

# Legislative Assembly

Wednesday, the 26th April, 1978

The SPEAKER (Mr Thompson) took the Chair at 4.30 p.m., and read prayers.

## Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Rushton (Minister for Local Government), and transmitted to the Council.

## TRAFFIC

### Noise Emission, and Vibration: Petition

MR HODGE (Melville) [4.32 p.m.]: I present a petition signed by 142 persons resident in the district of Melville praying that the Government of Western Australia will take urgent effective action to bring about a reduction in the menace of traffic noise and vibration caused by heavy trucks in Melville.

The petition complies with the Standing Orders of this House, and I have certified accordingly.

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

(See petition No. 10).

## QUESTIONS

Questions were taken at this stage.

## LOCAL GOVERNMENT GRANTS BILL

### Report

Report of Committee adopted.

## LIQUOR ACT AMENDMENT BILL

### Second Reading

MR WATT (Albany) [4.52 p.m.]: I move—

That the Bill be now read a second time.

Whenever amendments to the Liquor Act are introduced it can usually be anticipated that they will be either more controversial or interesting than those contained in the Bill before us, and to those who may have been expecting something a bit more exciting than this Bill, I apologise.

Members will recall that section 36A of the Liquor Act was repealed and re-enacted last November to allow a vigneron to sell wine from his vineyard or other premises in the same locality. One of the provisions in the Bill authorised the issue of a vigneron's licence if the applicant is the occupier of two hectares of vines in full bearing or two hectares of orchard on

which the applicant carries on the business of a vigneron.

In section 7 of the Act, under the various interpretations, wine is described as including cider, cyser, mead, and perry. Wine is made from grapes and is therefore automatically included. Cider and cyser are produced from apples, and perry is produced from pears, so likewise they are included under the Act. However, there is no provision under which a producer of mead, which is made from honey, can be granted a vigneron's licence.

Therefore, the Bill seeks to amend section 36A(1) to add a provision for a licence to be issued to an apiarist occupying an area containing not less than 100 hives and on which he carries on the business of a vigneron.

A small consequential amendment is required to section 36A(2).

An apiarist in Albany produced mead for some years, but he allowed his licence to lapse because there were too many difficulties associated with marketing the product, especially as most of the wholesalers were not very interested in handling small quantities of his produce when they could handle large quantities with a huge turnover from some of the bigger producers of other wines.

The drink is popular with many people who have been disappointed it is no longer available. Apart from the fact that, because of personal taste, some people like mead, I understand it has certain medicinal qualities which are of benefit to those who suffer from rheumatism and arthritis, although I cannot personally verify this fact.

Because mead is not widely produced and is not a common drink, its exclusion from last year's amendments was probably an oversight, and the Bill simply seeks to remedy that situation. I therefore commend it to the House.

Debate adjourned, on motion by Mr O'Neil (Chief Secretary).

## INDUSTRIAL SAFETY AND HYGIENE

### Inquiry by Select Committee: Motion

Debate resumed, from the 19th April, on the following motion by Mr Harman—

That a Select Committee be appointed to investigate all aspects of industrial safety and hygiene, the effectiveness of present legislation and administrative practices, the current industrial safety training programmes, the foreseeable needs and report accordingly.

**MR GRAYDEN** (South Perth—Minister for Labour and Industry) [4.55 p.m.]: I did not anticipate that this motion would be discussed this afternoon. I thought the Opposition would have had more private members' business and that this item would have been placed at the bottom of the list.

I can assure the member for Maylands, however, that the Government shares his concern about the incidence of accidents in industry, but, since 1974, the Government has gone out of its way to reduce the number of accidents in industry. It has gone out of its way to do this to such an extent that it has made it clear to every person in the Department of Labour and Industry that notwithstanding the multitude of Acts of Parliament which come within the jurisdiction of the department, No. 1 priority is given to industrial safety. I have repeated this over and over again to the departmental officers so that there is not one of them who is not aware of the fact. Industrial safety is the No. 1 priority of the department; I can assure members of that fact.

Therefore, it is rather annoying to have people occasionally ridicule what is being done in the field of industrial safety. I can assure the Opposition that we are doing a great deal. In fact, we are doing infinitely more now than has ever been done before, and we are doing it in a number of ways. Our programme has been so extraordinarily successful that constantly I myself over the last four years have been visiting sawmills and industrial establishments to present awards for various achievements in the field of industrial safety. Other members on this side of the House have been doing likewise.

**Mr Clarko:** Every factory I visit has signs placing an emphasis on safety. This is more so now than ever before.

**Mr T. H. Jones:** How many have you been into?

**Mr Clarko:** Very many.

**Mr GRAYDEN:** The member for Collie asks "How many...?" This indicates that members opposite are not getting out into industry to ascertain what is being done. One can travel right through Western Australia, even into the Kimberley—

**Mr T. H. Jones:** What?

**Mr GRAYDEN:** —and the Pilbara, and the first thing one sees in the iron-ore establishments and so on are signs which cover 100 yards along the buildings—

**Mr Taylor:** Did you say 100 yards?

**Mr GRAYDEN:** Some are that long, strangely enough.

**Mr Taylor:** Factories?

**Mr GRAYDEN:** These signs place the emphasis and stress on safety. Similarly one can go into industrial establishments in the metropolitan area and the south-west and see exactly the same thing. This applies to the bauxite establishments which have long sheds upon which is written a slogan illustrating the necessity for precautions to be taken in the field of industrial safety.

**Mr Harman:** In what language?

**Mr GRAYDEN:** If members opposite have not been to the establishments they should not criticise the situation. If one walks into virtually any big industrial establishment in Western Australia at the moment, the first thing with which one is confronted apart from the sign on industrial safety, is a board at the entrance indicating how many hours have passed in that establishment without a single accident occurring, or without time having been lost as a result of an accident.

**Mr Clarko:** Does not industry keep a record of industrial accidents? I think the MTT has a good record.

**Mr GRAYDEN:** I have not been to the MTT lately, but I imagine it does keep a record.

**Mr Hodge:** How do you explain the 34 500 industrial accidents last year?

**Mr GRAYDEN:** On that point, it is quite obvious that members on the other side of the House are not visiting these establishments. I wish they would go to them and get some idea of what is being achieved. I have had the task—and it has been a very pleasant task indeed—of visiting some establishments and presenting them with awards because they have achieved one million man hours without a day being lost as a consequence of an industrial accident—one million man hours!

**Mr Skidmore:** So what?

**Mr GRAYDEN:** A total of one million man hours has been achieved by firms in Western Australia without a single accident occasioning time lost. I made an award to one of the oil refineries, and I have also been to a timber mill—of all places—at Busselton I think it was.

**Mr Bertram:** You do not know where it was!

**Mr GRAYDEN:** I think it was at Busselton. At that timber mill I presented an award because there had not been a single industrial accident occasioning time lost in four years. What an achievement. This is happening in Western Australia at the present time, and it is largely because this Government is placing stress on

industrial safety, and doing it extraordinarily successfully.

Mr B. T. Burke: What are you going to do about it?

Mr GRAYDEN: It is what we already have done about it. But, we have gone infinitely further than that.

Mr B. T. Burke: A long way further!

Mr GRAYDEN: We are getting a wonderful response from industry along the lines I have indicated—one million man hours with no time lost as a result of industrial accidents. Other industries have comparable achievements, and all along the line we are getting this sort of co-operation.

Naturally, some firms do not come up to expectations. We have instructed our departmental officers to concentrate on those firms and to conduct periodic blitzes, and to prosecute where there are offences.

Mr Hodge: How many have they got?

Mr GRAYDEN: Where a case will stand up in court we have prosecuted on numerous occasions. We are conducting blitzes against the firms which do not come up to scratch on this particular matter.

Mr Clarko: What about the many committees which have been set up to encourage management and workers to work together.

Mr Taylor: The Minister certainly needs help.

Mr GRAYDEN: We are receiving some extremely nice letters from union representatives on the type of safety training committees referred to by the member for Karrinyup. Those letters have praised the Government for the efforts it is making with regard to this question of industrial safety. We are getting that sort of response from industry, and we want that response to go much further. We have said, "Right, if industry can do it then surely Government departments can do it."

Mr Bertram: Hear, hear!

Mr GRAYDEN: We brought all departmental heads into conference, and pointed out what was being achieved in the private sector on the question of industrial safety. We asked those departmental heads to emulate what was being achieved in the private sector. We went further and asked for a monthly return because we wanted to see instilled in their consciences the need for industrial safety.

Some Government departments were offending rather seriously but as a consequence of having departmental heads at the conference, and as a

consequence of demanding monthly reports, the accident rate has dropped dramatically. I would hasten to say that some Government departments have an extraordinary record in respect of industrial safety. The Forests Department is in this category. There we have seen an incredible drop as a result of the realisation that the incidence of industrial accidents can be reduced dramatically where satisfactory safety procedures are put into effect.

Mr Tonkin: Why oppose the inquiry, then?

Mr GRAYDEN: It is not a question of opposing.

Mr Tonkin: It seems you are terrified at the prospect of an inquiry.

Mr GRAYDEN: There is absolutely no need for an inquiry. As I have said, we are asking Government departments to report to us monthly so that we can monitor what is being achieved.

Mr B. T. Burke: You are perfectly happy with the industrial situation, are you?

Mr GRAYDEN: Not at all.

Mr B. T. Burke: Then why not have an inquiry?

Mr GRAYDEN: On this question, the best is not good enough as far as the Government is concerned. We want some sincere co-operation from the Opposition. We do not need a Select Committee.

Mr O'Neil: It is a mirror Opposition.

Mr GRAYDEN: I intend to give ample instances of where the Opposition is falling down and failing in its obligations with regard to the question of industrial safety. Quite recently we greatly extended our film library at the Department of Labour and Industry. I refer to films depicting the necessity for industrial safety. We made this known to employers, and to the Trades and Labor Council. It was widely known, and it was known to the Opposition because I mentioned it to members opposite.

To our horror we found that the unions were not availing themselves of the opportunity we presented to them. We have available a library of films covering virtually every industry in Western Australia, but I do not think we had a single application from the Trades and Labor Council for any industrial films. We made it plain to the Trades and Labor Council that the library was there, and we asked for co-operation.

Mr B. T. Burke: Were the films well made?

Mr GRAYDEN: We heard members of the Opposition asking why those films were not being availed of.

Mr B. T. Burke: Are they good films, not Liberal Party films?

Mr GRAYDEN: They are exceptional films and should be shown as widely as possible. Unfortunately, there has been no co-operation. The films have been gathered from various sources. The Opposition has not co-operated by making use of those films.

Mr Skidmore: Why have we to do that?

Mr GRAYDEN: Surely members opposite have some obligation to the employees who are likely to be victims of industrial accidents.

Mr Skidmore: I would be quite happy to see a film every night up here.

Mr GRAYDEN: The films are educational, and can lead to the saving of lives and the prevention of incapacitating injuries which cause tremendous stress to the victims and their families. However, the member for Swan sits back and asks why members opposite should help the Government.

Mr Skidmore: I did not say that at all.

Mr GRAYDEN: It is virtually what the member for Swan said.

Mr Skidmore: It is not, you ignoramus.

Mr GRAYDEN: There are many other ways in which the Opposition and the trade union movement have failed to co-operate. It is all right for the Opposition to talk about the Department of Labour and Industry not having sufficient staff simply to move constantly around checking for breaches of industrial safety regulations. There has not been a constructive suggestion from the Opposition in respect of that particular matter. Members opposite have again failed to avail themselves of the opportunity.

We have workers in every industry covered by various awards. We suggested to the trade unions on a number of occasions, and we have also suggested to the Trades and Labor Council, that they should act as "spotters" for the Department of Labour and Industry, and we have made the same suggestion to the Opposition.

Mr Davies: When?

Mr GRAYDEN: We have been accused of having a limited staff of inspectors in our department. That limited staff totals 83!

Mr Harman: And you restrict their allowances.

Mr GRAYDEN: Notwithstanding those inspectors, we have told the employees on the various jobs that if, anywhere along the line, they see a situation at their place of employment which is unsafe, and is not immediately rectified, simply to ring the Department of Labour and Industry.

We have undertaken to send an inspector out immediately and if there is a case for prosecution, we will prosecute. The Opposition has ridiculed that statement and has stated that it will not co-operate.

Mr Tonkin: Rubbish!

Mr GRAYDEN: The Opposition has been saying that we should put on more inspectors.

Mr B. T. Burke: I will ring you in future.

Mr GRAYDEN: The member for Balcatta will be the first member of the Opposition to do so. Let us hope that other members of the Opposition will follow his example. However, I can assure members that they will not do so, because they do not want to see a reduction in the number of industrial accidents.

Mr B. T. Burke: Well, in that case leave me out.

Mr GRAYDEN: Otherwise, members opposite would co-operate. Of course, they are not co-operating and they are not prepared to advocate the use of the film library we have set up in the department.

#### *Point of Order*

Mr HARMAN: On a point of order, Mr Speaker, I believe the Minister for Labour and Industry is reflecting on the Opposition. It has always been our desire to see the number of industrial accidents reduced.

The SPEAKER: Order! There is no point of order. There will be ample opportunity for members of the Opposition to refute anything they feel the Minister is incorrect in saying.

#### *Debate Resumed*

Mr B. T. Burke: We will be lucky if we can remember what has been said.

