7, on page 5 -

- (1) The Commission has power to do, in the State or elsewhere, all things necessary or convenient to be done for or in connection with the performance of its functions.
- (2) Without limiting the generality of subsection (1), the powers of the Commission referred to in that subsection include power -
 - (a) with the approval of the Treasurer, to borrow moneys in accordance with this Act and give or arrange security for such borrowings;

What that section is saying is that every penny that the SGIC puts at risk must be approved by the Treasurer - that is, the Premier of this State - and indeed any securities it gives must also be approved by the Treasurer. There is in the same legislation an ability under section 7 for the Minister to give directions, and where the Minister may give certain directions to the

commission the commission shall take heed of those directions and shall give effect to those directions. They are the words of the Act.

So everything the SGIC is doing, and every penny it is borrowing, is with the approval of the Treasurer, and if he did not want it to take that course of action he could say no and that would be the end of it. That is what this legislation says, and it says many other things. At the end of the day what it says is that the Government of the day, and therefore the public, will have to back up any of these loans that go wrong. We are talking about big loans. Many Government members say the SGIC is making a profit. It may make some profit but the fact is that it is going into areas where the private sector is not prepared to tread; where even the financial wizards such as Holmes a Court have gone wrong, have come a cropper and have lost.

Hon Tom Helm: He has been successful as well.

Hon G.E. MASTERS: He would not have been quite so successful had the SGIC not bailed him out and bought property above price. That is what I am saying is wrong.

Hon Tom Helm: I said the SGIC is successful.

Hon G.E. MASTERS: If members opposite were going to buy BHP or Bell Shares they would not have gone to Holmes a Court and bought them for \$2.50 or \$2.70; they would have bought them from the Stock Exchange at \$1.80. That is the point I am making.

Hon J.M. Brown: That is impossible today, and you know it.

Hon G.E. MASTERS: I should finish by saying that if Government members are arguing with everything I am saying, and if they are saying it is all wrong and everything is okay, why do we have a situation where the NCSC is investigating a Government agency? We have come to that now - it is investigating a Government agency.

A Government member: Because of the takeover.

Hon G.E. MASTERS: It is doing it because of the takeover - it is suspicious of the deal. Why do members opposite think it is doing it? The NCSC is closely questioning Western Australia's State Government Insurance Commission over the terms and conditions applying to its decision to underwrite \$150 million of Bell bonds owned by Mr Robert Holmes a Court.

Hon Tom Stephens: To catch you out on false accusations.

Hon G.E. MASTERS: That was reported in the Press. Are you saying no reason exists for the NCSC to carry out investigations? That is pretty bad.

Hon Tom Stephens: Will the Leader of the Opposition apologise if no problems are found?

Hon G.E. MASTERS: Apologise for what? I say it is a bad state of affairs when the NCSC has to investigate Government agencies. It has never happened before.

Hon Tom Stephens: It happens because people like you ask so many questions.

Hon G.E. MASTERS: Mr President, if we look at all that has happened - massive sums of money put to risk - and then look at the Government's tax record we find that during the Burke years total tax went up by just under 50 per cent, compared with the period before the Burke Government came into office. Hon Mark Nevill dares to say, "What do you think we will do with our money?" The Government is awash with public money raised through taxation when it should never have been necessary to raise the level of taxation on tobacco, liquor, stamp duty, land tax, fuel - some of them the highest in Australia. Mr. Nevill says, "What do you think the Government will do with the funds?"

Hon Mark Nevill: I said, "What would you do?" Don't misquote me!

Hon G.E. MASTERS: What would Mr Nevill do?

The PRESIDENT: Order! If honourable members would cease interjecting they would not be misquoted.

Hon G.E. MASTERS: Public funds are being used to fuel Western Australian Incorporated, and to support the Government's mates. A recent interview in *The Bulletin* by Tony Fitzgerald, special investigator, reads as follows -

How did corruption, in your view, become so entrenched in Queensland's political system?

The answer was -

I am unsure what you intend by your reference to "Queensland's political system" but there is potential for corruption wherever there is a power or authority which can be misused to provide another person with some profit or other benefit. Beyond that, no more is needed for corruption than sufficient greed or occasionally need. There are very large profits available in various activities today, some illegal and others quite lawful but which nonetheless call for the exercise of public function. I suspect that corruption is widespread throughout a number of sections of the community.

And then -

Do you agree with the view of Mr Justice Lusher that, once corruption is perceived in an organisation, it "must be treated as if it were endemic"?

The answer was yes.

Hon Mark Nevill: Attacking the National Party.

Hon G.E. MASTERS: I am attacking corruption, not the National Party.

Hon T.G. Butler: You were!

The PRESIDENT: Order! Hon Tom Butler will come to order when I call order and cease the interjections which are out of order.

Hon G.E. MASTERS: The day will certainly come - with the coalition of the Liberal and National Parties - when we will have our own inquiry. The National Party has already given an indication that it wants an inquiry. The conspirators will be brought to justice even if we have to extradite one or two. Western Australia's good name will be cleared, and the Labor Government will be exposed for what it is.

I support the motion.

HON TOM HELM (North) [7.54 pm]: I support the motion and that is the only point on which the Leader of the Opposition and I agree. The Leader of the Opposition said that the Labor Government looked with fear at this session of Parliament with an election following. I looked forward to this session as I thought maybe at last, as we move towards an election, we would receive some firm policies from the Opposition and perhaps we would hear something worthy of debate for a change. How many times have members on this side asked for policies from the Opposition? Whenever Opposition members speak, they blacken the name of someone or other - a Minister or a public servant - who cannot defend themselves. In the personal statement by the Leader of the Opposition today, within seven minutes he managed to blacken the name of many people. He also blackened the name of the Leader of the House and put his integrity in doubt. The Leader of the Opposition said nothing about what he would do personally to improve the situation in the State.

Maybe some people in this State would like to vote for the Liberals at the next election but they do not know what they would be voting for.

Hon B.L. Jones: The death penalty.

Hon TOM HELM: The State's integrity is in doubt. The Leader of the Opposition said we should be ashamed to be Western Australians. I suppose we should be ashamed if the allegations made had some element of truth in them. I recall the Leader of the Opposition saying in the last session of Parliament that if those people accused in the High Court were acquitted of an offence raised in this place, he would apologise to them. I have not heard that apology yet. Having heard the innuendos and accusations which cannot be proved, perhaps we will move on to something else. Maybe that is an excuse for the Opposition not giving us any policies or signs of direction.

Hon T.G. Butler: Has an apology been made in relation to the Martin affair, like the Leader of the Opposition promised?

Hon TOM HELM: The closest the Leader of the Opposition came to any kind of policy in his speech was his agreement with the National Party move to set up a committee on corruption. He is supporting someone else again.

Hon N.F. Moore: You have it wrong again - that was four months before.

Hon TOM HELM: In the speech I just heard the Leader of the Opposition did not say he supported the committee of inquiry into corruption.

Hon G.E. Masters: I said I supported it.

Hon TOM HELM: It is someone else's motion, it is not the Liberal Party's; it is the National Party's move.

Hon G.E. Masters: Has the member not been paying attention?

Hon N.F. Moore: It was announced four months ago.

Hon TOM HELM: If members opposite have to listen to the National Party for policies, it is better than nothing because they have not put up any policies at all.

Hon G.E. Masters: Are you going to support it?

Hon TOM HELM: I wonder, Mr President, if the Leader of the Opposition would agree to setting up a committee of this House to apologise to people who have been named in this place and found to be innocent - the people who have been doing their jobs?

Hon P.H. Lockyer: If *Hansard* recorded all that your predecessor said about people the Premier would appear in front of us all the time, apologising.

Hon TOM HELM: That is good. As long as we bring back integrity to this House it does not matter who is called before the committee, or who apologises. Why not just lay off attacking people who cannot defend themselves and put together something that the people of this State can understand - those who may wish to vote Liberal at the next elections - and give them something to vote for?

Hon N.F. Moore: Your own members are embarrassed by all this skulduggery.

Hon B.L. Jones: You just dream.

Hon N.F. Moore: Your own members are horrified.

Hon TOM HELM: I feel I have commented enough on the speech made by the Leader of the Opposition. He quoted from newspapers and so on. I congratulate him on the speech. I congratulate the Dowding Labor Government for those things relevant to my electorate.

Hon P.G. Pendal: The dying Labor Government.

Hon Kay Hallahan: A Government which is going into its third term.

Hon TOM HELM: I suggest that if the Opposition did get back into Government the Governor would not have much to say.

The most important thing in the electorate I represent are those issues which have been brought to the attention of the people of this State. I refer to the problems which occurred at Port Hedland. The Opposition spokesman for police matters made many statements which confused some people who live in Port Hedland. The point that needs to be made clear and which is included in the Governor's Speech is the inability of the Minister for Police and Emergency Services to direct the Commissioner of Police in the direction the Police Force should take. On the one hand a public meeting held in Hedland was told that the Minister for Police and Emergency Services did not have the power to direct the Police Force on how it should carry out its operations. On the other hand, the shadow Minister for Police and Emergency Services attended a public meeting in the same town stating that the Liberal Party, on attaining Government - heaven forbid - would send X number of policemen to that area. Is that party, when in Government, going to introduce a Bill that will allow the Minister to direct the police in their operations?

Several members interjected.

Hon Tom Stephens: What a scandal.

Hon TOM HELM: I wonder what the people of this State think when the Minister explains his position and the shadow Minister cannot understand what he has said.

Several members interjected.

The PRESIDENT: Order! The next honourable member who ceases to acknowledge my call for order will finish the rest of the sitting outside the Chamber because I will not tolerate

the constant interjections from members who are endeavouring to interrupt the member who is properly addressing the Chair. I suggest to Hon Tom Helm that he directs his comments to the Chair. I can assure him that he will get no interjections from this quarter.

Hon TOM HELM: Thank you, Mr President.

It was suggested at the public meeting that the events which occurred at Port Hedland prompted the Minister to visit the town and make some off the cuff promises to help diffuse the situation. The speech by the Governor, on behalf of the Government, clearly demonstrates that there were things in place that would address the underlying problems which exist in Port Hedland. Two public meetings were held last year to discuss the very issues that occurred recently and which were televised to the people of this State. Among those issues was the Government's family package which includes the establishment of four community centres proposed to open this year. It was agreed by the people who attended that meeting that one of the major reasons Port Hedland has problems with law and order is as a result of the breakdown of the family unit and the inability of people to appeal to the extended family. The Government was aware of those and other problems and it had started to address them. There was no immediate reaction in that sense.

Perhaps the shadow Minister and the people who attended that meeting would not have been aware of the fact that the six policemen who were brought to Hedland immediately following that meeting were also in the town to take care of the bicentennial road train that stopped for three days in the town. I understand it was a fantastic show, but Parliament was sitting and I was unable to visit it. However, it was enjoyed by the people of Port Hedland. The policemen did not leave when the bicentennial train left the town, but they remained to give advice and help to the local police. They also provided the town with a community policeman, which is something the town wanted.

Apart from providing more police at Port Hedland the Government has put together an after school sports fund program which will take care of some of the children in the town. Members are probably aware that in the Pilbara there is a high incidence of both mothers and fathers being wage earners and the ability of children to be looked after is limited in many ways. As part of the Government's package the Port Hedland Shire Council put together a five year plan which considered the environment of the Port Hedland area in an endeavour to try to protect all the problems which that town faces - not just the immediate problems, but the underlying issues which brought about the acts of vandalism and crime that took place. It is a program that has been highly successful in motivating young people to participate in the community as part of the Government's ongoing commitment to help families in contemporary society.

Funds have also been made available for young people to be sent to community youth training centres. In the Pilbara there are many young people who have offended on a number of occasions and they are sent away from the family unit to Longmore or an institution of that kind. Family support is taken from them and they are faced with a feeling of isolation. It has been my experience that offenders return from places like Longmore as the local criminal and as someone for others to look up to because they set the standard. That is what people have to live with. Evidence suggests that the people from the Pilbara who are sent a thousand miles away would be better served by remaining in a local community youth training centre. The Government has recognised this and has provided funds for these centres.

The attempt to politicise the problems at Port Hedland and the way in which the media has brought about the worst aspects of not only Port Hedland, but also other towns, do not do the community any good. Most towns are confronted with problems.

Among the good things that came out of the public meeting included the fact that the majority of people felt strongly that they wanted to do something positive to support the town. People were certainly level headed about the problems confronting the town and the emotions of the people at that meeting were high and there was a feeling of optimism. Given the right leadership and the proper incentives, they felt they could sort out the problems confronting the town with minimum support from outside. Of course experts could have been brought from Perth, but the local people are of the opinion that it is their problem, that it is their town and the solutions to those problems should be found by them. They felt that was the way to go.

I was the recipient of a noose which came through the post, obviously the product of a sick mind. The most annoying part of that incident was that, although the parcel was addressed to me, it was opened by my secretary and I do not believe anybody should be exposed to that sort of statement. It was an indication of the frustrations of some people and the way in which they are encouraged to think that instant solutions can be found to any problem, whether it is by way of a noose, a flaming cross or a gun. This sort of media blow-up and the attempts to enlist people in various campaigns, whether racial or socioeconomic groups, attract people who believe that things can be sorted out in a simple way. The public meeting and the Government's offer of support - including the five year plan in Hedland and the family package introduced by Hon Kay Hallahan - are positive ways of assisting the self-help groups; I do not necessarily mean the public servants, but more the voluntary groups who are at the front line of those problems and are endeavouring to provide solutions.

We are at the beginning of the parliamentary session and we have plenty of time to debate with the Opposition the things it wants to do, if ever it has an opportunity to be in Government. Let us try to not become involved in destroying people's careers and taking money from people's pockets by forcing them to defend themselves in court; let us spend our time this session discussing the important issues for this State. I congratulate the Government on its performance.

Adjournment of Debate

HON P.H. LOCKYER (Lower North) [8.12 pm]: I move -

That the debate be adjourned until the next sitting of the House.

Several members interjected.

The PRESIDENT: Order! It appears that Hon Doug Wenn, who moved the motion under discussion, does not want to conform with the rules so that other members can speak to it. He should not look around - he was carrying on while I was endeavouring to put the motion.

Question put and passed.

STANDING COMMITTEE ON GOVERNMENT AGENCIES

Interim Report

HON MARK NEVILL (South East) [8.13 pm]: I am directed to present the nineteenth report of the Standing Committee on Government Agencies. This is an interim report forming part of the committee's inquiry into the use of plain English in Government writing. The committee's inquiry has disclosed a number of common faults which prevent Government notices and forms from passing the basic test of good writing, which is: Does it simply and clearly communicate its message to its intended readers? The major faults identified in the committee's report are -

- (a) The use of archaic, unfamiliar words and phrases;
- (b) minimal use of punctuation;
- (c) complex presentation of information; and
- (d) undue reliance on precedents.

Words such as "abovementioned" and "hereinafter", sentences in some cases more than 100 words long, and multiple provisos and exceptions, serve no purpose other than to confuse. As far as the committee is concerned, they should be banished immediately.

The committee's concern with the standard of Government writing is not based in some academic concern with language, but in concerns over cost effectiveness. If a document is written in a lengthy, convoluted fashion, it will be both more costly to publish and less effective in getting its message across than a concise and simply written document. The less effective a document is in getting its message across, the more the people to whom it is addressed will either make mistakes or require further information or assistance, both of which increase costs to the community. Plain English makes plain economic sense.

As a result of inquiries to date the committee recommends that Government advertisements, notices and other documents should -

- (1) be written in a style suitable for the intended audience;
- (2) not contain archaic or unfamiliar words, or jargon;
- (3) include keywords in their headings which quickly allow readers to identify the scope and subject matter of the notice;
- (4) use maps and other graphics where suitable;
- (5) keep the use of provisos and other qualifying statements to a minimum;
- (6) use short sentences;
- (7) state information in positive rather than negative terms;
- (8) use headings to attract attention to major points of information and break up large blocks of text; and
- (9) not try to rely on pomposity or length in an attempt to increase the importance of the subject matter.

The committee has recommended that those Government agencies responsible for producing a large number of advertisements and public notices should consider taking professional advice with regard to style and layout.

It is pleasing to note the Attorney General's recent announcement of a program to introduce plain English into standard legal forms. This is undoubtedly a step in the right direction and one which will bring real benefits to the public and the Government. I am sure that the committee's series of reports on plain English will provide useful guidance to those in the Public Service whose task it will be to implement the Attorney General's program, as well as stimulate other sectors of the Public Service to tackle this underrated problem.

I move -

That the report do lie upon the Table and be printed.

Question put and passed.

[See paper No 193.]

COMMITTEES FOR THE SESSION

Assembly Personnel

Message from the Assembly received and read notifying the personnel of sessional committees appointed by that House.

STANDING ORDERS

Suspension - Orders of the Day

On motion without notice by Hon J.M. Berinson (Leader of the House), resolved with an absolute majority -

That Standing Orders be suspended so far as will enable any or all Orders of the Day to be dealt with before the Order of the Day for the Address-in-Reply.

ACTS AMENDMENT (OCCUPATIONAL HEALTH, SAFETY AND WELFARE) AMENDMENT BILL

Second Reading

HON H.W. GAYFER (Central) [8.20 pm]: I move -

That the Bill be now read a second time.

Last session during the passage of the Acts Amendment (Occupational Health, Safety and Welfare) Amendment Bill through this place and in the other place, a typographical error was made that makes the intent of the assented amendment to section 33 of that Act ineffectual. That amendment, dealing with the provision or otherwise of a protective cab or frame on a tractor manufactured later than 1 September 1979, inadvertently refers to section 75(1) of the Machinery Safety Act 1974 and not to section 75(4), as was intended.

Clearly, although the intent of this place and the other place was well known at the time the Bill was agreed to, the ineffectual amendment as it now appears has to be rectified to serve the desired purpose as expounded at that time and agreed to. To bring this about it is necessary to delete the cross-reference to section 75(1) of the Machinery Safety Act 1974 and to insert in lieu thereof section 75(4).

For the benefit of honourable members who may be interested, the debate referred to took place on 23 June 1987, and appears in *Hansard* on page 3003.

Debate adjourned, on motion by Hon P.H. Lockyer.

SESSIONAL ORDERS

Reinstatement

Debate resumed from 18 May.

The Sessional Orders were as follows -

Sessional Orders relating to Time Limits, Sitting and Adjournment of the Council and Precedence of the Address-in-Reply (in force Wednesday June 25 1986)

1. Time Limits on Speeches -

- 1.1 - A member may not speak in the House for more than 45 minutes, and in a committee of the whole for more than 10 minutes each time, on any motion, amendment, or amendment to such amendment:

Provided that on a motion to adjourn the Council, no member shall speak for more than 10 minutes and the whole debate shall not exceed 40 minutes.

- 1.2 - Rule 1.1 shall not apply to:

- (a) the Minister or member in charge of the business comprising the subject matter of the debate or to the Leader of the Opposition, or the Leader of the National Party of Australia, or to any member speaking on behalf of the said Leaders;
- (b) any member when speaking in the address in reply debate or on any motion moved under SO152(c);
- (c) any bill that the Council may not amend,

and, for the purposes of paragraph (a), no time limit shall be imposed, and in the case of paragraph (b) and paragraph (c) each member may speak for not more than 60 minutes.

- 1.3 - By leave, a member's time may be extended by 15 minutes, but no extension shall be sought or granted in a committee of the whole House.

2. Sitting and Adjournment of Council -

- 2.1 - The Council, unless otherwise ordered, shall meet for the despatch of business at 3.30 pm on Tuesday, 2.30 pm on Wednesday and 11.00 am on Thursday in each week. Unless previously adjourned, the House shall continue to sit until 11 pm on Tuesday and Wednesday and 5.30 pm on Thursday.

- 2.2 - Where the House is sitting at 11 pm or 5.30 pm, as the case may be, the President, unless the House has otherwise ordered, shall interrupt the business then proceeding and any debate then in progress shall be deemed to be adjourned. The business interrupted, and any debate so adjourned, shall be set down for resumption on the next day of sitting.

- 2.3 - If the House be in committee at 10.55 pm or 5.25 pm the chairman, unless the House has otherwise ordered, shall interrupt the business

then proceeding and, without putting any question to the committee, report progress on any matter referred to that committee, and no progress on any matter referred to that committee but not reached at the time of such interruption, and move for leave to sit again.

2.4 - Upon the interruption of business as so provided, no further business shall be transacted except:

- (a) the receipt of messages and, in the case of a Bill received from the Assembly, the moving of its second reading by the Minister or member in charge;
- (b) a motion to adjourn the Council to a date or time or both that is different from that already ordered,

and upon the conclusion thereof, or if there is no such business, a Minister shall move the adjournment of the House.

(see proviso to rule 1.1 for time restrictions on adjournment debate.)

3. Address in Reply -

3.1 - Except as provided in SO's 170, 170A, 170B, any order of the day for the resumption of the adjourned debate on the motion to adopt an address in reply to the Governor's speech shall take precedence on each sitting day over all other business, and no motion shall be entertained that, if passed, would have the effect of nulifying that precedence.

3.2 - On any sitting day before the adoption of the address in reply, but subject to SO's 181 and 212, motions and other business may be dealt with, and in the event that the address in reply debate is adjourned prior to the time at which the House itself is adjourned, the House may proceed to orders of the day (if any) as they appear on the Notice Paper.

Rule 1.1 -

HON G.E. MASTERS (West - Leader of the Opposition) [8.23 pm]: The Opposition has strong reservations about some of the Sessional Orders that were adopted during the last session of Parliament, and in fact probably also during the last two sessions. We are particularly concerned about the time limits placed on speakers. I wonder, Mr Deputy President, whether you would agree to our dealing with the Sessional Orders one at a time because there are three areas involved - the time limit on speeches, the sitting and adjournment of the Council, and the Address-in-Reply - and in some cases I support them and in others I do not.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): I will take the vote in three sections, and the member can speak to them all.