Mr GRAYDEN: I do not want to continue further; the case put forward by the Opposition is ludicrous in the extreme. We want some co-operation on this particular question. I can assure members opposite that in the next year we will see in Western Australia a 10 per cent reduction in the number of industrial accidents if we have that co-operation. All we are asking for is some co-operation.

The member for Maylands, in moving his motion, made a number of points and I would like to reply to some of them very briefly. They require reference to statistics and in some instances I will have to quote from those statistics.

Mr Bertram: How is the 10 per cent calculated?

Mr GRAYDEN: The impression has been given by the mover of the motion that we have three officers in the Department of Labour and Industry carrying out inspections relating to industrial safety.

Mr Harman: Where did you get that from?

Mr GRAYDEN: That is the impression which has been given by some members opposite.

Mr Skidmore: I did not know you had any inspectors.

Mr GRAYDEN: At the moment we have 83 officers in the Department of Labour and Industry, all administering the various safety regulations.

Mr Skidmore: You have to look at the breakdown of that number.

Mr GRAYDEN: Quite apart from those 83 officers, 13 other Government departments also have inspectors administering various aspects of industrial safety. Those 13 departments have 56 safety officers. Quite apart from that huge number of people employed to carry out inspections of the type I am referring to, the Government is doing other things.

Mr Skidmore: How many inspectors are there in the Construction Safety Branch?

Mr B. T. Burke: You have him on the spot now!

Mr GRAYDEN: The member referred to the Construction Safety Branch. Goodness gracious me, so much has been done there that I could not relate it all. However, that is not the point. All the information I have referred to can substantiate this. Apart from that, the department is operating a training centre at Welshpool, and this is used also by the Technical Education Division for night school courses for certificates of competency. The Mines Department uses it also to conduct shot firers' courses designed—

Mr Taylor: That has been there for years.

Mr GRAYDEN: —to train workers in the safe usage of explosives, particularly on construction sites. Also, officers of the department conduct courses for crane chaser/dogmen and explosive tool operators in the north-west and other country centres.

I have mentioned that many Government departments are concerned with this matter of safety, and I will quote some legislation relating to the various departments.

First of all, the Forests Department controls the Timber Industry Regulation Act. The Mines Department controls the Coal Mines Regulation Act, the Explosives and Dangerous Goods Act, and the Mines Regulation Act. Within the ambit

of the Public Health Department there is the Clean Air Act—

Mr Tonkin: The air is not very clean at the moment.

Mr GRAYDEN: —and the Noise Abatement Act, and that department also has an occupational health division.

Under some of these Acts, boards or committees widely representative of employers, professional and technical officers in industry, workers and Government, are established to investigate and report on all measures necessary for securing the safety, health, and welfare of workers, and to make recommendations to Ministers accordingly.

We have also the Industrial Foundation for Accident Prevention. This is a non-profitmaking corporate body not under ministerial control, but it is heavily subsidised by the State Government. Probably about once a fortnight I go to some function organised by IFAP—

Mr Skidmore: Have you been anywhere in the last two months, Mr Minister?

Mr GRAYDEN: —making speeches on various aspects of industrial safety, or to present awards for some outstanding achievement in respect of industrial safety. Of course all these things are going on at the present time, but to listen to the Opposition one gains the impression that nothing is being done and the situation is getting worse, whereas in actual fact the situation is becoming infinitely better.

Mr Harman: How can it get better?

Mr GRAYDEN: Of course it is getting better. To illustrate that I would have to give figures and this would require referring to statistics.

Mr Harman: Go on.

Mr GRAYDEN: I have here a table prepared by the Australian Bureau of Statistics, and either I could lay this on the Table of the House—

Mr B. T. Burke: Go on, read it out.

Mr GRAYDEN: I would like to give members an explanation of these figures first, otherwise they may be slightly misled. Could I say that the labour force statistics are utilised to give the number of days lost per 1 000 workers. However, the gross labour force figures have to be adjusted to provide a true comparison. The costs of accidents are assessed from workers' compensation claims. Some groups in the labour force which are not subject to normal workers' compensation payments must be excluded. These include armed forces personnel, some self-employed workers, Commonwealth public servants, and members of the Police Force.

Mr B. T. Burke: This is the footnote to the table, is it?

Mr GRAYDEN: These are the preliminary notes. These documents have based the estimate of days lost per 1 000 workers on ABS publication No. 6201.5, which is headed, "Wage and Salary Earners in Civilian Employment". However, I want to emphasise that the figures are not completely accurate because it is not possible to exclude Commonwealth public servants or members of the Police Force. As such, the figure of 81 days lost per 1 000 workers in 1976-77 is a conservative estimate. With this in mind, my comments on the statistics are appropriate, and this reverts to the speech made by the member for Maylands.

We can say on average that 27.6 fatal work injuries occurred for each of the past 12 years. The average has not reduced over the past three years. In this case, the growth of the labour force has been ignored. The civilian labour force increased from 356 800 in June, 1973, to 385 100 in June, 1976. Therefore, an improvement has taken place.

The member for Maylands mentioned that to the 30th June, 1972, there were 30 deaths and 30 000 non-fatal accidents, costing the State \$10 million. The correct figures should have been 28 deaths and 29 201 non-fatal accidents, costing nearly \$6 million.

The statistics, contrary to the honourable member's claims, do not give a clear picture of a worsening accident record.

Mr Skidmore: What year are you comparing them with now?

Mr GRAYDEN: That is not given.

Mr Skidmore: It could be 1954 then?

Mr GRAYDEN: What is the honourable member talking about?

Mr Skidmore: The figures you have just given us. If a year is not given, it could have been 1924.

Mr Clarko: Recent statistics.

Mr Skidmore: He does not need any help from the member for Karrinyup. He can get into enough trouble by himself.

Mr GRAYDEN: The statistics, contrary to what the member for Maylands said, do not indicate a worsening of the situation.

Mr B. T. Burke: It is the first time I have ever heard 53-year-old statistics quoted in relation to something.

Several members interjected.

The SPEAKER: Order!

Mr GRAYDEN: The member for Maylands stated that non-fatal accidents increased by 11

per cent between 1975-76 and 1976-77. If fatal accidents were analysed in the same fashion, it could be said that over this period they showed a reduction of 39.4 per cent. So clearly, it is quite spurious to use statistics in the manner used by the honourable member.

Again, taking the average time lost per accident—that is, 3.4 weeks in 1975-76 to 2.8 weeks in 1976-77—as the honourable member has done, is being highly selective.

Mr Barnett: Surely you shouldn't be reading your speech?

Mr GRAYDEN: It could be said just as readily that the increase between 1973-74 to 1975-76 from 2.5 to 3.4 weeks lost was a result of increased workers' compensation benefit payments. Similarly, the increase in costs could be attributed also to higher wages in 1974-75.

Mr Barnett: Who wrote those words?

Mr GRAYDEN: This is background material in relation to some of the figures used by the member for Maylands.

Mr Barnett: You should know you do not read your speeches in this place.

Mr GRAYDEN: I have told members that if they want me to reply in detail in regard to figures quoted by the member for Maylands—

Mr Clarko: You read your speeches for the first three years you were here.

Mr GRAYDEN: As I said, I did not know this motion would be discussed this afternoon. I asked the member whether he had any other speakers and he told me he did not.

Mr Davies: You have had it for a week.

Mr Skidmore: As long as you give us with Bills.

Mr Davies: You have a lot of staff running around.

Mr Skidmore: If you were a competent Minister, you would have no trouble handling this matter.

Mr GRAYDEN: Apparently the primary source of the information used by the member for Maylands was the *Local Government Journal* of March, 1978, which in turn obtained local information from the 1977 annual report of IFAP. A graph on page 14 of that report shows the trend in work injuries statistics per 1 000 workers since 1962. Since a high of 126 in 1963, the trend has been a steady decline to the present level of 81 injuries per 1 000 workers.

Mr Harman: That is pretty high.

Mr GRAYDEN: It makes it obvious that the situation has improved considerably.

Mr Skidmore: Those figures do not cover the whole of industry.

Mr GRAYDEN: Of course they do not. The member for Maylands quoted these figures; he said that there was a high of 126 in 1963. However, the same graph shows that there has been a decline to 81 injuries per 1 000 workers, so it is quite spurious for the member to make statements such as he did.

Mr Harman: What is the average in Australia?

Mr GRAYDEN: There is so much here in the way of statistics that I will not be able to go through everything—

Mr Harman: A pitiful reply by the Government.

Mr GRAYDEN: —to provide figures to refute some of those advanced by the member for Maylands. The statements he made were not factual and the arguments he derived from them were spurious. The same figures can be used to produce virtually any possible result, but the true position is that there has been a dramatic improvement. I return to the—

Mr B. T. Burke: Films!

Mr GRAYDEN: —point that a tremendous amount has been done in regard to lessening the incidence of industrial accidents in Western Australia. Much has been accomplished in the private sector and in the Government sector. We have had some dramatic results as a consequence of our policies over the past four years. However, I want to emphasise that the programme that was put in motion four years ago is continuing at the present time. No stone is left unturned in our efforts to instil into employers—whether in the private sector or in Government—the necessity to educate their employees and to make everyone aware of the need for industrial safety. We are asking Government departments and the private sector to educate their top-level management towards an appreciation of the fact that the number of industrial accidents can be reduced and reduced dramatically if employees are aware of what can be done, and if we have the co-operation of industry.

In the public sector we tried repeatedly to gain the co-operation of Government departments, but without much success until we went to the departmental heads. We know everything must commence at that point.

Mr B. T. Burke: Who were you asking in the first place?

Mr GRAYDEN: We asked the various departments, but that was not sufficient. We had to go to the departmental heads, and that is just

what we did. Similarly, in the private sector, it is the industrial managers who are concerning themselves with this problem, and it is these people who are achieving the success I have referred to—one million man hours without a single day lost as a result of an industrial accident.

Mr B. T. Burke: How many firms in that?

Mr GRAYDEN: A tremendous amount has been accomplished in the last four years, a tremendous amount is being accomplished at the present time, and I can assure members that a tremendous amount will be accomplished in the future, but we want the co-operation of the trade unions and of the Opposition. If we have that co-operation across the board—

Mr B. T. Burke: Could we get a list of the firms?

Mr GRAYDEN: —Western Australia will be astounded at the result that will be achieved.

Mr Harman: You should be on the stage!

Mr GRAYDEN: The cost of industrial accidents to industry is enormous, but worse than that is the suffering of the accident victims and of their relatives. This is what concerns the Government most of all.

Mr Bertram: What improvement do you expect in the next 12 months?

Mr GRAYDEN: We expect a 10 per cent reduction in the number of accidents, provided we have the co-operation of industry, the trade unions, and the Opposition. We have announced this already. In Western Australia we can achieve easily a 10 per cent reduction in one year. If one firm can virtually eliminate industrial accidents over a 12-month period, and if a sawmill can eliminate industrial accidents over a four-year period—

Mr B. T. Burke: That sawmill closed down.

Mr GRAYDEN: —not a day lost as a result of an industrial accident over four years—surely the State can achieve a 10 per cent reduction.

That is a clear indication of what can be done in respect of industry, generally; industrial accidents could be virtually eliminated from the work scene. That is our objective.

Mr Wilson: How did you fix the 10 per cent?

Mr GRAYDEN: It is a practical goal to seek to achieve in the period of one year.

Mr B. T. Burke: Why isn't it 15 per cent?

Mr GRAYDEN: If we can exceed a 10 per cent reduction, all the better. Obviously we will not be able to do it if we do not have the co-operation of the Opposition; and we have not had

that co-operation in the past and we are not getting it now. It would appear from some of the comments that have been made that we will not get co-operation in the future. The member for Balcatta has indicated that he will get his trade union members—

Mr B. T. Burke: No, I will do it myself.

Mr GRAYDEN:—to ring the Department of Labour and Industry when they see breaches of industrial safety regulations. We will see whether the member for Balcatta is a man of his word.

Mr B. T. Burke: I will take your films and look at them myself, too.

Mr GRAYDEN: That would be a great thing as far as the Government is concerned because it would mean it is beginning to receive co-operation from the Opposition on this most important subject.

Mr H. D. Evans: Have any of your Government members phoned you? You have berated us for not doing so, but have your members done it?

Mr GRAYDEN: We work with the closest co-operation at all times; what else would the member expect?

Mr Speaker, there is not much point in continuing—

Mr B. T. Burke: That is true.

Mr GRAYDEN:—because it is quite obvious the Opposition has absolutely no basis on which to justify its request for a Select Committee—absolutely nothing at all. The solution to the problem is in the hands of members opposite; all they have to do is offer their co-operation.

Mr B. T. Burke: I have said I will ring you up.

Mr GRAYDEN: That is just the member for Balcatta; he has many colleagues who should do the same.

Mr B. T. Burke: You have to start somewhere.

Mr GRAYDEN: We want trade unionists throughout Western Australia to do the same. I have given an undertaking that if an employer does not rapidly correct a dangerous situation or breaches safety regulations, we will prosecute immediately. We are looking for opportunities to prosecute. We have received splendid co-operation from the majority of employers; and, of course, we will not tolerate those who will not conform and play their part in reducing the incidence of industrial accidents in industry.

As I was saying, there is not much point in continuing because the request for the appointment of a Select Committee has no basis.

Mr Barnett: Before you sit down, what is your phone number?

Mr GRAYDEN: I suppose that is the sort of co-operation we will get from the Opposition in the future. It is quite obvious that the member for Rockingham has not been ringing the Department of Labour and Industry and complaining—

Mr Barnett: I will ring you at home.