Hon G.E. MASTERS: I am not happy with the proposal to have a time limit on speeches because if we look back over at the record and look at the length of time speakers in this House have been on their feet prior to the setting of time limits we find that members spoke for a longer period than we are allowed. I have an idea that when members think they have no more than 45 minutes to speak they often operate by saying they have no less; in other words, they speak for 45 minutes. The proposal is that, with the exception of the leaders in this House, the time limit for members be 45 minutes; during Committee debate there would be a time limit of 10 minutes. Even if the 45 minute time limit were to be agreed to, it is a farce to have a 10 minute time limit for speakers during Committee debate because a member could speak for 10 minutes and then sit down; one of his colleagues could stand up and say he agreed and then sit down; and the first member could then go on for another 10 minutes. So it does not seem to be effective to have a time limit imposed on speakers in both cases.

There is a 10 minute maximum for each speaker during the adjournment debate, with a total maximum time for the debate of 40 minutes. I am happy with the 10 minute maximum for the adjournment debate because that is reasonable, but I am opposed to the total time limit of

40 minutes. In some cases speakers have been on their feet at the adjournment time and have sought an extension of time, and members who wanted to say a few words have not had the time to so do. The 40 minute time limit seems to be unnecessary and unwarranted.

Hon J.M. Berinson: Do you want to suggest some other time?

Hon G.E. MASTERS: I am saying that 10 minutes is perfectly acceptable in the adjournment debate but there should not be a 40 minute total time limit.

A problem which the Standing Orders Committee must have a look at is in the area where I as leader, or Hon Mick Gayfer as another leader, or the Leader of the House, can stand up and have unlimited time. As I understand it, if Hon Max Evans, for example, was dealing with a financial or Treasury matter and was the lead speaker, he could speak for unlimited time and then any of the other leaders could do the same. So there is an anomaly which needs to be tidied up. I will not go into that now and I am not suggesting that should be changed, but the Standing Orders Committee ought to look at that if we are to carry on as we have in the past.

Hon H.W. Gayfer: I am no longer Leader of the National Party in this place.

Hon G.E. MASTERS: I did not know that.

Hon H.W. Gayfer: I have advised the President of that fact.

Hon G.E. MASTERS: In other words, the member will support me because he now does not have unlimited time; and I am pleased about that.

We see time and time again members who have not completed their speeches seeking an extension of 15 minutes. I do not recall such a request ever being refused, so speakers have been able to go on for at least an hour. I say for those reasons I have not seen any improvement in shortening speeches under these Sessional Orders, so with the exception of the 10 minute limit in the adjournment debate I am opposed to any limit on speakers in this House because it has not proved to be effective.

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [8.28 pm]: Although Hon Gordon Masters expresses some unhappiness about the time limits under the proposed Sessional Orders, in practice the truth is they have worked very well. The House has been flexible in its approach and has agreed to requests for extensions of time, as Hon Gordon Masters has conceded. The proposed Sessional Orders have worked well in practice for almost two years and if there is any need for substantial change it should be left to the Standing Orders Committee and we could look to the members of that committee for a more comprehensive review. In the meantime, I urge the House to support this motion.

The DEPUTY PRESIDENT (Hon D.J. Wordsworth): I will be putting a motion that the time limit on speeches be agreed to. If the Leader of the Opposition wishes to move in the direction that he spoke of he would need to move an amendment. If he does not move an amendment, I will put the question.

Question put and a division taken with the following result -

Ayes (16)

Hon J.M. Berinson
Hon J.M. Brown
Hon T.G. Butler
Hon J.N. Caldwell
Hon H.W. Gayfer
Hon John Halden

Hon Kay Hallahan
Hon Tom Helm
Hon Robert Hetherington
Hon B.L. Jones
Hon Garry Kelly
Hon Mark Nevill

Hon S.M. Piantadosi
Hon Tom Stephens
Hon Doug Wenn
Hon Fred McKenzie
(Teller)

Noes (12)

Hon C.J. Bell
Hon Max Evans
Hon Barry House
Hon P.H. Lockyer
Hon G.E. Masters

Hon N.F. Moore
Hon Neil Oliver
Hon P.G. Pandal
Hon W.N. Stretch
Hon John Williams

Hon D.J. Wordsworth
Hon Margaret McAleer
(Teller)

Pairs

Ayes

Hon D.K. Dans
Hon Graham Edwards

Noes

Hon Tom McNeil
Hon A.A. Lewis

Question thus passed.

Rule 1.2 -

HON G.E. MASTERS (West - Leader of the Opposition) [8.38 pm]: I can see from the previous vote that the House and the National Party support time limits on debates, but I want to point out that there is some difficulty with rule 1.2(a). I understand the situation, because when I was first involved with discussions on this, I understood that any of the leaders of the various parties would have unlimited time. If a member other than a leader were to be the lead speaker, that person could have unlimited time, but not both members. If the lead speaker had unlimited time, my understanding was that the leader would not himself or herself have unlimited time. It seems to me that the wording must be looked at, because as I understand the interpretation it is this: I refer to Hon Max Evans. If he were dealing with a complicated Treasury Bill and he were to speak for an hour and a half - as I recall he did at one time - I assume that the Sessional Order means that if I stood up to speak I would not have unlimited time. In other words, the right for unlimited time is passed on by the Leader of the Party to the lead speaker. The interpretation in recent times has been that indeed Hon Max Evans or any other member who is a lead speaker has unlimited time. If I or Hon Mick Gayfer stand up, we have unlimited time. It seems to me that was not the intention; I thought it was "either/or". I am not complaining about it; if that is what the House wants us to do, there is no problem. I suggest, however, that the Standing Orders Committee should look at it and clarify it so that there is no misunderstanding.

As far as the other part of 1.2 is concerned, I think it is unnecessary to have a time limit on speakers. Particularly I think it is both unnecessary and unfair to have a time limit on speakers in the Address-in-Reply debate, which is very often important to members. Just after this was approved as a Sessional Order two years ago, Hon Mick Gayfer went well beyond the 60-minute time limit on the first occasion and was given an extension of time. I will ask the Standing Orders Committee to look at the points I have raised, but I make it clear I am opposed to a time limit on the Address-in-Reply or on a Bill that the Council may not amend.

Question put and passed.

Rule 1.3 -

HON B.L. JONES (Lower West) [8.43 pm]: I move -

To amend rule 1.3 by adding -

or on a motion to adjourn the House

Amendment put and passed.

Question (rule as amended) put and passed.

Rule 2.1 -

HON G.E. MASTERS (West - Leader of the Opposition) [8.45 pm]: I am quite happy to deal with the whole of the sitting and adjournment of the Council in one lot. Members will recall that previously we had different times from those proposed under the Sessional Orders. Indeed over the last two or three days we have reverted to the old arrangements, sitting at 4.30 pm on Tuesdays and so on. We went through a period of trial for the new sitting times and I must say that a number of my members have mixed feelings on those new arrangements. I personally am not opposed to the arrangements put forward in this Sessional Order, but I think that the sitting time on Thursday should be 2.30 pm and not 11.00 am. I put that to the House for good reason. Over the two or three days we have been sitting, we have seen that there are more and more Select Committees, and it has been suggested that there should be a new Standing Committee. There already is a Standing Committee in operation, so we are getting to what the Legislative Council should be all about - a committee system which is taking more of the workload and more of the responsibility. If more committees are formed - and it could well be that there will be many more than those

we presently have before us for consideration - members will be required to spend a lot more time working on them. The Legislative Council has only a small number of members. If we have a number of Select Committees or Standing Committees, members will be hard pressed to do their committee work and at the same time to sit the proposed hours. In many cases country members are able to participate in these committees only on the days they are in Perth, whether it be Tuesday, Wednesday or Thursday morning. That is an important point we should all consider. While these committees are being formed and there is a move towards the committee system -

Hon Tom Stephens: Let us move back from this rush into Select Committees.

Hon G.E. MASTERS: I point out to Hon Tom Stephens that one of the Select Committees was proposed by the Government. I am sorry that some members think we should move away from these committees, because I think we should move towards them. As there will be an extra workload on members because of the committees - and it will definitely happen over this session - we should leave Tuesday, Wednesday and Thursday mornings free for members to do their work. Therefore, I move -

To amend rule 2.1 in line 3 by deleting 11.00 am and substituting 2.30 pm, and in line 4 by deleting 5.30 pm and substituting 6.00 pm.

We would then be sitting at the times put forward - on Tuesday from 3.30 pm to 11.00 pm, on Wednesday from 2.30 pm to 11.00 pm and on Thursday from 2.30 pm until 6.00 pm.

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [8.47 pm]: I oppose this amendment and I do so on the basis of the experience we have accumulated. We have substantial committee work in the past and it has been able to be accommodated in the times which the proposed hours provide. They leave all of Mondays and Fridays free -

Hon N.F. Moore: Free? For what? Have you not heard of country members?

Hon J.M. BERINSON: Acknowledging that party meetings occur on Tuesday, it allows all of Wednesday morning and it allows the period on Thursday up to 11.00 am. There are also the recess weeks available and they come at regular intervals and can be planned. Of course we all have constituents and we all have either committee work or ministerial work, which is at least as onerous, I would say, as the committee work, if not more so. The truth of the matter is that in this respect, as in all others, we have two years of experience and in practice, it works. That being so, and in the absence of any comprehensive review of this by the Standing Orders Committee, I suggest to the House that we maintain the pattern that was recently adopted.

HON D.J. WORDSWORTH (South) [8.48 pm]: I agree with Hon Joe Berinson. We have had experience. We have tried to hold Select Committee meetings during the recess and there has just not been sufficient staff for the Select Committees to meet. I do not know whether the Leader of the House is aware that the Standing Committees have a staff of three and the Select Committees have to share one person. We have found that we are not able to meet at the times we wanted to meet while Parliament was not sitting. Goodness knows what it would be like trying to get any work done while the House is sitting, even if we can sit on Wednesday and Thursday mornings. There still will not be sufficient staff, but at least we will have two working days instead of one.

I support the amendment.

HON J.N. CALDWELL (South) [8.50 pm]: I sympathise with the mover of the motion. However, I believe that the Standing Orders Committee should consider the matter. Surely it was set up for that reason. The workload of National Party members is horrendous. Each of us is on three or four committees.

Hon Garry Kelly: A lot of it is self-inflicted.

Hon J.N. CALDWELL: Maybe after the next election there will be more National Party members and we will be able to spread the workload. I believe that we should continue with the Sessional Orders that existed last session.

HON N.F. MOORE (Lower North) [8.52 pm]: I support the amendment moved by the Leader of the Opposition. At present, two Standing Committees and three Select Committees operate. One of those has been set up at the request of the Government. That is

a very cheap way of getting a report because the cost of it comes out of the Legislative Council budget.

There are proposals for the setting up of four more Select Committees on the Notice Paper. One of those is a Government sponsored Select Committee which, as I said, is a cheap way of holding an inquiry. The Government has not indicated that it will provide the resources for those committees. Similarly, when the Delegated Legislation Standing Committee was set up we argued that the Government should provide the funds for it. What has happened is that a small staff is doing an enormous amount of work. I do not believe that the staff and the facilities available in this place will cope with these new committees.

I have been a member of the Standing Committee on Government Agencies since its inception. We do not have enough time to do our business with the House sitting at 11.00 am. In fact, the committee has been extremely limited in what it can do on the odd occasion and it would have been better for the House to sit later than 11 o'clock on Thursdays. I suggest that the proposed new committees will need more time in which to hold their hearings. One solution would be to extend the time available to them to 2.30 pm on Thursday afternoons. Even that extra time would not be enough if the committees are to do their jobs properly.

I hope the House supports Hon Gordon Master's amendment so that the committee system can function properly.

HON C.J. BELL (Lower West) [8.55 pm]: I support the remarks made by the Leader of the Opposition. However, I will be more forceful in my comments relating to Thursday mornings than was Hon Norman Moore. The time available for committees on Thursday mornings is inadequate if witnesses are brought before them. Committees will not have enough time to meet on Thursday mornings in sitting weeks. If we accept the task of serving on committees, we must resolve to do our jobs properly and we cannot do them properly if we have only an hour's effective working time. That is all the time we get with an 11.00 am start for the House. It is difficult to get committee members together before 9.30 am. They also have to prepare themselves for the day's session and it will not work. I urge the House to consider this matter carefully because it will finish in a shambles if we are not careful. Ultimately, it does not matter to me whether the House ends up in a shambles. However, while I am part of it I insist that that not be so.

HON NEIL OLIVER (West) [8.57 pm]: I support Hon John Caldwell. The Standing Orders Committee was set up to examine these matters. Quite frankly, there are not enough committee rooms or staff available to service the proposed committees, let alone those already in existence. It will become an impossible job for staff to write reports and have them printed with the facilities and equipment that are available.

The proposal by the Leader of the House is impractical unless he anticipates that many of the proposed committees will not come into existence. If they do, I believe that, under his proposal, the committees system will eventually grind to a halt. Whether that is the Government's wish I do not know. I hope that the committees do not have to travel because that will be even more difficult for them. Finally, I believe that the present logistics will not even enable the existing or proposed committees' reports to be printed and tabled.

HON JOHN WILLIAMS (Metropolitan) [8.58 pm]: Many difficulties exist with the Sessional Orders. More and more committees are being set up. I support Hon Neil Oliver. We do not have the facilities or the logistics setup to support these new committees. I suppose it is a small concession to request that the hours of the House be varied. From time to time, I have had the honour to serve on Select Committees. I know what a frantic rush it is to do everything that needs to be done and to report according to the committee's terms of reference. I do not think that the Government is offering any great concession by acknowledging the greater workload that has been put on the Legislative Council. The number of committees has increased and, having listened to the debates today, I do not think there should be any more Select Committees. For goodness sake, we have three members on the floor of the House - exclude the Ministry and the shadow Ministry and it will be seen that we are stretched exceedingly thin. However, we are expected to serve on the committees, to serve the community and to come up with an ordered suggestion of what should go for this and what should go for that. Perhaps three members - a member of the National Party, a member of the Liberal Party, and a member of the Labor Party - can form a

committee, but there are not five or six members of the National Party. Therefore, they have to take on a double workload and that is not fair.

Without being denigrating, I say to Hon John Caldwell - I would also say it to Hon Eric Charlton if he were in his place - that an enormous amount of pressure is put on members of a minority party to serve on Select Committees.

Hon Neil Oliver: Eight.

Hon JOHN WILLIAMS: Eight what?

Hon Neil Oliver: Committees.

Hon JOHN WILLIAMS: There are eight committees and four members of the National Party, so two would have to serve on each committee. I am just being taught my mathematics. I do not want to talk about mathematics, Mr President. I want to ask you and your staff how much logistical support we will get for these committees. That is the important point. It is all right for members to sit around at a table and form a committee. How much lack of logistical support can we take before your staff, Mr President, and the staff of this Council break down? We do not have the finances. We do not have the logistical support for all these committees.

If the Leader of the House considers our proposal, I am sure he will find it very reasonable. On Thursdays we are being asked to do committee work about nine o'clock and to be in the House by 11.30 am. The amendment would enable us to do committee work at 9.00 am and to be at our job here at 2.30 pm. Mondays and Fridays would be absolutely clear. They would present no problem except for members such as Hon Tom Stephens who has to fly down a few hundred miles and Hon Philip Lockyer who has to pilot his own plane a few hundred miles. Let us get realistic about the logistics of this Chamber.

If we are not very careful our committee system will be a complete travesty. Some members on both sides have sat on Select Committees and Standing Committees for a long time. I warn members now that the pressure of business will lead some members to the position that I was in in 1978, and that is to be abhorred. We have to serve the public, but we have to take a very close look at ourselves. Perhaps Hon Kay Hallahan, Hon Joe Berinson and Hon Graham Edwards with their additional responsibilities now know the meaning of the word "stress". It is absolutely diabolical. It is high time that the Standing Orders Committee acknowledged, despite public opinion, the pressure on each member of the House. With eight committees we are being asked to make sense at the end of the day. We cannot do it. We will finish up in Sir Charles Gairdner, QEII, or RPH, victims like I was. We cannot extend ourselves that far.

With just a small amendment the Sessional Orders would allow some of the committees to meet. I cannot put it any more strongly than that. It is impossible to talk to members who have not been there and done that. According to them, we are all indestructible and do not have any ailments. We do not have any hang-ups. Let the House look at itself. Several people think that I am wrong from time to time.

Hon Mark Nevill: It's a very convincing argument.

Hon JOHN WILLIAMS: If I have convinced Hon Mark Nevill, I am grateful. If we could get just a slight let-up, there might be one less death in the House. My predecessor in this seat, and a member who sat in Hon Barry House's seat died as a result of such stress. Such is the pressure put upon people doing their job in the House.

I support the amendment.

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [9.08 pm]: I accept that many of the arguments that have been put in this debate are valid in light of the pressures being put on the committee system. Even though many of the comments have concentrated on the logistics and other matters, the question of hours presents as a potential problem. The amendment outlined by the Leader of the Opposition giving us a sitting time from 2.30 pm till 6.00 pm on Thursdays effectively reduces our sitting times by only one hour, whereas the benefit to any committees that might sit on Thursday would extend beyond that. In those circumstances, I take the opportunity to indicate that I withdraw my previous objections to the amendment and indicate the Government's support of it.

Amendment put and passed.

Question (rule as amended) put and passed.

Rule 2.2 -

HON G.E. MASTERS (West - Leader of the Opposition) [9.10 pm]: There needs to be an amendment to rule 2.2 where the House is sitting at 11.00 pm or 5.30 pm.

The **DEPUTY PRESIDENT**: That is a consequential amendment.

Hon G.E. MASTERS: Very well. In relation to rule 2.2, we have accepted that 11.00 pm should be the finishing time. I guess that members look forward to that time being observed on many occasions, but it seems to me, with due respect to the Leader of the House, that the 11.00 pm finishing time is only observed when it suits the Government and is not implemented as a matter of practice. Quite often, if we are going through a piece of legislation which the Leader of the House prefers to finish that evening, the 11.00 pm finishing time is extended to finish the legislation.

Unless there are very special reasons, the 11.00 pm finishing time ought to be observed more than it has been observed in the past two years. I make that point to the Leader of the House hoping that he understands that the spirit of the Sessional Order is that we do finish at 11.00 pm unless there are special reasons for doing otherwise. I put to him that on many occasions there has been no special reason for not finishing at that time, but as a matter of convenience we have not finished at that time. The Sessional Orders are not for the convenience of the Government but for the convenience of the House, so I hope that the Leader of the House responds accordingly.

The **DEPUTY PRESIDENT**: The question is that rule 2.2 stand as amended.

Question put and passed.

Rules 2.3 and 2.4 put and passed.

Rule 3 put and passed.

DEPUTY CHAIRMEN OF COMMITTEES

Reappointment

Debate resumed from 18 May.

HON G.E. MASTERS (West - Leader of the Opposition) [9.13 pm]: When the debate on this matter was previously before the House I made the point that I thought that the number of Deputy Chairmen did not favour my party and that originally there had been an understanding that one member of the National Party would be a Deputy Chairman but for one reason or another he chose not to accept that appointment, so another Labor Party member was appointed as a Deputy Chairman.

Hon H.W. Gayfer: It could have been something to do with the workload that we were talking about.

Hon G.E. MASTERS: I am not criticising him, **Hon Mick Gayfer**. I understand that his workload was heavy, that he was a new member and that he felt that he might not fully understand the workings of the Chamber at that time. Whatever the reason, as **Hon Robert Hetherington** has an amendment I will sit, hoping that his amendment takes into account some of the comments that I have made.

HON ROBERT HETHERINGTON (South East Metropolitan) [9.15 pm]: I do not accept the argument put forward by the Leader of the Opposition. It seems to me that with the President and Chairman of Committees coming from the Liberal Party and with three Labor and three Liberal members, things were fairly balanced. The National Party has now indicated that it would like a member on the Standing Orders Committee as a Deputy Chairman. There is a person in this Chamber who would make an excellent Deputy Chairman and who happens to be a member of the Liberal Party, but I do not hold that against him.

Amendment to Motion

Therefore I move -

Insert after "Garry Kelly," the words "John Caldwell, P.H. Lockyer,".

I think that this amendment meets the honourable gentleman's wishes, although I do not accept his argument. Perhaps we can agree on the form without necessarily agreeing on the reasons.

HON G.E. MASTERS (West - Leader of the Opposition) [9.16 pm]: Hon Robert Hetherington has moved that after "Garry Kelly" two names be added. Does that mean that he is deleting Hon Mark Nevill?

Hon Robert Hetherington: No, it involves an insertion.

Hon G.E. MASTERS: Although the honourable member's motives are not the same as mine, I thank him for his comments. Does this mean we need to relook at the composition of the Standing Orders Committee because it is normal practice for the Deputy Chairmen of Committees, whoever they may be, to serve on the Standing Orders Committee. Therefore, I think that there needs to be an amendment to that effect.

Amendment put and passed.

Question (motion, as amended) put and passed.

ADJOURNMENT OF THE HOUSE: ORDINARY

HON J.M. BERINSON (North Central Metropolitan - Leader of the House) [9.17 pm]: I move -

That the House do now adjourn.

Standing Orders Committee

HON G.E. MASTERS (West - Leader of the Opposition) [9.18 pm]: I know that it is the wrong time to raise this matter, but I seek advice, in view of the decision made just before the Leader of the House moved his motion to adjourn the House when I raised the question of an appropriate time to ensure that the Deputy Chairmen become members of the Standing Orders Committee, how and when I can achieve that objective?

The **DEPUTY PRESIDENT**: I suggest that the honourable member discuss the matter with the Leader of the House. It cannot be done now - the House must have notice.

HON ROBERT HETHERINGTON (South East Metropolitan) [9.19 pm]: I must inform the Leader of the Opposition that if he moves such a motion I will oppose it. Hon John Caldwell is not a member of the Labor Party, so if the Leader of the Opposition looks at the composition of the Standing Orders Committee he will see that there is a President, a Deputy President, three members of the Labor Party and three members of Opposition parties, which achieves a balance that I want to keep.

Hon G.E. Masters: Hon Robert Hetherington was arguing against the balance in his formal argument.

Hon **ROBERT HETHERINGTON**: I said that I would not accept the argument on balance, but I was happy to have Hon Phil Lockyer as a Deputy President. It is not mandatory for the Deputy Chairman to be on the Standing Orders Committee. I respect Hon Phil Lockyer, I think he makes an excellent member of the Standing Orders Committee, but the balance should be preserved as it is. I am happy with him as an additional Deputy Chairman, but I oppose placing him on the Standing Orders Committee because of the very question of balance which the honourable gentleman raised earlier.