Mr GRAYDEN:—about breaches of safety regulations in his area. The fact that he has failed to do that indicates he has been remiss. Every member of this Parliament has an obligation to try to eliminate industrial accidents; and if we are to have the sort of attitude indicated by the member for Rockingham, obviously we will not get far. This Government has been in office for four years, and the member has not phoned the Department of Labour and Industry on one occasion.

Mr Clarko: He doesn't know the number.

Mr GRAYDEN: Obviously if the member for Rockingham does find a case which should be reported it will be too much trouble for him to phone the department.

Mr Barnett: I want your number; I am going to ring you.

Mr B. T. Burke: We are taking a personal interest.

Mr GRAYDEN: I hope members opposite will inform us of so many instances that the department will be kept busy, because that is what it is there for; and if we get the co-operation to which I have referred we will have more prosecutions and will achieve our goal even more quickly than I anticipate.

Mr B. T. Burke: We might get a 30 per cent reduction.

Mr GRAYDEN: To return to my main point, there is no basis whatever for the appointment of a Select Committee. Obviously the Opposition is unaware of what is already being done. The statements made by the member for Maylands when moving the motion make it quite obvious that he has not been in contact with the Department of Labour and Industry, and does not know what is being done.

Mr Harman: Nor do you.

Mr GRAYDEN: I put to the member for Maylands and to all other members opposite that if they so desire I will be happy to have a couple of officers from the department sit down with them and explain in even more detail precisely what is being done. Had I known this motion would be debated today I would have brought with me some of the letters to which I have



referred from trade union representatives on some of our committees. Those trade union representatives have spoken in most congratulatory terms in respect of what the Government is doing on this matter.

Mr B. T. Burke: Were you unprepared for this speech?

Mr GRAYDEN: I certainly was.

Mr B. T. Burke: It is pretty difficult to pick it.

Mr Clarko: But that is only yourself.

Mr GRAYDEN: I will not continue because, as I have said, the Opposition has absolutely no justification for the motion. The matter is well in hand, and I can assure members that the Department of Labour and Industry will continue to make this its No. 1 priority. When a matter of industrial safety is being considered we put everything else aside and give it first priority. It is for that reason so much has been achieved, and so much will be achieved in the future.

MR SKIDMORE (Swan) [5.37 p.m.]: After listening to the incredible treatment of a very serious matter by the Minister for Labour and Industry, I am again reinforced in my view that he is a Minister who fails to understand the cost of industrial accidents not only to the human beings involved, but also to the nation and, in particular, to Western Australia. In fact, one is tempted to say the Minister did not even read the motion, because he has referred only to the matter of industrial accidents, whereas the motion deals with industrial safety and hygiene.

One might ask the Minister whether in recent years he has been inside a battery manufacturing factory, in which workers are handling lead plates and other components which make up a lead-acid battery. If he were to visit such a factory he would be more than amazed at the way in which workers are forced to work under conditions in which they have virtually no facilities for decontamination of their hands and clothes before eating their meals. The Minister would be alarmed if he investigated just that one instance.

I might suggest also that the Minister visit some of the provender mills in the metropolitan area to see what he thinks about the dust problem and the noise from the hammer mills. Maybe he and his inspectors would be alarmed about that. These matters have been reported to his department, but precious little has been done about them. The case of provender mills is one instance which is well known to me; and the result of working in such conditions is not a physical injury, but a far more insidious disability which creeps up on workers so that before they know it

they are suffering from industrial deafness; or, in the case of the battery workers, from a nice dose of lead poisoning. These are the sorts of accidents which are unsung and about which the Government has done nothing for many years.

Then we could turn to the deleterious effects of sand blasting and galvanising.

Mr Grayden: I can assure you that is being closely watched.

Mr SKIDMORE: Yes, by the Clean Air Council, of which I was a member for four years. I am aware that council conscientiously endeavoured in that period to do its job, but unless the situation has changed since I left—and I do not believe it has after consulting the new TLC representative—it is not really allowed to come to grips with the problem owing to the restriction placed upon it by the legislation. That is one area that certainly should be looked at.

However, the Minister conveniently forgot about these areas; he did not even recognise they are a cause for concern. He went on perhaps to lampoon and ridicule the efforts of the member for Maylands when he introduced the motion, and said that if he could get the co-operation of the Opposition we would get something done in respect of industrial safety.

We are offering him co-operation; we are saying to him here and now, "Let us have a Select Committee and have on it members of the Opposition along with Government members who have some knowledge of industry and industrial safety, and see if we can't do something." I am not convinced, even if the accident rate has levelled out at 34 565, that we will have a reduction to 30 000 at the end of next year. Even if we do, 30 000 industrial accidents will have occurred, each one of them a disaster for a human being and for the economy of this country in so far as loss of production is concerned. What has the Minister done to try to overcome this problem?

I have asked repeatedly in this House what courses the Minister is offering in respect of industrial safety. I am told that IFAP officers go out into industry, but that body is oriented towards industry and the employer and has no concept whatever of what can be done to educate workers. A worker can attend an IFAP safety course; if a worker has been appointed by his union to represent the union on safety issues, and if he has \$300 or \$400 in his pocket, he can attend a course. That is the extent of the Government's industrial safety record—give it to private enterprise!

Mr Grayden: Rubbish!

**Mr SKIDMORE:** It is not rubbish at all. Let the Minister tell me one programme set up by IFAP which is within the reach of the pocket of the working man. Let him tell me of one programme which, firstly, a worker can afford to attend and, secondly, a worker can get time off to attend.

**Mr Grayden:** Of course I can tell you.

**Mr SKIDMORE:** Then tell me one area in which the Government within the last four years has got workers to attend an industrial seminar organised by the Industrial Foundation for Accident Prevention. If the Minister can find one example I will be amazed.

**Mr Grayden:** I will give you some instances.

**Mr SKIDMORE:** I doubt very much whether the Minister can, because to my knowledge there has not been any. IFAP has a limited scope, because it must function almost on the breadline; it receives very little in the way of funds from the Government. It is required to charge high fees for workers and employers who attend seminars, and it just balances its budget; it would never make a profit. What is the Government doing about making that organisation more efficient so that workers may attend seminars? It is doing absolutely nothing.

**Mrs Craig:** Are you not aware of the programme of the Forests Department in respect of industrial safety?

**Mr SKIDMORE:** I am talking about IFAP's programme. I know the foundation is sending officers out into industry, but that has not reduced the accident rate to any great extent. The Minister for Labour and Industry may well laugh, but I repeat that in the past year 34 565 industrial accidents were recorded.

**Mr Grayden:** Do you know what results have been achieved by the Forests Department?

**Mr SKIDMORE:** I will not dodge that question, but will refer to it later. I want to deal now with some of the issues that have been raised. I would like to refer to the great achievement of some companies. We are told that a company erected a beautiful big sign—the Minister said it was something like 100 yards long—which states that its employees have worked one million hours without losing time as a result of an accident.

This situation applies mainly to large companies such as BP and others, where even if a worker breaks a leg he is able to be employed in some other area. He may receive workers' compensation, but he certainly does not lose time because he can be absorbed into the work force somewhere else. He can be given a pad and

pencil, a broom, or anything at all and be kept in employment; and the number of hours lost is kept down. The companies say, "Oh, no, we don't have accidents."

I know of occasions when workers have actually hobbled on crutches into work at BP so as not to sustain any loss as a result of injury. Is that what the Minister means by "accident-free"? Workers have accidents but are kept at work. This is a deception upon the people of Western Australia and certainly upon us in this place.

**Mr Grayden:** It avoids millions of man hours being lost.

**Mr SKIDMORE:** That is right; they get them back to work any way they can. They will even take them in on crutches and sit them down at a desk. The Minister mentioned a timber mill. When asked by interjection where it was, the Minister replied that it was some timber mill, that he was not sure where it was, but he thought it was in Busselton. What credibility can one place on a statement such as that as a valid argument for what has been done in one industry? I do not know where the timber mill is, and if its record is good that is to its credit; but the identification of the mill should have been the prime concern of the Minister.

**Mr Grayden:** It was identified to the member for Vasse.

**Mr SKIDMORE:** The member for Vasse does not make the Minister's speeches and I still do not know whether he actually identified the timber mill.

I wish now to deal with some of the statistics which were mentioned by the Minister. He spoke of the films and the good they could do in relation to industrial safety. He stated that the Opposition was falling down because no members of the Opposition had asked to see any films. I do not work in industry any longer and I do not know whether my contribution in this regard could be valid if I were to look at a film and apply it to my present position. That would apply to most of us in this place. So, to say that the Opposition is not co-operating is fallacious in the extreme and bears only that small mention.

By interjection I asked the Minister how many officers were appointed to the Construction Safety Branch of the Department of Labour and Industry and the answer was that none was allocated. If we consider the department's annual report for 1976, it is about time they were allocated, because on page 50 of that report there appears the following—

When the number of accidents reported to the Department is compared with figures

based on compensation claims, it is obvious that many accidents on construction work are not reported as required by the Act. The Construction Safety Advisory Board and the Department are extremely concerned over this failure by the industry to comply with Section 35 of the Act. A campaign to improve the position resulted in only a marginal increase in accidents reported.

Surely it must become patently clear that in its own report the Government has admitted its inability to provide proper industrial safety. They are not my words; they are the words of the under-secretary of the department. He is saying, "We are unable to control the situation. There is nothing we can do about it. Employers have an abysmal record with regard to reporting." In fact the report goes on to say—

The Board has appealed to contractors to assist and has directed the Construction Safety Branch to continue to make all possible efforts to ensure the notification of reportable accidents.

As the Minister well knows, there are regulations to compel all employers to report. The fundamental point is that if the inspectors were allowed to go out and see these breaches of regulations in industry and on construction sites we would be far better off than having them sit near a telephone waiting for a worker to telephone them complaining about the boss's lack of safety precautions.

Mr Grayden: They are always going out.

Mr SKIDMORE: That leads me to the number of accidents contained in the report, and I do not know how the Minister can tie his remarks up with this. I ask him to listen very carefully. The report goes on—

A total of 103 accidents were reported.

That is 103 accidents out of a total of 34 565, a very low percentage. To continue—

I regret to report that five of these accidents were fatal. The agency of injury for the 98 non-fatal accidents is listed below.

Then it enumerates the type of accidents involved, including hand tools, power tools, manual handling, and so on. The circumstances of the five fatal accidents are also given. If one were to assume that by its own admission with regard to construction safety the Government is unable to force, to cajole, to appeal to, or to request employers to report accidents which are a breach of the Act, why is it not prosecuting them when these breaches are made known to the department?

I shall now quote from the list under the headings "Agency of Injury" and "Number of Persons Injured". The figures are: machine in operation six; tools—hand one; tools—power three; manual handling seven; harmful contacts five. That is an issue the Minister did not even bother to mention. I imagine that some of those would be in the fibreglass industry where certain acetones and polyurethanes are dangerous on contact. To continue: persons falling or striking 52; objects falling or flying 20; other four. That makes a total of 98. With the five fatal accidents, that makes a total of 103. What is the department doing about it? They are industrial accidents.

Mr Grayden: You realise that all fatal accidents are reported.

Mr SKIDMORE: They are industrial accidents; the Minister must admit that.

Mr Grayden: You are talking about relatively minor—

Mr SKIDMORE: I know what the Minister is trying to do. He is trying to make it appear that we on this side of the House are not conscious of the responsibility to assist the Government. I am saying that the Government and the Minister in particular are not insisting that the department's officers do their job in the manner they should do it. Again and again I have said in this place that I do not reflect in any way on the inspectors in the department. If they were allowed to get out and do their job, which they want to do, and make reports, many more prosecutions would take place.

Mr Grayden: They are doing that at the present time.

Mr SKIDMORE: That leads me to the subject of legal proceedings. One should read what the department's report says about legal proceedings with regard to the Construction Safety Branch. I quote as follows—

Legal proceedings for breaches of the Act were instituted on 59 occasions with the following results:

Guilty	39
Not Guilty	1
Pending	17
Withdrawn	2

Out of a total of 34 565 accidents in that period there were 59 occasions on which legal proceedings for breaches of the Act took place. The number of notifiable accidents under the provisions of the Workers' Compensation Act has increased and yet legal proceedings have been taken against only 59 employers who failed to

obey the regulations! What an abysmal record for the Government!

I have dealt only with the Construction Safety Branch; I have not mentioned all the other branches. The Minister for Forests referred to the safety record of the Forests Department. I have read that department's reports and I am pleased that there has been a big improvement. The Minister would agree that it was not before time. The record is good and I hope it continues. It shows at least that if somebody is prepared to take the initiative and take action to prevent industrial accidents, it can be achieved. It has been achieved in that Government department. Why in the name of goodness is not the same influence brought to bear upon employers in private industry to obtain the same objectives? The answer is that the Government will not prosecute employers for breaches of its safety regulations.

Mr Grayden: We prosecute wherever we get sufficient evidence to allow a prosecution.

Mr SKIDMORE: The inspectors will not discover offences by sitting in an office. The accidents are not taking place in the offices of the Department of Labour and Industry; they are taking place on construction sites throughout the length and breadth of Western Australia. The inspectors cannot get out to see what is taking place.

Mr Grayden: What do you think they are doing all day?