Question put and passed.

House adjourned at 9.20 pm

QUESTIONS ON NOTICE

GRAIN

Railway Transport - Royal Commission

2. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

Is it intended to remove the legislative and administrative requirements concerning the use of rail transporting grain?

Hon GRAHAM EDWARDS replied:

The Royal Commission into Grain Storage, Handling and Transport made a number of recommendations, including the one referred to by the member.

The Government has established a committee structure, in which industry bodies will be represented, to examine the commission's recommendations. Once this process of examination and consultation is complete, the Government will be in a position to make decisions on grain transport policy, as well as the other matters covered by the commission.

EDUCATIONAL POLICY

School Based Decision Making Groups

3. Hon N.F. MOORE, to the Minister for Community Services representing the Minister for Education:

- (1) Is it compulsory for schools to set up school based decision making groups?
- (2) If so, why?

Hon KAY HALLAHAN replied:

- (1) Regulations requiring schools to set up school based decision making groups are currently being prepared by Parliamentary Counsel. The nature of such groups will not be specified. This will be dependent upon such factors as the size, location of the school and its present level of parental involvement.
- (2) Such groups have a significant role in the preparation of school development plans which are an essential feature of the Better Schools organisational pattern.

PRIMARY EDUCATION

Teachers - Sex Ratio

4. Hon N.F. MOORE, to the Minister for Community Services representing the Minister for Education:

What is the ratio of male to female teachers in the primary division of the State education system?

Hon KAY HALLAHAN replied:

As at semester 2 staff census, July 1987 -

- (a) Total number of primary teachers - 7 076;
- (b) total FTE* primary teachers - 6 478;
- (c) FTE* of male primary teachers - 2 266 - 35.0%;
FTE* of female primary teachers - 4 212 - 65.0%

* Includes FTE for both full time and part time teachers.

NGAL-A

Project Officer - South Perth

5. Hon P.G. PENDAL, to the Minister for Community Services:

- (1) Has the Government installed a project officer at Ngal-a in South Perth?
- (2) If so, who is paying this person's salary?

- (3) What role is the officer playing?
- (4) To whom is the project officer responsible?

Hon KAY HALLAHAN replied:

- (1) Yes, in consultation with Ngal-a.
- (2) Department for Community Services.
- (3) Developing the proposed restructure of Ngal-a's services.
- (4) Ngal-a Implementation Committee.

HOSPITALS *Financial Aspects*

6. Hon P.G. PENDAL, to the Minister for Community Services representing the Minister for Health:

- (1) Are there any Government hospitals which do not require a subsidy from the hospital fund as they are self-supporting?
- (2) If so, which ones?
- (3) Could the Minister provide a list of all Government hospitals - excluding the major metropolitan teaching hospitals - indicating the net cost to Government of running those hospitals for the 1985-86 and 1986-87 years?
- (4) What is the anticipated cost for 1987-88 of the hospitals referred to in (2)?
- (5) What initiatives does the Government propose to introduce to reduce these costs?

Hon KAY HALLAHAN replied:

- (1) No.
- (2) Not applicable.
- (3) The information has been provided to Parliament in the respective annual reports for the financial years in question.
- (4)-(5) Not applicable.

GREYHOUND RACING *Government Grants*

7. Hon P.G. PENDAL, to the Minister for Consumer Affairs representing the Minister for Racing and Gaming:

- (1) Is it correct that greyhound racing in WA is funded by the Government to the extent of approximately \$200 000 for the current financial year?
- (2) If so, can the Minister provide details of how this subsidy is to be spent in the current year?

Hon GRAHAM EDWARDS replied:

- (1)-(2) The Government made a grant of \$200 000 in July 1987 to the WA Greyhound Racing Association, acting on recommendations contained in the report of an inquiry into the administration of greyhound racing in WA, compiled by Mr W. Mitchell of Allied Westralian Ltd.
The \$200 000 was necessary to ensure interim financial viability of the association pending amending legislation to restructure the administration of the controlling body.

SCHOOLS *Government Grants*

8. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Education:

- (1) Why, when schools are asked to provide a budget and it is accepted, is 20 per cent withheld when the money is paid to the school?
- (2) When is it anticipated the other 20 per cent will be paid?

Hon KAY HALLAHAN replied:

- (1) A general purpose grant is provided to schools on the basis of school type, location and per capita enrolments. The per capita component for each school is based on first semester enrolments. Payments of the 1988 grant have necessarily been made in two parts. The first part was an interim payment in February 1988 of 80 per cent of the total and is based on the projected enrolments for 1988. The second payment will be made after school enrolments have been confirmed following the first semester census. The second payment is thus the residual amount determined from the first semester census, less the first interim payment. Cheques for this amount will be issued to schools on 19 May 1988.
- (2) Answered in (1).

RAILWAY TRACK

Railway Discontinuance Act - Track Closure

9. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

Is it the intention of the Government to bring in a Railway Discontinuance Act to -

- (a) close the Donnybrook-Boyup line; and
- (b) close the Boyup Brook-Katanning line?

Hon GRAHAM EDWARDS replied:

Operations ceased on the Katanning-Boyup Brook line some time ago. Formal closure has been delayed pending consideration of several other branch lines, including the Donnybrook-Boyup Brook section. The Department of Transport has completed its report on these lines and its recommendations are currently being considered.

If a decision to close the lines is taken, the necessary legislation will be brought before the House.

TRANSPORT COMMISSION

Police - Heavy Haulage Section

10. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

Is it the intention of the Transport Commission to hand the Heavy Haulage Section over to the police?

Hon GRAHAM EDWARDS replied:

The member may be interested to know that the Transport Commission has not existed since 1 January 1986 when it was incorporated in the Department of Transport. Neither the commission nor the department has embodied the Heavy Haulage Section which is part of the Police Force.

MEMBERS AND MINISTERS

Ministerial Visits - Country Electorates

11. Hon A.A. LEWIS, to the Leader of the House representing the Premier:

Is it the intention of the Premier and his Ministers in this Government to notify country members when they are going into those members' electorates?

Hon J.M. BERINSON replied:

There is no new policy or departure from the previous convention that Ministers give members of Parliament due notice of official ministerial visits to country electorates.

WOODWORKING

Fine Wood Project - Government Grants

12. Hon A.A. LEWIS, to the Leader of the House representing the Premier:

Which State department is providing funding to launch a woodcraft marketing project?

Hon J.M. BERINSON replied:

The Department of Employment and Training is funding the fine wood project based in Manjimup. A survey and report on the marketing prospects for the fine wood products industry in the south west was funded by an Australian special rural research fund grant from the Federal Government.

SOUTH WEST DEVELOPMENT AUTHORITY

WA Tourism Commission

13. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Tourism:

Is the South West Development Authority going to take over control of the WA Tourism Commission interests in the south west?

Hon GRAHAM EDWARDS replied:

No.

TREE PLANTING

Pine Plantations

14. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

What plantings of pine plantations have been undertaken in the State each year for the last five years by -

- (a) the Department of Conservation and Land Management;
- (b) private entrepreneurs; and
- (c) the CALM department and private enterprise with regard to leasing?

Hon KAY HALLAHAN replied:

Pine planting in Western Australia -

- (a) by Department of Conservation and Land Management -

1987	2 177 hectares
1986	2 016 hectares
1985	2 289 hectares
1984	2 534 hectares
1983	2 207 hectares

- (b) private entrepreneurs have advised of the following areas -

1987	Not available
1986	1 240 hectares
1985	494 hectares
1984	432 hectares
1983	182 hectares

- (c) CALM-private enterprise lease agreement -
commenced 1987 1 104 hectares.

QUARANTINE STATIONS

Kununurra

15. Hon TOM STEPHENS, to the Minister for Consumer Affairs representing the Minister for Agriculture:

- (1) What is the anticipated capital cost of the recently announced decision of the State Government to establish a northern quarantine station on the Victoria Highway east of Kununurra?

- (2) What is involved in this anticipated capital works program?
- (3) How many additional staff will be required for the provision of quarantine services at the northern border?
- (4) What number of GEHA homes will be provided in Kununurra to cater for these staff and at what cost?
- (5) What locations are being considered for the quarantine section?
- (6) What is the anticipated annual recurrent cost of this new facility for 1988-89 and 1989-90?
- (7) What is the recurrent cost of the Norseman Quarantine Station in 1988-89 and what is the anticipated cost for 1989-90?
- (8) What costs were incurred in running this station for each of the last five financial years?
- (9) What number of staff are employed in the quarantine station at Norseman and what is their job classification?

Hon GRAHAM EDWARDS replied:

(1)-(2)

Roadworks	240 000	
Building	270 000	
Services	250 000	
Vehicles	120 000	
Housing - GEHA	820 000	\$1 700 000

- (3) Six - plus five transferred from other positions.
- (4) Six - one to accommodate three single persons.
- (5) Adjoining the east side of town or immediately west of the border.
- (6) 1988-89 Nil
1989-90 \$500 000

(7)-(8)

1988-89	\$381 157
1989-90	402 666
1987-88	360 434
1986-87	334 136
1985-86	Not readily available.

- (9) Nine permanent, two casual, as follows -

1 senior inspector, level 3
3 inspectors, level 2
5 inspectors, level 1
1 casual inspector - part time
1 cleaner - part time.

ALUMINIUM SMELTERS *USSR Interest*

16. Hon A.A. LEWIS, to the Leader of the House representing the Minister for Minerals and Energy:

With regard to the announcement that an alumina smelter is to be partly financed by the USSR -

- (1) How many power stations, of the type the USSR is allegedly providing, are already in existence in the Western world?
- (2) Was Wardleys Bank involved in the negotiations with the Russians?

Hon J.M. BERINSON replied:

(1)-(2)

No such announcement was made.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF
Mining Exploration - Lands and Forest Commission

17. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

With regard to mining and mineral exploration, is it the intention of the department to include department lands under the Lands and Forest Commission similar to national parks and nature reserves?

Hon KAY HALLAHAN replied:

No.

MINING EXPLORATION
National Parks and Reserves - Advertising

18. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) What did it cost to advertise the new conditions applying to mining exploration in national parks and nature reserves?
- (2) In what papers were the advertisements placed and what size were the advertisements?

Hon KAY HALLAHAN replied:

- (1) \$36 986.98.
- (2) *The Chronicle, Comment News, Fremantle Gazette, Stirling Times, Sunday Times, Wanneroo Times, Albany Advertiser, Geraldton Guardian, Kalgoorlie Reporter, South West Times* all 41 x 07.

The West Australian - 41 x 14 and 42 x 07.

FORESTRY
Pine Plantations - Government Contracts

19. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) Is it the Government's intention to release funds which are invested in pine plantations?
- (2) If so, will it be by sale or lease?
- (3) With respect to the release of funds, are the pine plantations to be offered by tender?
- (4) If yes, when will tenders be called?
- (5) If no, who will be conducting negotiations - the Department of Conservation and Land Management or the Western Australian Development Corporation?
- (6) If there is a profit as a result of this transaction, will the funds go to CALM to purchase plant and equipment, or will it go to WADC and be incorporated in the CRF funds?