Mr SKIDMORE: They are sitting by telephones waiting for workers to get permission from the employers to telephone and say, "I want to report to the department that there is a dangerous scaffold." I have asked this question previously and I will ask it again: Is the Minister going to tell me in today's employment situation that a worker is going to seek the permission of a boss to use the telephone to ring up the department to complain about a faulty scaffold? How long would he last in the job? He would last as long as it took him to put down the telephone—if he got permission to use it—walk out of the office door, and get his notice. Then somebody else would be employed.

Mr Grayden: All the big construction sites have their safety committees composed of management and employees.

Mr SKIDMORE: I do not know what the Minister's remarks are relevant to. I am referring to the Minister's remarks that the department is waiting for all these offences to be made known to it. If that is not a negative approach to industrial safety, I do not know what is. The department

says, "Let us wait until a scaffold falls and kills three workers. Let us wait until somebody disappears down a chute which has not got any mesh over it." I notice from the report that the construction companies are now putting mesh over manholes down which ducting goes as a result of one person being killed on a site.

Mr Grayden: Can I ask you this?

Mr SKIDMORE: As long as it is intelligent.

Mr Grayden: All the big construction jobs in the metropolitan area have a safety committee. You realise that? They are constantly going about—

Mr SKIDMORE: I realise that; I have answered the Minister's question.

Mr Grayden: Don't you have any confidence in those safety committees?

Mr SKIDMORE: Yes I do.

Mr Grayden: What do you want—two safety committees on each site or what?

Mr SKIDMORE: No. Having given the Minister a fair amount of my limited time, I can tell him that I am aware of safety committees but they are not on all sites. A close relative of mine works in the construction industry and I can assure the Minister that not all sites have safety committees.

Mr Grayden: I should like to hear about it because they have been remiss if they have not.

Mr SKIDMORE: I shall tell the Minister about it at another time and in another place. Work safety committees are doing a good job but they are hamstrung because of the inability to get through to the department to ensure that construction safety is adhered to. On many occasions workers on construction sites, after having their safety meetings, have had to walk off the job to make the job safe. On some safety issues they go on strike and say, "Until you fix that up we are not going to do anything about it." The Minister knows well that workers feel conscious enough of their responsibilities to say to the employer, "If you do not make it safe we are not going to work it." Then they are accused of diabolical things such as being communists. These are the people in which the Minister said he had so much faith when he said they were doing a good job. They are not communists or militants; they are workers on a job trying to ensure that their safety is protected.

Mr Grayden: There is no justification for walking off.

Mr SKIDMORE: If they went to the department, it would not prosecute because it will not do so until it has a watertight case. What

happens with regard to the reporting of accidents? Let us assume that a scaffold rail has been removed from a building site. By the time the Minister's inspectors leave their telephones—and I am not critical of them; that is what they are told to do—and arrive at the construction site everything has been fixed up. The Minister would be amazed how quickly employers can make safe scaffolding and electric light leads and can provide welding guards and other facilities—after somebody has been hurt.

When somebody trips over a trailing cable and falls down a flight of stairs on a construction site, all of a sudden all the cables are nicely hooked up out of the way and there is nothing for a person to trip over. However, it takes an accident to achieve that. The inspectors should be out on the job looking for this sort of situation. I have appealed to the Minister time and time again to increase the number of safety inspectors.

Mr Grayden: What about the union safety officer? That is his job.

Mr SKIDMORE: Does the Minister pay the union safety officers? If he does, and when he does, I would say the union safety officer would be one of the most efficient safety officers we have on the job, because he is dictated to by the Trades and Labor Council and not by the Minister who tells the inspectors to sit beside the phone and wait until an accident is reported.

I want to see accidents prevented. I do not want to see people become statistics on a report. I do not wish to prolong this debate. I believe the Minister has treated this motion as he has treated debates on this subject previously. He has treated it in a very cavalier fashion. He indicated tonight he was not ready to speak to the motion and he hoped we on this side of the House would allow him time to sort out his notes and figures. I did not realise the Minister was up to that stage. I thought he was still at the stage of criticising, lampooning, and saying that the Opposition does not know what it is talking about, and that its statistics are all wrong, as a result of which he was refuting the need for a Select Committee.

The Minister says he would like the co-operation of the Opposition. We are offering the Minister our co-operation. We are saying to him, "In the interests of workers in this State let us have a Select Committee."

Mr Grayden: It is not sufficient to just offer it. We want to see a practical demonstration of it.

Mr SKIDMORE: I imagine, Mr Acting Speaker (Mr Watt), you would agree that the Government will carry this resolution, because it

admits that a Select Committee is badly needed. The Government says in essence—

Mr Grayden: There is absolutely no need for a Select Committee. All we want is the co-operation of the Opposition.

Mr SKIDMORE: The Under-Secretary of the Department of Labour and Industry put out a scathing report on construction safety.

Mr Grayden: All of which has been taken care of.

Mr SKIDMORE: That is all we get from the Minister. The last time I raised a question on the issue as a result of the 1974-75 report was because of the fact that there was a remark in that report that the achievements of Government departments in safety issues had been a failure. Members should have a look at the report. This appears in *Hansard*. It has been reported in *Hansard* that the actions of Government departments were a failure because they had not achieved the objectives which had been set out.

There has been an obvious and good attempt by some Government departments to overcome that; but in some areas there is a big feeling that this Government is doing nothing.

Mr Grayden: It is completely untrue.

Mr SKIDMORE: It is not completely untrue. I have referred to the number of prosecutions which have been undertaken. I mentioned that 59 prosecutions for a breach of the Act have been entered into when we have an accident figure of 34 565. That is really getting on top of safety in industry! The number of accidents which were reported by industry was 103 out of a total of 34 565.

Had there been a conscious effort by the department to encourage its factory and construction safety inspectors to go out into the field I believe the situation would be much better. If all 83 inspectors were to spend their time on construction sites I believe we could expect that the 10 per cent reduction would not just be a dream of the Minister but would be a reality at the end of the next 12 months. That way, and that way alone, will the reduction in accidents be achieved. It will not be achieved by sitting beside telephones waiting for someone to say there has been a bad accident or there is a safety problem.

I believe in his motion the member for Maylands has indicated co-operation from members on this side of the House. I believe the Minister would get all the co-operation in the world from me if I started to get some co-operation from him in regard to industrial safety. We could achieve this by setting up a Select

Committee. I support the motion moved by the member for Maylands. I believe the Minister has treated the matter in a cavalier fashion. I see not substance whatsoever in the Minister's reply. In fact he reinforced my belief, and I am certain that belief is shared by the member for Maylands, that the only way to overcome the problem caused by the lack of interest and lack of knowledge of the Minister is to set up a Select Committee.

**MR CLARKO** (Karrinyup) [6.05 p.m.]: It is very important in this debate to try to come to grips with the true statistical situation in this State in regard to accidents, both fatal and non-fatal, because there is a great deal of dispute as to how the statistics should be used. The member for Maylands pointed out the problem in regard to using statistics and I want to quote his own statistics back to him.

The member for Maylands was trying to develop a case which suggests there is a critical need to set up a Select Committee. His own figures, I assert, prove otherwise. In his speech the member quoted the situation in regard to fatal industrial accidents for 1976-77 as compared with 1975-76. His figures showed there was a fall from 33 fatal accidents two years ago to 20 fatal accidents last year; that is a difference of 40 per cent.

**Mr Skidmore**: That is not much help to the people who are dead.

**Mr CLARKO**: How can the member sustain an argument that this particular matter needs urgent action and that a Select Committee must be set up when the result of the actions taken by the Government, by industry, and by employees in the field and led by a Government which is very conscious of the need for safety in industry, has been a fall of 40 per cent in fatal industrial accidents? These are the figures of the member for Maylands.

If we move on to the question of non-fatal accidents, the member for Maylands claimed there was a rise last year as compared with the year before. He then goes on to say that because people might say the work force grew also we need to take cognisance of that. When we do so, we find there was an increase in non-fatal accidents of 11 per cent, but the work force grew by 11½ per cent. Therefore, in real terms we again have a fall in non-fatal accidents, using the figures of the member for Maylands.

**Mr Grayden**: All his deductions were spurious.

**Mr CLARKO**: All the member put before us was a magnificent statistical argument proving there is no need for urgent action or for the setting up of a Select Committee because the

situation is improving. The improvement must go on, because any life lost is a matter of concern to us; probably of greater concern to us than the Opposition because we are doing something about it rather than just sitting around talking as do members opposite.

Over the last four years we have embarked on a very active programme in which we have worked closely with industry to ensure that we have today in Western Australia the greatest educative programme on industrial safety this State has ever seen. If the member for Maylands and his colleagues go into factories today—as I do in areas such as Osborne Park which is close to my electorate or as I did when I was Chairman of the Public Accounts Committee and we went to Kwinana to look at the operations of the SEC, a very large industrial complex—and look at the standards of safety, the attention being paid to safety, the way that guards have been placed on the machines, the cleanliness which is evident, and the manner in which ventilation has been provided—all the things the member mentioned in his relatively good speech as matters which should be concentrated on—they will see that is precisely what we are doing at the moment.

The Minister, in his lucid way, has brought this to the forefront of our minds and has refreshed us, because one tends to forget what is happening until one looks at the statistics which have been so kindly presented to us by the member for Maylands. These statistics show there has been a dramatic improvement in the number of fatal accidents, even if one excludes the fact that the work force has grown. There has been an improvement also in the number of non-fatal accidents.

The Minister has said that a programme is in operation aimed at further reducing the number of accidents and I am confident that at the end of this year the aims of this programme will have been achieved.

I should like the member for Maylands to tell me whether he believes the situation will deteriorate this year as compared with previous years. Does he believe the situation in regard to industrial safety is worse than it was a year or two ago? I believe the statistics which I have mentioned—the member's own statistics—will show that this is not the case.

The member for Maylands spoke about the report from the Department of Labour and Industry. He said in part as follows—

Non-fatal accidents reported under the provisions of Sections 64 and 98 of the

Factories and Shops Act, totalled 2 549 in 1976, compared with 2 951 in 1975.

That was a fall of 500 from approximately 3 000 to 2 549. That is a dramatic reduction. I am quoting what the member for Maylands said in his own speech.

Mr Harman: You have twisted the figures.

Mr CLARKO: If members read the figures which the member for Maylands has quoted they will see I am able to point out with complete accuracy the particular reduction of 20 per cent to which I have referred.

The following must be understood when the member for Maylands goes on to talk about the situation in Australia compared with other countries such as the United Kingdom where the figures were almost half the Australian average and when he says that the Western Australian figure was slightly up on the national average. I am sure the member for Maylands does not need to be told that accidents in industry vary considerably depending on the nature of the industry. If one happens to live in a society such as that in Switzerland where everyone is working in banks or making a few watches, the likelihood of having an arm or a leg cut off is not very great. The same can be said for a society in which the level of tertiary services is high in proportion to the number of people in the work force.

In Australia, one of the developing countries of the world, where there is a tremendous concentration on primary industry and where we are dealing with industries which are dangerous, industries such as mining or even agriculture, it is not surprising that the number of accidents is slightly higher. When we are dealing with a society where we have large fabricating factories and other factories of this nature, it is not surprising that the accident rate is higher than it would be if one lived in London and worked in a bank.

The reason the figures in Western Australia appear to be very slightly higher than the figures for the rest of Australia, I assert, is related to the industries and the occupations of the people in our society. I have already shown, quoting the statistics of the Opposition, that the situation has improved. The Minister has pointed out that we are aiming for a target during this current year of a further fall in accidents in industry. I feel it is a gross distortion that the Opposition should stand up in this House and assert that we have not been doing anything about the matter when the record proves—and they are the figures of the Opposition—that there has been a dramatic fall, as I said, particularly in the area of fatalities.

The member for Maylands pointed out there has been a considerable fall in the average period of time a person spends off work. I believe he said the figure had dropped from 3.4 weeks to 2.8 weeks. That is important also. It is vital that the nature of the injuries is such that the person spends a shorter time off work because the injuries are not as serious as previously, although, of course, they are all lumped together. The injuries obviously are not as serious as they were previously, because the worker is able to return to the work force much more quickly. There is a great difference between 2.8 weeks and 3.4 weeks. As a percentage it must be a fall of approximately 25 per cent. I have not worked that out exactly. That further proves the record of this Government in the field of industrial safety.

I should like to finish on the note that we on this side of the House are orientated towards continuing our record in the field of industrial safety. It is the best record this State has ever seen and we aim to make it better.

*Sitting suspended from 6.15 to 7.30 p.m.*

MR HODGE (Melville) [7.30 p.m.]: I support the motion moved by the member for Maylands. Many figures have been bandied around here this afternoon, most of them widely inaccurate, some distorted, and misquoted. I will mention some statistics supplied to me by the Australian Bureau of Statistics and published under the heading of "Western Australian Industry Accidents Series A".

According to those figures, in 1975-76 there were 33 deaths in Western Australia as a result of industrial accidents, and in 1976-77 the number of deaths from the same cause was 20. In 1975-76 there were 31 202 non-fatal accidents, while in 1976-77 there were 34 565. That is an appallingly bad safety record.

Mr Clarko: The increase is less than the increase in the population.

Mr HODGE: I will correct the honourable member in a moment.

Mr Clarko: That is what the member for Maylands also said.

Mr HODGE: The member for Maylands was wrong as was also the member for Karrinyup.

Mr Clarko: That is what he said.

Mr HODGE: The member for Karrinyup should do his own research. The member for Maylands was wrong on one point he raised. I have discussed this with him and pointed it out.

Mr Clarko: If you are correcting the member for Maylands, that is good for the House. You say he was wrong. I said he was wrong, too.

Mr HODGE: In 1975-76 there were 385 200 in the work force in Western Australia while in 1976-77 there were 396 700, which is an increase of 11 500, not 11.5 per cent.

Mr Clarko: *Hansard* says 11.5 per cent.

Mr HODGE: During that time—

Mr Clarko: What about the reduction of 33 deaths to 20? That is a 40 per cent reduction.

Mr HODGE: That is not a good average for two years. The number of non-fatal accidents jumped dramatically. Between the years 1975-76 and 1976-77 in this State there was an increase of 11 per cent in industrial accidents while the work force increase was only 3 per cent.

Mr Clarko: The difference in fatalities was 40 per cent.

Mr HODGE: There were 97 246 weeks lost in 1976-77 as a result of industrial accidents. That is an appallingly bad record. The number of weeks lost as a result of industrial accidents is far greater than the number of weeks lost as a result of industrial strikes. Despite this the Minister this afternoon said he was quite happy with the safety record and does not see the need for a Select Committee to inquire into it.

Last week the Minister announced in *The West Australian* that he was not happy with the premiums for workers' compensation and that he was taking action to appoint a committee of Government back-benchers to inquire into the reason the premiums are so high.

Mr Grayden: That is not so at all. That is completely wrong. You want to read what was said.

Mr HODGE: I have.

Mr Grayden: Read it out so that we can see how it varies from what you say.

Mr HODGE: I will read it. It is as follows—

[The Minister for Labour and Industry, Mr Grayden announced last week that a Government backbench committee would examine ways of reducing premiums on small businesses, and possibly a no-claim bonus scheme.]

Mr Grayden: That is completely different from what you said.

Mr HODGE: It is not.

Mr Grayden: Of course it is; completely different.

Mr HODGE: That was in *The West Australian* of the 25th April, 1978. The Government has acted to ascertain whether something can be done about insurance premiums. It is the money which apparently interests the Government because it is

not prepared to appoint a committee on safety. Surely safety is much more important than the high cost of premiums. The two are interrelated and interlocked, and I am sure if the safety angle were taken as seriously as the money angle, there would be a good deal of benefit not only with regard to the appalling accident rate, but also to the level of premiums.

I would like to know why the committee should be only Government back-benchers. Why has the Government not invited Opposition members too?

Mr Grayden: If you come forward with suggestions regarding how premiums for small businesses can be reduced, you will be welcome. You could make a submission and it would be taken into consideration and acted on if it contained practical suggestions. It is as simple as that.

Mr HODGE: The Minister asked for co-operation. I, for one, would like to be on the committee, and I am sure other Opposition members also would be interested in being on the committee. Why has the Government not invited Opposition members? During his speech, the Minister was berating us about our lack of interest and support. I am making the offer. If invited I would be prepared to serve on the committee to consider ways and means of reducing insurance premiums. I am sure that other members of the Opposition would be interested also.

Mr Sodeman: Why not establish your own committee?

Mr HODGE: I believe it should be a committee of the Parliament, not a committee comprising only Liberal Party members, Country Party members, or Labor Party members. It should be an all-party committee. Of course, the most sensible move would be to appoint a Select Committee as suggested by the member for Maylands basically to study the safety issue; but it could also be asked to consider the premium issue. The two are so closely related it would not be difficult to do that.

A very interesting article was printed in *The West Australian* on the 16th March, 1978. I mentioned this article on a previous occasion, but as it is so relevant to today's debate, I consider I should mention it again. The heading is, "Safety man: Gaol the negligent". The article reads—

A British industrial safety expert, Mr James Tye, believes that prison sentences for negligent management could help improve Australia's poor industrial safety record.

Mr Tye, director-general of the British Safety Council, said that industrial accidents



were costing \$1 000 a year for every family in Victoria.

I am sure the figure would be fairly comparable with the figure in Western Australia. To continue—

In Britain a factory manager could go to prison for two years if he ignored the directions of a factory inspector.

Australia could learn from both the United States and Britain in formulating tough new industrial safety laws. . . .

Mr Tye said that Australia had a relatively bad industrial safety record, with about five million working days lost every year.

This was about four times worse than for Britain and three times worse than for the U.S.

Mr Clarko: Do you agree it would make a big difference to the nature of the industrial economy if we had more in tertiary industry than primary? You would have a lower figure.

Mr HODGE: That is possibly correct. However, I believe that in the main what Mr Tye said is that the Government should take this matter much more seriously and start imposing realistic fines and deterrents on negligent employers who do not take safety seriously. That they do not take it seriously is proven by the number of industrial accidents in this State—34 5000.

His Honour Judge C. W. Harris, in a report to the Victorian Parliament in October, 1977, made a comprehensive statement of matters related to workers' compensation, industrial safety, and rehabilitation. I have read a condensed report of the judge's remarks and I certainly agree with most of them. He has recommended to the Victorian Government that it should establish an accident commission with power to look after the three sections of industrial safety, workers' compensation, and rehabilitation. All three should come under the one Government authority. I support that view. It is a sensible way to tackle the dual problems of our appallingly bad safety record—

Mr Grayden: We have an extraordinarily good record.

Mr HODGE: Our record is not extraordinarily good.

The recommendation of the judge is a sensible one and is apparently modelled on a Canadian system which is working quite well.

I believe a parliamentary Select Committee could examine in great detail the judge's report

and all aspects of industrial safety, rehabilitation, and the high cost of insurance premiums for workers' compensation. The Minister did not advance any good reasons for such a Select Committee not being appointed. He has already admitted that there is a need for one section to be examined by appointing a back-bench committee to look at the premium side of the question. It would be a much better step for the Government to appoint a Select Committee to examine the whole field—industrial safety, rehabilitation, and the high cost of workers' compensation insurance premiums.

Therefore, I support the motion.

MR HARMAN (Maylands) [7.41 p.m.]: This afternoon we witnessed a speech by the Minister for Labour and Industry—

Mr Clarko: A tremendous speech!

Mr HARMAN: —which must do down in the records of this Parliament as being the worst speech it has heard from a responsible Minister.

Opposition member: Irresponsible!

Mr HARMAN: He play-acted and clowned, and treated industrial safety as if it were a joke. In the finish he admitted he had not taken the time to consider the motion moved by the Opposition.

Mr Clarko: Didn't you see the prepared notes?

Mr HARMAN: To me that suggests that the Minister and some of the Government members have turned their backs on the workers of Western Australia.

Mr Clarko: No way!

Mr Shalders: Nonsense!

Mr HARMAN: In the course of my speech I was able to point out the number of authorities in Australia which had stressed the need to update our safety legislation and our accident prevention measures. Every possible authority in recent years has made remarks connected with that aspect. In addition, in the course of my remarks I endeavoured to point out to the House the great need now in industrial safety because of the accelerated use of chemicals and gas in the industrial work places.

All my remarks were ignored by the Minister. All he wanted us to do was to show films. He wanted members of Parliament to show films about industrial safety. He said that if we did that there would be no problems.

I emphasis to the House that when moving the motion I referred to the increase in the work force as being 11.5 per cent. What I should have said was there there was an increase of 11 500 which

was a 3 per cent increase. That destroys the argument of the member for Karrinyup. On the question of non-fatal accidents—

Mr Clarko: What about fatal accidents?

Mr HARMAN: Let us deal with non-fatal accidents. That destroys the argument of the member for Karrinyup and I think he ought to apologise now.

Mr Clarko: What about the 30 per cent reduction in fatalities?

Mr HARMAN: The honourable member should have checked his figures.

Mr Clarko: So should you.

Several members interjected.

The SPEAKER: Order!

Mr HARMAN: As it has been demonstrated to the House that the figure was incorrect, the argument of the member for Karrinyup now falls to the ground, and he ought to have the decency to recognise now—

Mr Clarko: I recognise that you were wrong.

Mr HARMAN: —that there has been an increase in non-fatal accidents. I know the member for Karrinyup. I have been around for a while and I know what sort of person he is, but he should have the decency to admit that his argument about non-fatal accidents falls to the ground. I think his silence indicates that.

Mr Grayden: I showed quite clearly that fatal accidents and the length of time off were dramatically down.

Mr HARMAN: The Minister made some reference to the way Government departments had been co-operating with requests of the Government to do something about industrial safety. In the annual report of the Department of Labour and Industry for 1977, the Under-Secretary for Labour and Industry said—

The four weekly accident prevention report that was introduced for Government Departments and Instrumentalities has continued to operate. Whilst some Departments have shown a marked improvement, there has been an overall tendency to overlook the importance of this programme.

This is the department's annual report for 1977. The Minister told the House the Government departments were co-operating and achieving the ultimate results in industrial safety.

Mr Grayden: I did not say that at all.

Mr HARMAN: Yet the under-secretary of the department says there has been an overall tendency to overlook the importance of this

programme. Who is right? Whom do we believe, the Minister or the department? That is what it boils down to. I am prepared to believe what the department says in its report. It is a statement the department has had time to consider and, if necessary, correct. I do not accept the statements made by the Minister tonight. I believe he knew nothing about the situation. He read a few notes which had been prepared for him by the department and glossed over the whole situation. In effect, he turned his back on the employees of Western Australia.

Mr Grayden: We are getting a lot of opposition from some sections of the department for political reasons.

Mr HARMAN: I have no political motivation in moving this motion. It is the same as a motion I moved in 1974 because, as I said at the time, I was conscious while I was Minister for Labour that we should be doing something more positive in the industrial field. I did not have the chance to do anything. In 1974, while in Opposition, I moved for the appointment of a Select Committee. The Government rejected that move in 1974, without giving any real reasons. In fact, on that occasion the matter was treated very lightly by the Minister who stood in for the Minister for Labour and Industry.

I have no quarrel with that, but on this occasion, after the Government has been in office for four years, the Opposition is entitled to ask, through me, for the appointment of a Select Committee because of the increase in industrial accidents; an increase which I have proved conclusively to the House; an increase which has been brought about by many factors, but mainly, I think, because although a number of large firms are contributing to industrial safety, there is a range of small firms which are not taking positive action to reduce industrial accidents.

Mr Grayden: You have not taken into consideration the increase in the work force.

Mr HARMAN: What a statement that is! I spent five minutes pointing out to the Minister that in the period we are talking about the work force increased by 3 per cent and the accident rate increased by 11 per cent.

Mr Clarko: Non-fatal accidents.

Mr HARMAN: The figures were supplied by the Bureau of Statistics.

Mr Grayden: Fatal accidents were reduced by 39.9 per cent.

Mr Clarko: Fatal accidents went down from 33 to 20. You said so.

Mr HARMAN: I have no quarrel with that; it is heartening to see a decrease in the number of fatal accidents. It is a sorry state of affairs that we have so many.

Mr Clarko: You do not give us any credit for that improvement.

Mr HARMAN: The Government is not entitled to any credit for it because at the same time there has been an increase in the number of non-fatal accidents. I will repeat, for the Minister's benefit, that non-fatal accidents have increased at a greater rate than the work force has increased.

I am asking Government members to think about this proposition. It is about time they investigated this situation for themselves. Surely they do not accept what the Minister for Labour and Industry said this afternoon as being the reality of what is happening. No-one on the Government side would declare that he stood solidly behind what the Minister said this afternoon. The Minister was clowning. He knew nothing about the situation. He treated the debate in a very cavalier fashion, and I am horrified to think Government members would place credence on what the Minister said today. As I said at the time, he should be on the stage because he was playing a good role.

It is not a situation which can be treated in a cavalier fashion. It is a very serious matter when in the last year under review 34 500 accidents occurred and when people suffer injury to a limb or to the body, perhaps because of a gas or a chemical. On top of that, they face the prospect of not being able to enter the work force again and, of course, there is the consequent hardship suffered by their families and their children. They will now have an added burden placed upon them in that they may receive only 85 per cent of their income and suffer further financial loss.

Mr Grayden: That is untruthful, too.

Mr HARMAN: It is a possibility.

Mr Grayden: It is not a possibility. We have made that perfectly clear.

Mr HARMAN: The matter has been referred to a judicial inquiry. If the inquiry results in that recommendation the Government will adopt it. So that is an added burden which these people face.

The Minister spoke about the inspectors in the department. During the course of the debate no-one suggested the inspectors were not doing their duty.

Mr Grayden: Not much! What about the member for Swan?

Mr HARMAN: What did he say?

Mr Grayden: He said they sit in the office all day.

Mr HARMAN: They have to work under direction, and I think the Minister will know that the Government or somebody else has placed a restriction on the mileage the inspectors may cover each week.

Mr Grayden: Where did you get that information?

Mr HARMAN: The inspectors are told they may do only a certain mileage. Consequently they have to spend the rest of their time sitting in the office because they are not allowed to go out in their vehicles.

Mr Grayden: That does not follow.

Mr HARMAN: What else do they do—walk?

Mr Grayden: They are given a certain area in which to operate.

Mr HARMAN: And their mileage allowance is restricted.

Mr Grayden: That means absolutely nothing.

Mr HARMAN: It means they cannot get out as often as they would like.

Mr Grayden: The inspector parks the car and makes some inspections. That is the purpose of it.