Hon KAY HALLAHAN replied:

- (1) The Government has made no decision of this nature.

(2)-(6)
 Not applicable.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF
Rain Forest Conservation Program - Federal Government Finance

20. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

How much does the department receive from the Federal Government to finance the rain forest conservation program?

Hon KAY HALLAHAN replied:

1987-88: \$258 250.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF
Aboriginal Employment - Federal Government Finance

21. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

Does the department receive any Federal moneys to employ Aboriginal people in nature conservation and national park work?

Hon KAY HALLAHAN replied:

Yes.

GOVERNMENT GRANTS TO VOLUNTARY ORGANISATIONS
Conservation Organisations

22. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) What voluntary conservation organisations based in Western Australia receive grants from -

- (a) the State Government; and
- (b) the Federal Government?

- (2) What amounts do they receive?

Hon KAY HALLAHAN replied:

- (1)-(2)

The following grants were provided from my portfolio -

Conservation Council	\$12 585
Environment Centre	\$10 000
Australian Conservation Foundation	\$4 000
Greening Australia	\$103 000
Tree Society	\$4 000

Requests for advice on Federal grants should be directed to the Federal Minister.

AGRICULTURE, DEPARTMENT OF
Bridgetown Office

23. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Agriculture:

When is it the intention of the Government to appoint a new officer in charge at the Bridgetown office of the Department of Agriculture?

Hon GRAHAM EDWARDS replied:

It is anticipated that an officer in charge will be appointed to Bridgetown within one month.

SECONDARY EDUCATION
Pemberton High School - Building and Construction

24. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Education:

With regard to the new Pemberton High School -

- (a) has a site been chosen; and
- (b) when will construction commence?

Hon KAY HALLAHAN replied:

- (a) Yes. A six hectare site has been chosen on Crown land near the intersection of Johnston and Kennedy Streets;

- (b) the replacement project has been listed for consideration in the 1988-89 school building program. Until such time as the full extent of the available funds becomes known, however, it is not possible to indicate when construction will be commenced.

HOSPITALS

Warren District Hospital - Building and Construction

25. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Health:

- (1) Have plans been completed and accepted for the upgrading of the Warren District Hospital?
- (2) If so, when will construction commence?

Hon KAY HALLAHAN replied:

- (1) Schematic plans have been completed and approved by the hospital board.
- (2) Construction will commence when contract documentation has been completed and funding approved.

WATER SUPPLY

Manjimup

26. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Water Resources:

- (1) Has a decision been made to upgrade the Manjimup water supply?
- (2) If so, when will work commence and where will this supply be located?

Hon KAY HALLAHAN replied:

- (1) Yes.
- (2) Work will commence in the summer of 1990-91 and will comprise the raising of Manjimup Dam and a pump back scheme from either Lefroy Brook or Record Brook.

AGRICULTURE, DEPARTMENT OF

Manjimup Office - Building and Construction

27. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Agriculture:

- (1) Is it the intention of the Government to relocate the department's office in Manjimup to the Horticulture Research Centre?
- (2) If so, when?

Hon GRAHAM EDWARDS replied:

- (1) Yes.
- (2) The construction of the new Manjimup office at the Horticulture Research Centre has been included in the department's 1990-91 capital works program.

HOMESWEST

Housing - South West

28. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Housing:

- (1) What new Homeswest houses have been provided in -
 - (a) Manjimup;
 - (b) Pemberton;
 - (c) Northcliffe; and
 - (d) Walpole
 for the years 1983 to 1987?

- (2) What number of houses is it proposed to provide in each town listed above for 1988?

Hon KAY HALLAHAN replied:

- (1) (a) Manjimup -
 4 x 2 BR duplex completed 1986;
 4 x 2 BR duplex completed 1986;
 4 x 3 BR single detached completed 1986;
 2 x 1 BR townhouse completed 1986;
 2 x 2 BR townhouse completed 1986;
 2 x 1 BR townhouse completed 1986;
 (b) Pemberton - nil;
 (c) Northcliffe - nil;
 (d) Walpole - nil.
 (2) (a) Manjimup - proposed purchase of 3 x 3 BR single detached;
 (b) Pemberton - nil;
 (c) Northcliffe - nil;
 (d) Walpole - nil.

FORESTRY

Brockman Forest - Monetary Value

30. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

What monetary value does the department place on timber, which is dead in the Brockman Forest as a result of wildfire, that is not being harvested because it is in a national park?

Hon KAY HALLAHAN replied:

No monetary value is placed on trees in national parks or nature reserves.

NATIONAL PARKS AND RESERVES

Burning

31. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

In 1988 what percentage of full-reduction burning has been completed and what was the percentage completed in 1985, 1986 and 1987?

Hon KAY HALLAHAN replied:

The percentage of fuel reduction burning program completed in forest regions over the past four years has been -

1984-85	78 per cent
1985-86	81 per cent
1986-87	72 per cent
1987-88	71 per cent.

WESTRAIL

South West Development Authority - Bunbury Marshalling Yards

32. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

How much did Westrail charge the South West Development Authority for the old marshalling yards at Bunbury?

Hon GRAHAM EDWARDS replied:

No charge was levied by Westrail on the South West Development Authority. However, a grant to offset the cost of relocation of Westrail operations to Picton was provided to Westrail by Treasury. In return Westrail surrendered title to the land occupied by the old Bunbury marshalling yard.

WESTRAIL
Property Transfer

33. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

Can Westrail land be transferred at any time to any other authority or individual person?

Hon GRAHAM EDWARDS replied:

Providing land is not required for a Westrail purpose procedures exist to enable land to be transferred, generally at market value.

WESTRAIL
Property Transfer

34. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

Does Westrail or the Consolidated Revenue Fund receive any moneys when land is transferred to another authority or person?

Hon GRAHAM EDWARDS replied:

The practice in the past, in the case of freehold land purchases with Westrail funds, has been to pass any sale proceeds through Westrail revenue to the Consolidated Revenue Fund. By agreement with Treasury, Westrail has also been allowed to credit any profits on such sales to the railway assets purchase fund.

WESTRAIL
Property Transfer

35. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

- (1) Is it the intention of Westrail to divest itself of other areas of land in country areas?
- (2) If so, who does an authority or person have to negotiate with for the land?

Hon GRAHAM EDWARDS replied:

- (1) No.
- (2) Not applicable.

SOUTH WEST DEVELOPMENT AUTHORITY
Bunbury Marshalling Yards

36. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for The South West:

- (1) Has the South West Development Authority sold the old marshalling yards at Bunbury?
- (2) If so, to whom and for what amount of money?
- (3) If not, what is the authority's valuation of the yards?

Hon GRAHAM EDWARDS replied:

- (1) Settlement for the disposal of Lots 1 and 3 Blair Street, Bunbury, occurred in December 1987.
- (2) Both Lots 1 and 3 have been transferred to Rampton Holdings Pty Ltd. The total purchase price was \$3.5 million.
- (3) Not applicable.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF
Seedlings

37. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) Is the Conservation and Land Management Department still raising seedlings for sale to people or companies outside the public sector?
- (2) If so, what species are available and at what price?
- (3) Are discounts allowed for bulk purchases?
- (4) Are seedlings, which are for the department's and Public Service use, costed at the same prices as those sold?

Hon KAY HALLAHAN replied

- (1) Yes.
- (2)
 - (a) Narrogin - a wide variety of plant species suitable for wheatbelt conditions. Prices - \$15 per tray for 25 plants or \$1.20 per potted seedling;
 - (b) Manjimup - Eucalyptus globulus - Tasmanian blue gum - and E. diversicolor - karri - only. Prices - bare root karri seedlings, \$85 per 1 000. Jiffy pot seedlings, \$11.50 per tray for quantities of 10 000 to 200 000 plants, and \$10.50 per tray for more than 200 000 plants;
 - (c) Gnangara - Pinus radiata and p. pinaster only. Prices - for less than 1 000 plants, \$14 per 100. For 1 000 to 5 000 plants, \$91 per 1 000. For more than 5 000 plants, \$77 per 1 000. A pine delivery charge of \$12 per 1 000 plants is also charged.
- (3) Yes; see (2).
- (4) Yes.

DENMARK SHIRE *Southern Forest Region*

38. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) Is it correct that the Denmark Shire has been included in the southern forest region?
- (2) If so, what extra staff and finance have been provided to the region to handle the increased activity?

Hon KAY HALLAHAN replied:

- (1) No. The boundary of the southern forest region and the south coast region of the Department of Conservation and Land Management is under review.
- (2) See (1).

TRAFFIC FLOW METERS *Shannon Recreation Area*

39. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) For how long have meters, to measure the traffic flow, been in place at the Shannon recreation area?
- (2) How often are they read?
- (3) In how many other CALM recreation areas have meters been installed?

Hon KAY HALLAHAN replied:

- (1) Since August 1986.
- (2) Weekly.
- (3) Five meters have been installed in the southern forest region. It is departmental policy to install meters to measure traffic flow to designated recreation areas throughout the department's regions.

GOLF COURSES
Shannon Recreation Area

40. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

Who maintains the golf course situated at the Shannon recreation area?

Hon KAY HALLAHAN replied:

The Department of Conservation and Land Management.

SHANNON RECREATIONAL AREA
Erosion

41. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) What steps are being taken to arrest the erosion at the Shannon recreation area?
- (2) What are the costs of these measures?

Hon KAY HALLAHAN replied:

- (1) Tree planting, native shrub seeding, grassing and landscaping have been implemented since 1986.
- (2) Not available.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF
Road Maintenance - South West Highway

42. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) Has the Minister's department been involved in the clearing of the verges of the South West Highway south of the Shannon?
- (2) If so, for what reason?
- (3) If not, which department is responsible?

Hon KAY HALLAHAN replied:

- (1) No.
- (2) Not applicable.
- (3) Main Roads Department.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF
Coal Mine Beach - Ablution Blocks

43. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

- (1) Is the Department of Conservation and Land Management going to build new ablution blocks at Coal Mine Beach?
- (2) If so, when?
- (3) Is the department going to have the power placed underground at Coal Mine Beach?

Hon KAY HALLAHAN replied:

- (1) No.
- (2) Not applicable.
- (3) Power is supplied to the area by overhead transmission lines. Power to individual caravan sites is supplied by underground wires. No additional power reticulation is planned.

PROPERTY DEVELOPMENT

Walpole

44. Hon A.A. LEWIS, to the Minister for Community Services representing the Minister for Conservation and Land Management:

When is it expected that blocks will be released for sale in the western cell at Walpole?

Hon KAY HALLAHAN replied:

The member may be referring to a possible sale of residential blocks in the Walpole townsite. I have referred this question to the Minister for Lands.

FISHERIES, DEPARTMENT OF

Blue Fin Tuna - Restrictions

45. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Fisheries:

Is it intended to restrict the incidental catch of blue fin tuna in Western Australia by licensed fisherman?

Hon GRAHAM EDWARDS replied:

Yes, the management of the southern blue fin tuna fishery is the responsibility of the Commonwealth Minister for Primary Industries and Energy.

At the last meeting of Australian Fisheries Council, council endorsed the revoking of paragraphs 24.1 and 24.2 of the southern blue fin tuna management plan. This amendment to the plan has resulted in fishermen not being able to land southern blue fin tuna incidentally taken by Australian fishermen without having southern blue fin tuna quota.