Mr HARMAN: It is very difficult for me to argue against what the Minister has said because so much of it was just generalised nonsense. It is difficult to find a factual point on which to commence to argue with the Minister. For that reason it would be better not to dwell any further on what the Minister said this afternoon. I was disgusted, not because of the work I had put into the motion but on behalf of the employees of Western Australia. Had they seen the Minister for Labour and Industry performing this afternoon, they would be utterly disgusted and perhaps horrified that such things should happen in this House.

Mr Grayden: The record speaks for itself.

Mr HARMAN: The only thing I can do is ask Government members to consider the proposition themselves. They have their electorates to look after. In all their electorates there are employees who have a potential for an accident, any of whom could be the one in 10 to become an accident statistic in the next 12 months. We all have a responsibility to our electors. We all have a responsibility to ensure the laws of this State are adequate for industrial accident prevention. We all have a responsibility to ensure those laws are administered adequately. And we all have a responsibility to ensure that the introduction of new chemicals and gases into the working place is

adequately covered by our present regulations and those which are envisaged by the departments in the future, and particularly the Public Health Department.

We are all concerned about the number of industrial accidents in Western Australia. We give lip service to the proposition of doing something about the situation but we never do anything practical. Here we have an opportunity to show our concern practically by passing this motion, and I commend it to the House.

Question put and a division taken with the following result—

## Ayes 16

Mr Bertram	Mr Jamieson
Mr B. T. Burke	Mr T. H. Jones
Mr Carr	Mr McIver
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr Grill	Dr Troy
Mr Harman	Mr Wilson
Mr Hodge	Mr Bateman

(Teller)

## Noes 26

Mr Blaikie	Mr O'Connor
Mr Clarko	Mr Old
Sir Charles Court	Mr O'Neil
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sibson
Mr Hassell	Mr Sodeman
Mr Herzfeld	Mr Spriggs
Mr Laurance	Mr Stephens
Mr MacKinnon	Mr Tubby
Mr McPharlin	Mr Watt
Mr Mensaros	Mr Williams
Mr Nanovich	Mr Shalders

(Teller)

## Pairs

## Noes

Ayes	Noes
Mr T. D. Evans	Mr Coyne
Mr Pearce	Mr P. V. Jones
Mr T. J. Burke	Mr Crane
Mr Tonkin	Mr Young
Mr Barnett	Mrs Craig
Mr Bryce	Mr Cowan

Question thus negatived.

Motion defeated.

## LOCAL GOVERNMENT ACT AMENDMENT BILL

*Second Reading: Defeated*

Debate resumed from the 19th April.

**MR RUSHTON** (Dale—Minister for Local Government) [8.00 p.m.]: It should come as no surprise for the member for Geraldton to learn that the Government opposes his Bill. Basically, the Bill attempts to cover only one item; namely, one vote per person, although the member for Geraldton canvassed various other matters during

his second reading speech. However, he did not present any new material relating to the subject.

The member for Geraldton made one statement with which I agree: He said that local government tends more and more to look after people. Of course it does; that is what local government is all about, and it is a trend I have been encouraging since I have been Minister for Local Government. I believe it to be the fundamental function of local government.

It is not necessary for me to refer to all the points raised in the honourable member's second reading speech, but I should like to make one or two comments in opposing the Bill. The member for Geraldton defeated his own argument when he said he believes the State Government should keep in touch with local government and inspire it to better things. We remember him saying in a recent speech that if he were Minister for Local Government he would have regard for what local government had to say, and give attention to it. I could finish my response on this note, simply by saying I do have regard for local government opinion. Only today I received a message from local government to the effect that, fundamentally, they do not believe in adult franchise. Yet here we have the member for Geraldton producing adult franchise as the main theme of his Bill.

The Government had regard for a number of arguments against the introduction of adult franchise, some of which were even related to the matters raised by the member for Geraldton. I realise the member for Geraldton said he did not expect to cover all aspects of the matter. However, the consequential amendments which would be required to make his proposal effective are not present. By dealing with only one section of the Act, he makes nonsense of it further on.

Mr Carr: Would you be specific on that point?

**Mr RUSHTON:** The honourable member suggests that every adult residing in a district should have a vote, but he has not done anything about seeking to amend the requirements relating to a person seeking election to a council. Therefore, under his proposal, a person could have a vote but could not seek election to the council because of conditions which apply elsewhere in the Act.

Mr Jamieson: That is not unusual; it was the situation with the Legislative Council for many years.

**Mr RUSHTON:** The member for Geraldton suggests his proposal should be implemented speedily; of course, it would not be in time for the May local government elections. The honourable

member knows it is the Government's intention in the spring session of Parliament to bring forward a full review of part IV of the Local Government Act.

Mr Carr: You have been saying that for two years.

Mr RUSHTON: The honourable member's party was in Government for three years and it was requested to review the Act during that time; it did not even get to a Bill form. Since I have been Minister for Local Government we have been working on the various issues and we have brought to the House a number of Bills which have become law.

The Government opposes this Bill for a number of reasons. The member for Geraldton mentioned that old adage, "He who pays the piper calls the tune", and this applies to some degree still. His proposal for adult franchise would restrict voting in the sense that a person who owned a property in, say, Geraldton but who resided in another area, would not have the right to influence voting in the Geraldton elections. I believe this point needs to be examined more carefully by the member for Geraldton before he presses this legislation.

Another aspect of the honourable member's Bill to which the Government objects is that it would allow an itinerant non-ratepayer who may live in a community for only a short time, to have a vote in, say, a referendum relating to the expenditure of a large amount of money which would create a large liability for the community. He could then move on quickly and leave that community with the liability.

Mr Jamieson: You are drawing a long bow now.

Mr RUSHTON: No, I am not; it could be that itinerant's vote which passes the referendum.

The member for Geraldton suggested that the three tiers of government have similar functions; but they do not. They do not look for their funds from the same source, which makes them dissimilar.

The member for Geraldton proposed the residents become voters. I consider to be consistent he should have proposed the right to become a councillor also; that would be a normal progression of his proposals. The member for Geraldton was not very convincing in putting forward his proposals, because they would not come into effect before the full review now underway takes place; this indicates there is no reason whatever for haste, or for the House to grant a second reading to this Bill.

Some matters which will be considered during the review will be: The qualification for election; the term of office of the mayor or president; the eligibility to be registered as an elector; the preparation of the electoral roll; the polling hours; the date of annual elections; the system of counting; plural voting; sick and outside-the-State voting; the amount of deposit required from nominees seeking election; postal voting; and, early voting.

I think it is easily demonstrable that the member for Geraldton has simply raised an issue which is dear to his heart; namely, one-man-one-vote. His party advocates this principle, and I say nothing more to criticise it. However, I do not believe in it. The Government finds nothing in the Bill or the second reading speech to convince it to accept the legislation. The Government does not believe there should be a change in adult franchise at this time. In fact, as I have already stated, local government itself has indicated clearly it does not support the member for Geraldton's proposal. If the honourable member abide by his statement that if he were the Minister for Local Government he would have regard abides for what local government requested, he should withdraw his Bill; in fact, he would not have brought it forward in the first place.

The member for Geraldton has not made a case to persuade the Government to accept his Bill. The Government opposes it, and local government opposes it. A full review of part IV of the Local Government Act will be presented to Parliament in the spring session; it will have regard for the matters I have raised, as well as additional issues. I ask the House to oppose the Bill.

MR HODGE (Melville) [8.10 p.m.]: I support the Bill introduced by the member for Geraldton. I believe we have a most unsatisfactory system of electing local government representatives in this State. It is time a small measure of democracy was introduced into local government elections.

I have people residing in the municipality of Melville—the area I represent—who do not have a vote because they are occupiers of State Housing Commission homes in Willagee. They are not automatically on the roll and are not automatically entitled to a vote because they do not own their homes.

Mr Clarko: All they have to do is apply for it.

Mr HODGE: I am aware people who occupy State Housing Commission homes can make application for a vote, but they are certainly not encouraged to do so in my municipality.

Mr Clarko: It is as simple as applying for it.

Mr HODGE: They are not made aware of their rights, and most of them do not make application. Well over 600 rental homes are situated in Willagee.

Mr Clarko: And they all could be on the roll.

Mr HODGE: Most of those people are not on the roll.

A point which has been raised by way of interjection is that even if the occupiers of those State Housing Commission homes in Willagee were informed they were entitled to be on the roll and they made an application, which was accepted, and they appeared on the roll, only two people in each house could be on the roll. In Willagee, there is a high number of families living in rental accommodation with elderly parents and, often, married sons and daughters as well. This means that in a household of, perhaps, four or five adults, only two people would be entitled to vote in a local government election.

I believe the Bill brought forward by the Opposition would bring a small measure of democracy to local government elections. It does not go as far as I would like to see it go, but it is a step in the right direction. It provides for an adult person who is a British subject and resides within the municipality to be able to be on the electoral roll if he makes application.

Mr Herzfeld: Why should he be a British subject?

Mr HODGE: That is the wording in the current Act. We are a monarchy, so we are all British subjects in this country. The conservative political parties in this Parliament obviously do not support full adult franchise and one-vote-one-value. That was made very clear to me when I made my maiden speech in this Parliament and strongly advocated the principle of one-vote-one-value for elections to State Parliament.

Mr Clarko: The Labor Party does not follow that principle. It is based on the Federal system, which is not one-vote-one-value, and the trade union movement is the same. That is how the last decision on the continuation of uranium mining was arrived at. It was on a State-by-State basis, and that was not one-vote-one-value.

Mr HODGE: I should like to be able to proceed with my speech.

Mr Clarko: Then be accurate.

Mr HODGE: The member for Karrinyup can make his speech later.

Two prominent members of the Liberal Party have given us a fairly clear indication in speeches they have made to this House of the Liberal Party's attitude and philosophy when it comes to

democratic elections, be they for local government, State Government, or Federal Government.

I would like to quote from *Hansard* of Thursday, the 11th August, 1977, page 424. The member for Gascoyne, (Mr Laurance) said—

The basic principle of representation is that it must have some regard for where the wealth is produced. The Government spends the people's wealth, largely in the metropolitan area, but it has to have some regard for where the wealth is produced. As I said earlier, I do not intend to defend the *status quo*. I want to attack this business of the electoral distribution that we have heard maligned so much. The remote areas of this State have very few people but they produce a great amount of the country's wealth.

I will not read any further, but the member went on to repeat that statement. What he was saying was that elections have to be conducted in such a manner as to give due consideration to wealth. Democracy in the Liberal Party's view is not about people or the dignity of man. The Liberal Party considers democracy is about the wealth of individuals and areas.

The Labor Party rejects this philosophy. We believe that elections, whether they be for national, State, or local government, should be all about people. Elections should be about electing a Government that is representative of people rather than wealth.

Mr Rushton: You want to support minority government because you want first-past-the-post voting. That will give minority government.

Mr HODGE: I am talking about adult people having a franchise—not houses, streets, or sheep, but people. I would like to quote from *Hansard* of the 19th August, 1976, page 1961 where the member for Scarborough—

The ACTING SPEAKER (Mr Blaikie): I refer the member to Standing Order 130 indicating he must not refer to a member by name.

Mr HODGE: Thank you, Mr Acting Speaker. I was just quoting from *Hansard*; I wanted to make sure everyone knew who I was talking about. The member for Scarborough said—

Local government is all about property, whereas State and Federal Governments are all about people.

That is a fairly clear and concise description of the Liberal Party's policy in this field. It is no wonder the Minister is opposing the legislation tonight. The people on the other side of the Chamber believe local government elections are

all about property and wealth and we on this side believe elections of all sorts are about people electing representative democratic governments.

Mr Rushton: Don't you believe local government should have some say in what happens? Do you believe you should oppose their views?

Mr Jamieson: Yes, while they are elected the way they are. If they were democratically elected it would be different.

Mr HODGE: The Liberal Party did have a change of heart briefly in 1960 about elections being all about property and wealth. I understand it was a Liberal Government that amended the Constitution and the Electoral Act to take away the property qualifications for elections to the Legislative Council. Apparently, for many years prior to 1960, only people with a certain amount of wealth and property were entitled to vote for that House. I imagine much the same sort of tired old arguments were brought in then when it was suggested that there should be adult franchise for the Legislative Council.

Mr Rushton: You people believe that State, Federal, and local government are all the same, but they are not.

Mr HODGE: Those Governments are elected to govern the people and should be elected by the people.

Mr Rushton: They are different systems.

Mr HODGE: The country or the Parliament has not collapsed since adult franchise was brought in for the Legislative Council. The average person in the community does not even realise he has a vote for the Legislative Council; he has probably forgotten that not many years ago he did not get a vote.

This situation has not caused a revolution and there has been no change in power. The conservatives still have control of Parliament. Why does not the Government become adventurous and consider bringing democracy into local government as it did, on a limited basis, with the Legislative Council?

The Government has indicated that only people who pay rates should have a vote. I do not believe that is a logical argument because when a local authority passes laws or makes decisions they are binding on every person in that local government area, not just the people who pay rates. Why should the local government authority have power to pass laws binding on people who have had no say in electing that local government authority? To my mind that is not logical or democratic.

I believe that argument is not logical for a second reason. In most municipalities occupiers can make application to be placed on the electoral roll. They are not paying rates; they are paying rent, and if they make application they can be placed on the electoral roll. Once again that does not jell with the Government's argument that only ratepayers should be able to vote.

The Minister mentioned that, as a significant portion of local councils' revenue comes from ratepayers, only ratepayers should vote. The Minister also mentioned that these days perhaps only 25 per cent of the total funding for local government in this State comes from other sources, such as general revenue. That has altered the situation from years past when ratepayers almost completely financed the running of local government authorities.

Many local government authorities, mine included—Melville—are dominated by conservative people; people who, if not actually members of the Liberal or National Country Parties, are in fact strong supporters of them. It does not come as a surprise to me that the Government is not supporting this Bill. If every adult person in a municipality had the right to vote of course there could be the danger of a democratically elected council coming into power! That could change the balance of power.

Mr Sibson: Are you saying the local governments are not democratically elected?

Mr HODGE: That is what I have been saying for the last 10 minutes.

Mr Sibson: What an insult to local government!

Mr HODGE: This Bill covers only one aspect of the reforms that are necessary for local government. The Opposition did introduce a Bill some time ago in an attempt to achieve all the reforms that we thought were necessary. On this occasion we are just testing the Government; we are going to see what its attitude is to this fundamental question of adult franchise. It is a fundamental democratic principle. If members opposite reject it tonight I believe the electorate at large will clearly see their double standards. Members of the Government pay lip service to democracy and to democratic elections; but, of course, when it comes to the crunch and they are asked to vote to bring about a democratic reform that is a different matter.

Mr Rushton: We also have regard for the opinions of people on local governments.

Mr HODGE: The local governments which the Minister has consulted have told him what he wants to hear. One simply has to look around this Chamber to see how many local government presidents and councillors have done their

apprenticeships in local government councils and have then joined the big league in this Parliament. Probably there are half a dozen ex-councillors sitting opposite and I believe that the Minister was a local government councillor also.

Mr Sibson: And a very good one.

Mr Rushton: Community service does count for something.

Mr HODGE: The Minister, in his half-hearted attitude when trying to denigrate this Bill, said there was a technical fault and that a person may be eligible to vote but not eligible to stand as a councillor. If there are any technical faults in the Bill they can be sorted out in the Committee stage. That is the purpose of the Committee stage. If the Minister thinks there is a technical fault and he has the ability to prove it, we will sort it out at the Committee stage. If there has been an oversight we will agree to a change.

If it is too late for this measure to be introduced for the coming council elections, once again I do not believe the Opposition will stand on ceremony. If members opposite are prepared to support the Bill we will be disappointed if it is not brought into action for the coming elections; but we will be resigned to the fact if it will be brought in next year.

Mr Rushton: You will have time, because you will have a Bill which will deal with all these items; so you can sit down and forget about it.

Mr HODGE: If the Government introduces a Bill which will bring about adult franchise we will support it.

One of the weakest points of a thoroughly weak argument by the Minister was the point about itinerant people voting in local government elections. How many itinerant workers would take the interest or would bother to fill out an enrolment card and enrol on a local government roll?

Mr Rushton: In some communities they would have dominated the whole roll. You go to a mining town—they could have moved out and left the whole council behind them.

Mr HODGE: Itinerants do not even bother to enrol on State and Federal Government rolls. They will not bother to enrol on local government rolls. That argument is absolute nonsense. The Minister knows they would not bother to enrol.

The fact that the local governments the Minister has canvassed have said they do not agree with the Bill is to be expected. They are telling him exactly what he wants to hear. Obviously they do not agree because they have been elected under this present undemocratic

system and any major change would mean many of them would lose their seats on the councils and the balance of power would alter.

If everyone was on the roll in the municipality of Melville many of the conservatives on the Melville Council at the moment would not in fact be there. If all adults were automatically placed on the roll I am certain there would be some changes in areas such as Willagee. Perhaps the people of Palmyra also would make a few changes.

Mr Pearce: That is why the Government is opposing the Bill.

Mr HODGE: That is the reason; it has nothing to do with the arguments the Minister has raised tonight. The Government is opposed to introducing a democratic measure, because it would remove the grip which the Liberal and National Country Parties have on local government in this State. I support the Bill.

MR BERTRAM (Mt. Hawthorn) [8.27 p.m.]: Of all the assessments which may be made of this Government the one which is most correct is that it is obsessed with power. We do not have to go back very far in time to remember in 1974 when this Government with no mandate sought, with no mandate asked for, and certainly, therefore, with no mandate given increased this Parliament from 81 members to 87 members at a cost of \$250 000 per annum to the people of Western Australia. The people had no knowledge of the Government's intention at the election preceding the Government's decision. It is costing the people of this State \$250 000 per annum to sustain a move that has enabled this Government to cement itself in power and to put the Opposition in a situation where it is extremely difficult, even in the very best circumstances favourable to an Opposition, to seize power from the Government.

The Government increased the number of members in the Legislative Assembly from 51 to 55 and in the Legislative Council from 30 to 32 without a mandate asked for, without any notice given, without any approval by the people sought or given and at a cost of \$250 000 per annum at the present time.

In addition, it is costing the best part of \$1 million to extend this building in order to accommodate the number of members we now have as a result of this increase. There is evidence, if ever members wanted it, of an obsession with power. Having won power, the Government is determined not to lose it. As a result amendments were made to the Electoral Act, the Electoral Districts Act, and to the Western Australian Constitution, the most important Act in this



State, without asking for authority from the people. It was sprung by surprise upon this Parliament and without the people really knowing anything about it.

Mr Herzfeld: The people had their opportunity to have their say in 1977. Do you accept what they said?

Mr BERTRAM: They had their say after the event; yes.

Mr Herzfeld: Do you accept their opinion? Of course you do not.

Mr Taylor: It was not an issue at that election. It was not put forward by the Premier at the election.

Mr BERTRAM: That was one of the roughest things that ever happened in this Parliament. We well remember also how the crooked line was drawn in order to save the Minister's seat. He was afraid he was going to be defeated at the next election, so the Government decided, "We will alter the boundaries and save Cyril's seat", at the cost of \$250 000 per annum to the people of this State.

Mr Rushton: How can it be said my seat was being saved by splitting it in three?

Mr BERTRAM: It has cost the people of this State approximately \$1 250 000 to keep the Government in power. When that amount of money is being spent ordinary decency requires that the Government should obtain a mandate from someone, particularly when it is starting to tamper with the Constitution of the State of Western Australia.

This Government is obsessed with power; of that there is no question. It believes that when it deals with this sort of Bill, local authorities are all tarred with the one brush and that local councillors throughout the length and breadth of the State consider that it is more important for them to save their seats individually and collectively than it is for them to do the right thing and follow the pattern of comparable countries the world over; that is, to give everyone one-vote-one-value.

There was a time when it was perfectly acceptable for Governments to organise their electoral boundaries by gerrymander and malapportionment to see to it that they would always win elections. That was par for the course and it was acceptable. It is not today, and has not been for the last 15 to 20 years.

There was a contest in the United States, involving court actions, appeals, and so on, until ultimately—I think in 1968—a judgment supported by the Chief Justice of the Supreme

Court of the USA said there should be no more of this business of plural voting, gerrymanders, malapportionments, and, if we like, cooking the electoral books. That is no longer possible in the United States; nor is it possible in most other comparable countries of the world. However, it still is in Western Australia and no-one in this particular place would be surprised to be informed it also applies in that other distinguished State of which Bjelke-Petersen happens to be the Premier. Strangely enough Queensland has adult franchise, but that came into being a long time before he became the Premier.

The position in Western Australia is analogous to the position in Rhodesia and South Africa and to which world opinion is so much opposed. The only difference in Western Australia is a matter of degree. The principle involved is the same. I should say the lack of principle is identical; it is only a matter of degree.

In the United States in an election for a Federal Parliament, a State Parliament, or a local authority, every US citizen of 18 years of age and over gets a vote which is equal to the vote of every other US citizen. In Australia in the House of Representatives elections, for all practical purposes the same applies. It is really the same in the Senate; but it is certainly not the same in Western Australian State elections.

The Bill before us gives the Government and Parliament an opportunity to change the position, belatedly, in respect of local government. One thing is for sure; that is, that in Western Australia in due course we will be permitted democracy and everyone in Western Australia will get an equal vote not only in Federal elections, but also in State and local government elections.

Mr Rushton: Why didn't you introduce a Bill to amend this part when you were in Government?

Mr BERTRAM: It is only a matter of time before that will happen. What we are doing under the Bill is merely giving the opportunity to this Parliament in 1978 to do it now rather than have the State lagging behind and attracting all the opprobrium and whatever else by way of adverse reflection on it for an unforeseeable future time.

Mr Rushton: Can you tell me why you took no initiative to move an amendment when you were in Government?

Mr Carr: We will next time, and we will not have too long to wait.

Mr BERTRAM: I was just asked why we did nothing when we were in Government. The fact of the matter is, and it is well known and statistics cannot be challenged, that when the Tonkin

Government was in office the legislative programme exceeded all previous legislative programmes in volume and effort and the Tonkin Government was acclaimed as being the best Government for a long time.

Mr O'Neil: By whom?

Mr BERTRAM: What members opposite wanted us to do was to put the whole State right in three years.

I have just been reminded by a colleague that it would have been no use to introduce such an amendment, because there has been a Liberal-Country Party majority in the upper House—

Mr Rushton: That is no excuse.

Mr BERTRAM: —since 1832 until now. Never once has the Labor Party had a majority in the upper House in 146 years. What do members opposite think about the bias in that situation? We have been 146 years without getting a majority in the upper House. What about those boundaries?

Several members interjected.

Mr BERTRAM: The last time a Bill similar to this one was before the House the Minister said some famous words. I think the precise date was the 26th May, 1976. He said—

A review is taking place of part IV of the Act, which contains the electoral provisions.

A review is taking place! We know the Minister is not noted for his ability to make clear decisions on very many matters at all. That is when he first gave notice that he was really on the move—the 26th May, 1976.

The Bill before us was run off in a few minutes.

Mr Rushton: It looks like it.

Mr BERTRAM: Is the Minister condemning the Parliamentary Draftsman?

Mr Rushton: I am saying that it is not complete, even to do one thing.

Mr Carr: We will accept your amendments.

Mr BERTRAM: Will the Minister supply us with particulars of its deficiencies?

Mr Rushton: Yes, in the spring session when you will get the great opportunity to have a Bill which puts all these things together for your consideration.

Mr BERTRAM: When will this happen?

Mr Rushton: In the spring session of this year.

Mr BERTRAM: That is tremendous. I suppose we ought to take notice of that although, as I have said, the first time the Minister was going to work wonders was on the 26th May, 1976, but nothing

happened. Then he had another go. A year later, on the 4th May, 1977, he said—

Amendments to the electoral section of the local Government Act would be presented—

Mr Rushton: Are you criticising my—

Mr BERTRAM: No; I am criticising the Minister. To continue—

—to the next session of Parliament, the Minister for Local Government, Mr Rushton, said yesterday.

Then another year elapsed. The Minister has just said that he will do something in the spring session. We can only hope—and there will be many of us who will also pray—that this actually will be the case. He took the third bite of the cherry on the 3rd April, 1978, when the following appeared in the Press—

Mr Rushton said he hoped to be able to complete his review in time to have it introduced in the spring session of Parliament.

On that occasion he happened to have said, fortuitously, the same thing he said just a moment ago. So we cross our fingers, hoping for the best, but expecting the worst.

The gist of the United States Supreme Court decision was that human beings are human beings, irrespective of colour, and whether they are millionaires, paupers, soldiers, sailors, or airmen. Human beings are all the same, irrespective of where they live or the depth of their pockets.

As I have said this will inevitably become the law of this State in due course. Therefore the Opposition is on a winner; of that members can be certain. The only matter in doubt is how long those people who clutch to power and value it more than anything else including fairness and decency will insist and use their muscle to stop the people attaining democracy in this State.

To say that we have democracy in this State is utterly false, and this is proved by the statistics I have given. While people outside may not comprehend this everyone on the other side knows that the game is rotten so far as electoral boundaries in this State are concerned, and I am referring to both State and local government electoral boundaries. The people outside do not comprehend it, and if they did there would be a revolution; but everyone on the other side knows that the position is unfair.

Mr Rushton: It is unfair until the ALP wins an election!

Mr BERTRAM: Let us make no mistake that Government members know the position in local

government at the moment. Not only people have a vote here.

One can be a corporate body and one can have a vote. That is thoroughly unacceptable to the Opposition. We believe animate people—human beings—are the only ones who should have a vote, and not corporate bodies. The amendment now before us would see that that position was borne out.

As has already been pointed out, and as I believe it is proper to repeat, there was a time when the amount of money given to local governing authorities by the State and Federal Governments was very small indeed. However, these days the amount from State and Federal Governments represents roughly a quarter of the total revenue of local governing authorities. The people who pay money into the Federal Treasury and into the State Treasury are not merely ratepayers, they are ordinary, decent citizens—the same people who have a vote for members in this place and for members in the Federal House. Yet, they are denied a vote in local government. They live in local government areas; they are the people who use the roads and the recreation facilities. They are part of the whole unit, but they are denied a vote.

That is repugnant to us, and it is repugnant to members opposite except that because of their position they are prepared to place the matter aside and to say it is too bad. Until the people really scream the situation will continue. Well, we in Opposition are determined that the people will get the message. However, we realise that because of the media and other factors it will take some time; but we will win the point in due course.

What is happening in local government is that people are being denied a whole vote. In parts of the State of Western Australia people are denied fourteen-fifteenths of their vote. I am one of those people, together with about 80 000 other people in the North Metropolitan Province.