NAVIGATIONAL AIDS

Walpole - Conveyancing Fees

46. Hon A.A. LEWIS, to the Minister for Consumer Affairs representing the Minister for Transport:

- (1) Is any of the \$140 paid by fishermen, in the form of conveyancing fees, being spent on navigational aids in Walpole?
- (2) If so, where?

Hon GRAHAM EDWARDS replied:

(1)-(2)

All conveyancing dues Statewide are paid to the Consolidated Revenue Fund.

Channel markers within the Walpole and Frankland River are replaced and maintained as required.

New leading marks were established in Peaceful Bay during the last financial year.

TERTIARY EDUCATION

Bunbury Institute - Arts Diploma

47. Hon P.G. PENDAL, to the Minister for Community Services representing the Minister for Education:

- (1) How many students are doing the Arts Diploma course at the Bunbury Institute?
- (2) Is the course in danger of folding?
- (3) If so, for what reason?

Hon KAY HALLAHAN replied:

- (1) There are five full time and two part time students.

- (2) The Western Australian College of Advanced Education, of which the Bunbury Institute is a constituent part, regularly reviews programs with low enrolments in order to make its operations cost effective. The college acknowledges its responsibilities to regional areas and to students already enrolled and would take these factors into account in reviewing the future of any program.

To date no decision has been taken about future enrolments into the visual art and craft course at Bunbury.

- (3) See above.

THEATRE

Joondalup - Building and Construction

48. Hon P.G. PENDAL, to the Leader of the House representing the Minister for The Arts:

- (1) Are there any intentions to build a Government-owned theatre at Joondalup or anywhere in the Wanneroo district?
- (2) If so, will he give details?
- (3) If no to part (1), are there any plans to subsidise the building of such a theatre?
- (4) If so, will he give details?

Hon J.M. BERINSON replied:

- (1) No.
- (2) Not applicable.
- (3) The Department for The Arts and the Wanneroo City Council have had discussions on the need for arts development in Wanneroo. No specific proposal for a theatre has been put to the Government.
- (4) Not applicable.

COMMUNITY SERVICES, DEPARTMENT OF

Kagi, Mrs - Watkins, Mr Dale

49. Hon P.G. PENDAL, to the Minister for Community Services:

I refer to the subject of correspondence between me and the Minister in the case of Mr Dale Watkins and an officer of the Community Services Department, Mrs Kagi, and ask -

- (1) If the legal action initiated by Mrs Kagi against Mr Watkins was a private action, why was the department involved in the first place and why did Mrs Kagi consult senior staff?
- (2) Were any of the costs incurred by or on behalf of Mrs Kagi borne by the department?
- (3) Does the Minister stand by her assertion that the action could only have been initiated by Mrs Kagi as an individual and not as an officer of the department?
- (4) Have any entries arising out of this alleged incident been placed into the department's files in such a way as to adversely reflect on Mr Watkins or any member of his family?
- (5) If yes to (4), will she ensure such entries are expunged from the record?

Hon KAY HALLAHAN replied:

- (1) The department was involved because Mrs Kagi's contact with the Watkins family was through her work as a departmental officer.
- (2) Yes.

- (3) Yes, because the alleged threats were against Mrs Kagi personally and not against the department.
- (4) There are reports of the matter on file which indicate the allegations and that they are denied by Mr Watkins.
- (5) No. It is important to have an accurate record of what occurred.

BUS SERVICES

Overcrowding - Bentley Route 25

50. Hon P.G. PENDAL, to the Minister for Consumer Affairs representing the Minister for Transport:

- (1) Is the Minister aware of chronic overcrowding on Transperth buses from Bentley on route 25?
- (2) Is he aware of the problem as it especially affects students from the Bentley College of TAFE?
- (3) Is he further aware that because of overcrowding, some buses do not even stop to collect students, thus imposing extra delays on those students who must then await a later bus?
- (4) Will he institute extra services in view of the fact that by the time the bus reaches the corner of Erwell and Northampton Streets - where Bentley college students expect to board - the bus is usually laden with students from both Curtin University and Canning College?
- (5) Is he aware that the problem does not arise with route 27 buses because that route does not service Curtin, but being less frequent does not solve the difficulty?
- (6) Will he take urgent action on the whole question of timetabling and route service to cut the long waiting periods of students who find the delays disrupting to their study patterns?
- (7) If he does not intend any action, why not?

Hon GRAHAM EDWARDS replied:

(1)-(7)

The Minister for Transport was aware that there were loading problems on the services in question at the beginning of the current academic year and that Transperth provided an additional bus to resolve the problem at that time.

Subsequent loading checks did reveal that the loading was still heavy. However, Transperth had not received any further complaints until yesterday, 17 May 1988, when it received a letter from the student council, Bentley College of TAFE.

As a result of the member's question and the approach from the student council, Transperth will carry out further investigations and the Minister for Transport will inform the member of the result of these investigations as soon as they come to hand.

CHARTER FLIGHTS

Western Australia

52. Hon P.G. PENDAL, to the Minister for Consumer Affairs representing the Minister for Transport:

- (1) Is the Government supplying internal charter flights to Western Australia?
- (2) If yes, what is the anticipated cost to the Government?
- (3) Were tenders called to handle this business based on a company's national marketing ability?
- (4) How many Western Australian travel companies will be involved in selling those charters?

Hon GRAHAM EDWARDS replied:

(1) No.

(2)-(4)

Not applicable.

ABORIGINAL LANDS TRUST

Warburton-Wingeleena Area - Transit Permit

54. Hon P.G. PENDAL, to the Minister for Community Services representing the Minister for Aboriginal Affairs:

(1) Has the Aboriginal Lands Trust received an application since 1 April for a white person and his party to enter the Wingeleena-Warburton area, taking in the old road which travels past the Blackstone community and near Winburn Rocks?

(2) If so, has this application been refused?

(3) If yes to (2), will he give reasons for the refusal?

(4) Will he also exercise his rights under subregulation 3 of the Aboriginal Affairs Planning Authority Act of 1972 which gives him the power to seek reasons for the refusal and table these in Parliament?

(5) If not, why not?

Hon KAY HALLAHAN replied:

(1) Yes.

(2) Yes.

(3) The Ngaanyatjarra Council opposed the issue of a permit for the road in question, however permission was given for transit through the central reserve area by the direct route via Warburton, Giles and Docker River.

(4)-(5)

Subregulation 3 does not give the Minister the rights and powers alleged by the member in his question.

PRESCHOOL

Five year olds

55. Hon N.F. MOORE, to the Minister for Community Services representing the Minister for Education:

(1) How many five year olds - i.e. children who turn five this year - have not found a place in either preprimary or preschool centres this year?

(2) How many five year olds are attending preprimary centres on a full day basis?

(3) How many four year olds - i.e. children who turn four this year - whose parents have sought a place at a preprimary or preschool centre this year, have not been placed?

(4) By what date does the Government expect to fulfil its 1986 promise to -

(a) provide full day preprimary education for all five year olds whose parents seek it; and

(b) provide optional half day preprimary education for all four year olds whose parents seek it?

Hon KAY HALLAHAN replied:

(1) 23 560 five year olds are currently enrolled in preschool - preprimary programs and a further 130 formally enrolled in educational support centres and schools. In some areas children cannot be placed at the school nearest their residence. It should be noted that more children attend such centres than are later enrolled in Government schools.

(2) Only those five year olds enrolled in rural integration programs and those in educational support centres attend on a full day basis.

- (3) Stage 2 of the Government's program is now complete. There are 8 667 four year olds enrolled in centres in 1988. This represents nearly a 40 per cent increase on 1987.
- (4) With pre-compulsory education now available for all five year olds and stage 2 of the four year old program complete, an inquiry into future directions and timelines for further development is now being undertaken.

STATE GOVERNMENT INSURANCE COMMISSION

Government Assistance

56. Hon G.E. MASTERS, to the Minister for Budget Management representing the Treasurer:

- (1) Has the State Government made any funds available to the SGIC?
- (2) If so, what are the details of these arrangements?

Hon J.M. BERINSON replied:

- (1) No.
- (2) Not applicable.

STATE GOVERNMENT INSURANCE COMMISSION

Government Guarantee

57. Hon G.E. MASTERS, to the Minister for Budget Management representing the Treasurer:

What guarantee has the State Government given to back up SGIC's enormous borrowing to finance its business dealings totalling over \$800 million?

Hon J.M. BERINSON replied:

None.

STATE SUPERANNUATION BOARD

Government Assistance

58. Hon G.E. MASTERS, to the Minister for Budget Management representing the Treasurer:

Will the State Government stand behind the State Superannuation Board if major losses occur to fully protect retirement funds?

Hon J.M. BERINSON replied:

Yes. The State has a statutory obligation to do so under section 29 of the Government Employees Superannuation Act, and section 30 of the Superannuation and Family Benefits Act.

HOMESWEST

Home Units

60. Hon P.G. PENDAL, to the Minister for Community Services representing the Minister for Housing:

- (1) What number of existing blocks of flats/units/apartments have been purchased by Homeswest in the metropolitan area in the past 12 months?
- (2) What number have been purchased in the South Perth electorate?
- (3) In relation to part (2), will she list -
 - (a) the addresses;
 - (b) the purchase prices; and
 - (c) the number of people accommodated?
- (4) In relation to Homeswest's purchase of No 8 Albert Street, South Perth, will she confirm that tenants were told they could remain there as Homeswest tenants and that none of them would be evicted?
- (5) If yes to (4), what is the point of purchasing such a block of units if the same tenants are to have the option of remaining there?

- (6) If (4) is no, can she explain the social benefit of forcing one group of self-sufficient private tenants to move in order to accommodate the incoming group of Homeswest tenants?

Hon KAY HALLAHAN replied:

- (1) 214 individual units.
- (2) 14 individual units.
- (3) (a) No;
(b) \$480 000;
(c) the privacy of Homeswest clients needs to be protected, and I am therefore unwilling to publicly disclose this information.
- (4) Yes.
- (5) Homeswest policy has always been to honour existing tenancy arrangements where such units are purchased. In the normal private rental market for units, the average turnover period is eight to 10 months. Homeswest accommodates its own tenants as units fall vacant in the normal process.
- (6) Not applicable.

FAMILY LAW
Ex-Nuptial Children

61. Hon P.G. PENDAL, to the Attorney General:

- (1) Has any consideration been given by the Government in recent years to amending the law which currently gives the mother sole rights over an ex-nuptial child?
- (2) What is the Statute involved?
- (3) Will the Government consider the whole question of "equal rights" in the case of ex-nuptial children, or will it refer the matter to the Crown Law Department?

Hon J.M. BERINSON replied:

- (1) Yes. The report of the Connor committee in 1985 recommended no change to the current provision.
- (2) Family Court Act 1975.
- (3) No.

WESTRAIL
Australian National Railways - Mergers

62. Hon H.W. GAYFER, to the Minister for Consumer Affairs representing the Minister for Transport:

- (1) Is it correct that the Western Australian Government and/or Westrail is negotiating with the Commonwealth Government for the takeover of part or whole of the Westrail network by Australian National Railways?
- (2) If so, how far have these negotiations proceeded?

Hon GRAHAM EDWARDS replied:

- (1) The Government, together with the Commonwealth Government, directed the Bureau of Transport and Communications Economics to undertake a study of the ways in which Australian National Railways and Westrail might be integrated. The study was to cover possible merger options, including both joint ventures and Federal Government ownership, and assess the economic and financial costs and benefits of partial or full integration. No final decisions have been made on the study and no negotiations are proceeding on any integration.
- (2) Not applicable.

QUESTIONS WITHOUT NOTICE
STATE GOVERNMENT INSURANCE COMMISSION
Berinson, Hon J.M.

25. Hon G.E. MASTERS, to the Minister for Budget Management:

Would the Minister be prepared to reaffirm his statement in the relevant second reading speech that the SGIC would receive no commercial advantage over the private sector in its business dealings? I quote from page 1382 of *Hansard* of 8 July 1986 where the Minister, in the introduction to his second reading speech, stated -

The Government believes that competitive neutrality of the commission and corporation will be achieved by establishing the corporation at arm's length from the Government. . . .

Hon J.M. BERINSON replied:

That question is not properly addressed to me as a question without notice as I am not the Minister responsible for the SGIC.

Hon G.E. Masters: You made the speech. You are responsible for statements you make in the House.

Hon J.M. BERINSON: Quite right. The speech to which the honourable member refers was given in my capacity as Minister representing the Minister responsible. However, having made that point - if only with a view to discouraging further such questions not coming within the area of my authority - the answer is yes.

STATE GOVERNMENT INSURANCE COMMISSION
National Companies and Securities Commission - Company Investigations

26. Hon G.E. MASTERS, to the Minister for Budget Management:

My question is directed to the Minister also in his capacity as a Minister handling certain legislation in the Legislative Council. Will the Minister explain why the SGIC can choose to be immune to investigation by the NCSC?

Hon Tom Stephens: You can't ask a question like that. You are about to retire. You should know the rules by now.

Hon G.E. MASTERS: Surely I can ask the question without interruption. I will repeat it so that the President may rule whether it is out of order.

Point of Order

Hon J.M. BERINSON: Mr President, it is already clear that the question is out of order.

Hon G.E. MASTERS: Will the Minister say why the SGIC may choose to be immune from investigation by the NCSC when the private sector is not so immune? Is that not giving an unfair advantage to the SGIC?

The PRESIDENT: Order! That question is out of order.

Questions without Notice Resumed

BERINSON, HON J.M.
State Government Insurance Commission - Bell Shares

27. Hon G.E. MASTERS, to the Minister for Budget Management:

In his capacity as senior financial adviser and member of State Cabinet, was the Minister for Budget Management consulted or advised with regard to the recent SGIC purchase of Bell shares from Robert Holmes a Court?

Hon J.M. BERINSON replied:

I will again make the preliminary point that any question relating to the SGIC should go to the Minister responsible for that commission.

Hon G.E. Masters: I asked, "As a member of State Cabinet were you consulted?"

Hon J.M. BERINSON: According to Standing Orders, questions without notice in this House cannot be directed to a Minister by virtue of his membership of Cabinet; they are required to be directed to matters coming within his ministerial authority, and the SGIC does not come within mine.

Nonetheless, having made that point, I am prepared to advise the Leader of the Opposition that I was made aware of the commission's intention to purchase Bell shares before the public announcement was made.

I suggest to the Leader of the Opposition that any further questions related to that matter must be put to the responsible Minister and not to me.

President's Ruling

The PRESIDENT: In an endeavour to enlighten all honourable members about questions without notice, the rule relating to the asking of questions without notice in this House was, prior to my making a ruling as President, a pretty difficult area to define.

I ruled many years ago that it was improper to ask a question without notice of a Minister about anything that was outside that Minister's area of responsibility. It does not automatically follow that a member may not ask a Minister a question couched in the terms used by the Leader of the Opposition, but I suggest that that question is one that ought to have been on notice.

I will certainly not enter into a debate on the Standing Orders relating to the asking of questions, if that is what the Leader of the Opposition is coming to.

Hon G.E. Masters: No.

The PRESIDENT: I am simply pointing out that I made the original ruling because no ruling existed to define matters, as in days gone by members in this place did not ask questions without notice, and therefore it was not necessary to have a ruling. Members now do ask questions without notice, so it is important that we have a ruling.

There is no point asking a Minister a question without notice on something he knows nothing about, if it is the answer that the member is actually seeking. I am saying this in case members gained the impression from the comments made by the Leader of the House that it would have been out of order to ask that question at any time. It is out of order to ask the question without notice. I rule that it would not be out of order to ask that question on notice.

MASTERS, HON G.E.
Questions without Notice

28. Hon G.E. MASTERS, to the President:

If I were to ask a question of any of the three Ministers on the front bench and I were to commence the question, "As Minister of Sport and Recreation, were you consulted on a certain matter?", regardless of whether that matter fell directly within that Minister's portfolio, and believing that because there is an overlap he or she may have been involved in discussions - as I imagine the Attorney General was - is that not a proper question to ask? I was not asking about something outside his portfolio, but whether he had been consulted on the matter.

The PRESIDENT replied:

The Leader of the Opposition is out of order on two counts; first, he cannot ask me a question without notice.

Hon G.E. Masters: I was after some guidance, Sir.

The PRESIDENT: The reason I took the trouble I did is that there is a very fine

line involved in the interpretation of what is a Minister's responsibility. If the Leader of the Opposition asked the Minister a question in the fashion that he has just suggested, it would be a proper question to ask on notice but not without notice.

I will think more deeply about this matter during the next 24 hours and, if I come to some other conclusion, I will let members know. In the meantime, the rule is very clear and specific: If a member wishes to ask a question without notice, it must relate to the responsibility of the Minister in this place.

PRISONERS *Fremantle Prison*

29. Hon G.E. MASTERS, to the Minister for Corrective Services:

I do not think that the Minister will wriggle out of this one.

Hon J.M. Berinson: I have not wriggled out of any of them.

Hon G.E. MASTERS: My question is -

- (1) Is there any truth in reports that 10 prisoners are receiving preferential treatment at Fremantle Gaol?
- (2) Are they the 10 prisoners who were the leaders in the recent gaol riot?
- (3) What steps has the Government taken to avoid further disorder?
- (4) What steps has the Government taken to improve security for prison warders and those people who live nearby?

Hon J.M. BERINSON replied:

- (1) No.
- (2) Not necessarily.
- (3)-(4)

Security measures have been tightened significantly in a number of ways including the establishment of the special handling unit to which the Leader of the Opposition has referred. It would obviously not be acceptable in a public discussion to go into details of the additional security arrangements that are now in place.

ASBESTOS-RELATED DISEASES *Supreme Courts - Delays*

30. Hon P.G. PENDAL, to the Attorney General:

- (1) Is the Attorney General aware of criticism voiced on the PM program last night on the ABC that the landmark decision in the Victorian Supreme Court relating to asbestos-related diseases has not been possible in Western Australia because of delays in the Supreme Court?
- (2) Is he also aware that the delays in the Victorian cases were overcome by special application to that State's Supreme Court which allowed earlier hearings because of the imminent deaths of some of the plaintiffs?
- (3) In view of the claim that hundreds of Western Australian cases are being unnecessarily delayed and that some plaintiffs have already died, will he seek urgent ways to have the cases in Western Australia brought on quickly?

Hon J.M. BERINSON replied:

- (1)-(3)

The honourable member raises important questions that I think I should attempt to deal with in some detail. We are dealing here with a very tragic situation. Some hundreds of people are affected by asbestos-related diseases, and it is a fact that a number of them have a very short life expectancy. It is therefore all the more important that in such cases every

effort should be made to ensure that proceedings are finalised as expeditiously as possible.

The Government has already made significant efforts to assist the sufferers from asbestos-related diseases. Members will be aware that it was this Government which introduced legislation to ensure that the actions now proceeding could be brought forward and that they would not be prevented by the effect of the Limitation Act. A measure of that sort had been requested for many years - before this Government came to office - and we acted on the requests as quickly as we could. It is only fair to say that we did so with the support of all sides of the Parliament. In addition to that, the Government has gone to great lengths to search out any relevant material in its own records which might be of assistance to a proper consideration of the claims. Many of these records were thought to have been destroyed, and it took a significant effort to ensure that they were again located and made available to the plaintiffs.

In the third place the Government has made very substantial special legal aid available outside the ordinary constraints of legal aid funds to ensure that the cases now being put by the plaintiffs are argued as fully and as ably as they would wish. The cost of that special assistance to the plaintiffs is already in excess of \$500 000, and that will indicate the extent to which the Government is anxious to ensure that these claims are properly processed.

We come then to the question of the admitted length of the current proceedings in the Supreme Court. May I say firstly that, so far as I am aware, there is nothing in the decision of the Victorian case which was reported last night to assist in a quicker resolution of the claims which we have in our own court. The reason for that is that on all questions of negligence, cases must go according to their own facts. It is not for me to enter into a detailed analysis of the differences in the factual situations between the Victorian and the Western Australian cases. In fact I have so far had the opportunity of only very brief advice on the nature of the Victorian claim. Suffice to say that there are very important differences of fact between the two situations, and the result of that is that although Hon Phillip Pandal refers to the Victorian decision as a landmark, and although it may very well prove to be a landmark for certain purposes, on my understanding of the situation it will not have that effect on the particular cases now under consideration. The cases now being argued in the Supreme Court have been proceeding, from memory, for almost six months, and I understand it will still be several weeks before the arguments of the two sides can be expected to be completed.

Hon Phillip Pandal asked whether we could not do something to speed up matters in Western Australia by adopting the apparent willingness of the Victorian courts to agree to earlier hearings. May I stress to all members that the present cases have come on on an expedited basis as a result of an application to that effect being agreed to by the court. Not only that, but several previous cases on asbestos-related diseases which have had applications for expedited hearings have also had that request agreed to. It is also my understanding that the court has made it clear that it would give the same priority to any future cases being brought in this very troubled area.

The problem with the hundreds of cases which have not been given a date for trial is that the parties themselves, no doubt on the advice of their legal advisers, have not entered their cases for trial. It is understood that the reason for that is that the two cases now before the Supreme Court are being treated, both by the plaintiffs as a whole on the one side and by the companies on the other, as being in the nature of test cases. It is as a result of that that they have been argued at the great length that they have. It is reasonable to go on from there to expect that once these cases are disposed

of and the basic issues resolved, the processing of the many other cases now awaiting a hearing can go forward much more quickly.

In short, the Government, to the extent that it has been involved in this very tragic problem, has taken every step open to it to ensure that the plaintiffs have all the information available to Government; that they have full access, at no cost to themselves, for the testing of their claims; and that the plaintiffs have no barrier in their way as a result of the understood effect of the Limitation Act. At the end of the day, however, we have to accept this: Cases involving asbestos-related diseases are civil cases being fought out and to be fought out by the parties themselves.

The Government is not a party to such actions and it cannot be a party to such actions. If we can assist in any way the expeditious disposal of those claims, of course we will do so, and we have done so. For the moment, however, I think it is fair to summarise the situation by saying that the current test cases having gone as far as they have, it is now necessary to wait on their conclusion before any further consideration can be given in practical terms to the disposition of the other cases on the list.