I do not accept that councillors throughout the whole of this State are prepared to lower themselves to the position where they want Western Australia to be trailing behind all the other States of Australia in respect of voting for local government elections. Most of the other States, in one form or another currently have—and have had for many years—a system of one-vote-one-value. I think at the moment only South Australia and Western Australia are lagging behind. One can well imagine that the situation would prevail in South Australia because in an upper House of 16 members, the

conservatives have 12 and Labour four. So, there is little hope of doing the right thing over there.

This is a case where the Bill is full of merit. The member for Geraldton has introduced it, and cut away everything other than the substance. We are concerned with a fair vote in local government elections for all Western Australians. It gives me great pleasure to support this Bill, although it is perfectly obvious from the Minister's poor old performance and lack of concern that it will not get a second reading.

**MR JAMIESON (Welshpool) [8.44 p.m.]:** I think I can best describe how I see the local government scene by quoting the first paragraph of the preamble to the State platform of the Australian Labor Party appertaining to local government, wherein it states—

Labor reaffirms its belief that Local Government has an important role to play in social organisation. It believes that its importance springs from the immediate direct contact it enjoys with the community and the opportunity that is afforded through Local Government for citizens to participate in decisions affecting themselves and the community of which they are part.

I think that fairly describes local government as it should be and as it was in the beginning. It is no good the Minister saying that local government differs from State and Federal Government, because all government stems from local government. When ancient tribes originally elected their leaders they did so by drawing straws, or by some similar means. It does not matter how those leaders were elected, it was the beginning of local government. Even with our own Aborigines, while their systems differ from tribe to tribe, basically once an Aboriginal was considered to be a mature man—not always women, of course—and as long as that person had the qualifications of being initiated into the tribe, he had a right to take part in the determination of who his representatives or leaders were to be. That system was the beginning of all forms of government, right back through history.

It was only of late—probably in the dark ages in the English-speaking world—that lords and barons thought the system was going too far, and was getting out of hand. They restricted the voting power to those of the higher intelligentsia, or those of the clerical heights and those who had some title in the community. The lesser people were considered to be the persons who would be told what they could do.

As has been pointed out, and as is stated in the first paragraph of the preamble to the ALP

platform with regard to local government, local government is the basic government. I was very pleased to note that the Minister for Local Government did not agree with the member for Scarborough that local government is about property. The member for Scarborough suggested, by his statements in the past, that State and Federal Government was about people and that local government was about property. Well, of course, nothing could be further from the truth. Local government is basically about people; the provision of the very fundamental resources which are necessary for the benefit of the community—the playing fields for the children.

Mr Sibson: What do you use for the main basis for financing local government?

Mr JAMIESON: Are we talking dollars and cents, or talking sense?

Mr Sibson: You do not place any sense on dollars and cents.

Mr JAMIESON: Here we go again. The member for Bunbury would not know. All Liberal car salesmen are the same. They just want to get rid of rust buckets.

Mr Laurance: Personal abuse does not become you.

Mr JAMIESON: A little encouragement from the member for Gascoyne does not become me either, so we are back to par. I am merely pointing out facts; we will speak about dollars and cents when we get to them.

Dollars and cents are not the essential part of government; the history of local government went back long before that. Let us look at the situation of the people who keep crying out about dollars and cents. Every child who goes into a shop and buys an ice cream subscribes in some small way to the rates paid to the local governing authority. Without that support people would not have an income and a living. All the finance circulating in a community is the responsibility and the future of that community.

Mr Sibson interjected.

Mr JAMIESON: Will someone shoot the member for Bunbury before his aching gets too great. I hate to see a wounded animal suffering unnecessarily, as I am sure the member for Bunbury is suffering.

Mr Sibson: I am suffering from the effects of your speech.

Mr JAMIESON: We are able to see the situation where it is inherent in the rights of the people to have a vote to determine, at all levels of government, who shall represent them.

It is quite clear that in all the other States of the Commonwealth, perhaps with one exception, adult franchise has prevailed for some time. It has been inherent in the system in the United States for a considerable time. The French got adult franchise through a revolution in which they cut off the heads of those who did not think the citizens should have a vote. They very forcibly indicated that they considered every Frenchman had a right to vote in the election of a municipal government and the national Parliament.

It is an anachronism, that now prevails in Western Australia, where adult franchise does not exist in local government elections. I do not think in the States which have acceded to it there has been any indication of a left-wing revolution or takeover of the local authorities. As a matter of fact, in many States, particularly in Victoria, there is still a considerable amount of conservatism in local government, despite adult franchise.

Mr Mensaros: In the United States women got the vote 20 years later than in Western Australia.

Mr JAMIESON: That might be so. One could make all kinds of statements about the past and whether women have the right to sit in Parliament. The fact that an Attorney-General in this Chamber moved to give women the right to sit in the Parliament of Western Australia and was deposed by a woman at the next election makes one wonder whether he did the right thing. However, I do not think any of us would deny women the vote on that basis. That is all part of history.

In Switzerland, which is considered to be rather democratic in many matters and which has endured as a kind of factotum democracy for longer than many countries around it, women still do not have the right to vote but men have the right to vote. Some of the Amazon tribes do not give men the right to vote. But under those systems property is not a consideration.

Similarly, once our Australian Aborigines reach the stage of manhood through initiation into the tribe, and are considered to be mature, they have the rights of all other equals. There is no reason for saying the itinerant person is not deserving of a vote. Itinerants could not swamp the place. I see in the Minister's speech a reference to hippies wandering around from one local authority to another, taking over and out-voting the rest of the population in loan polls, and so on. But hippies are not built that way. They do not seem to have that sense of responsibility. They go their own merry way and do not have responsible thoughts on these matters, as perhaps they should have.

Even if we accepted, as is now proposed, that those eligible to be on the Legislative Assembly roll were eligible to be enrolled for local government elections, it would be a first step. Other provisions could be made later on in relation to filling in only one card for all rolls, which I think is the sane and proper thing to do.

In the United Kingdom and the United States people do not have to make a number of applications for enrolment, as they do in this outdated system that is kept going in Western Australia more than in other States. Perhaps the barrier of the Nullabor Plain has something to do with it. Unlike the rabbits, progress across it has been rather slow. It is regrettable, because in a democratic world we must keep up and give to people outside the State the impression that we are keeping up.

The Premier is always wanting Western Australia to give the lead and give the impression that it is further ahead than the other States; but when it comes to a simple matter like this he has his Minister saying, "No dice—local government does not want it." Of course local government does not want it. But look at who is in local government. Local government is elected under the system that prevails at the present time. Would the Minister be prepared to put this matter to the people of Western Australia by referendum, asking them whether they want it?

Mr Rushton: Western Australia is so backward that it attracts more population than any other State!

Mr JAMIESON: Sometimes the Minister's reasoning perplexes me. People are attracted here because of circumstances more than because of not having to vote in local government elections. If that is what the Minister is suggesting, his reasoning boggles my mind.

Mr Rushton: They like our way of life over here, and local government goes together with all the other things.

Mr JAMIESON: Let the way of life develop so that everybody has a like responsibility. I cannot see any way in which giving adult franchise in local government to all people over the age of 18 will do any great harm.

In relation to adult franchise, it is interesting to note that in 1957 we passed in this Chamber provisions for adult franchise, plural voting, valuations, and all kinds of things, and they were thrown out at a conference of managers of both Houses at the behest of one member who would not go along with the rest of the managers. We nearly reached the stage of democracy in those days, but that was a long time ago.

It is high time we set our sights on a new and improved system which would encourage people to participate more in local affairs. The Minister often gets on his feet and says people should be encouraged to take an interest in local government, yet the first opportunity he has to do something about it he says, "No, local government does not want it. Let us look at what local government wants."

He had very strong representation from the local authorities in the Pilbara to implement a scheme of adult franchise. Those local authorities found themselves in the rather peculiar situation that they had a considerable population and only about 30 people on the roll of each ward. It looked stupid to an outsider. One would read a report of an election and see that someone had won a seat by 15 votes to 12 when in that ward there was a town as big as Newman. The local authorities did not want the ridicule and odium associated with such stupid elections.

It might be said people can be enrolled for local government elections. That may be so. If they are householders they can make application in a limited period during the year, but if they are not householders or if they are housewives they are not eligible. Why should a housewife who takes her part in community affairs not be eligible? She might be a leading light in a parents and citizens' association or in any one of a dozen other responsible organisations, but as a housewife she does not own property and she is not good enough to vote in local government elections.

As the member for Greenough says, it has to be a matter of dollars and cents. Is the housewife paying her way? I defy him to say that such people do not pay their way.

Mrs Craig: She can be much more subtle; she can influence her husband's attitude to vote the way she likes.

Mr Pearce: Does your husband influence your voting?

Mr JAMIESON: Obviously the Minister for Lands has never heard of women's lib. I am sure this organisation would be appalled to think a wife should be put in the position where she does not have a vote of her own right. A secondary vote is no vote at all, and it is not the sort of thing anybody should be considering in this day and age. We should be looking for a vote to enable an individual to record the party or person he wishes to look after his affairs.

If we look around our various suburbs, we can see how local government has improved conditions for its people. We must realise that the very fundamentals of government are inherent in local

government. These fundamentals are not present in State or Federal Governments that exist in Harvest Terrace or in Canberra; people are more inclined to notice the government that is just down the street. When something goes wrong on the local scene, the residents can sit in on council meetings and in this way learn what is going on. Far more people would then take an interest in local government if they were given the right to vote.

This issue has been before the Parliament *ad nauseam*, and it will continue to be put before the Parliament *ad nauseam* until the Government agrees to provide adult franchise for local government in this State.

Mr Sibson: You too have been *ad nauseam* before.

Mr JAMIESON: I will deal no more with the member for Bunbury, because the less said about him the less important he is in this world, and one must remind him of this.

I believe I have said enough to show that I support the Bill. I will always support the principle contained in the Bill for the fundamental reason I gave when I commenced my remarks; I believe local government is the basis of all forms of government. It was the beginning of government, and it should not now be placed in the situation where it becomes a class divider.

MR PEARCE (Gosnells) [9.02 p.m.]: I have been fascinated by the Government back-benchers who have participated in this debate in a round-about way. Perhaps I should not have been surprised that these people have not participated openly. If I were a Government back-bencher, I would be very reluctant to stand up here to say that I am not in favour of everyone having a vote, or that I am not in favour of the principle of one-vote-one-value. Even in the gerrymandered situation in Western Australia, it is obvious that the ordinary people in the State agree to the principle of one-vote-one-value. Government members would not like to stand up here to air their views, even if they are supporting directly a system of one-vote-one-value, because particularly many of the members who are interjecting owe their very seats to the fact that the State Government of Western Australia is not elected on a one-vote-one-value system.

The electorate represented by the member for Bunbury is about one-half, or even one-third, of the size of my electorate. The member for Mundaring represents a half-sized electorate, and the member for Dale also represents a half-sized electorate. In fact, the only member who has interjected during this debate and falls within the

category of representing an electorate of similar size to mine is the member for Whitford, and he is a phased out local government man, or shire councillor, or shire politician, who has found his way here on the other side.

The local government elections are due in another month or so and it is very likely that we will again hear the Minister for Local Government make a speech about politics in local government, and having thus expostulated on the unfortunate tendencies of politicians or people affiliated with them to run for office he and his members will go out quietly and attempt to get their people back in local government.

In due course local government men find their way into this Parliament. If we were to say to members, "Anybody who has been in local government, put up your hands", a forest of hands would rise up on the other side of the House.

Mr Spriggs: We would be proud to put our hands up.

Mr Clarko: There would be no forest on your side—it is all dieback.

Mr PEARCE: The honourable member is quite right; there would not be a forest of hands on our side, because the participation of politicians in local government is almost entirely on the Liberal Party side. That is a sad enough fact, and I have had unfortunate experiences with Liberal-dominated councils in my electorate.

Mr Clarko: Are you slurring your own councillors?

Mr PEARCE: I am not slurring my own councillors. I am simply pointing out that the members of the councils in my area are politically oriented in a certain way. It seems strange to me that members opposite spend so much time deploring the fact that people with political interests take part in local government when in fact local government councils are full of their own members. It is sheer hypocrisy. Tonight I would like to hear some of these ex-councillors, Government back-benchers representing half-sized electorates, actually stand on their feet to say publicly—

Mrs Craig: Twice the size, half the population, would be more accurate.

Mr PEARCE: That is exactly the point. Who votes in the Minister's electorate? Is it square miles or people?

Mr Herzfeld: Have you ever heard of representation?

Mr PEARCE: I am perfectly aware of what it means.

Mr Herzfeld: You would not be aware of what it is.

Mr PEARCE: It means that every member here should represent the same number of people.

Mr Clarko: You do not have that in the Labor Party.

Mr PEARCE: The member for Mundaring—

Mr Herzfeld: If you will pull up for a minute, I will make an observation. If a couple of your people took the opportunity to try out in local government first, you might have more members on that side of the House.

Mr PEARCE: If the honourable member tried himself out in an electorate the size of mine, there would be fewer members on his side of the House! The member for Mundaring, whose actual geographical electorate is not much larger than mine—

Mr Herzfeld: What is the size of yours?

Mr PEARCE: Indeed, even in geographical area, some of the electorates represented by members on the Government side are smaller than mine.

Mr Clarko: I would be a bit careful about being so positive with the use of the word "mine". Your margin was quite small; I wouldn't call it "mine".

Mr PEARCE: I am quite sure a Liberal local government man will find his way to stand against me next time, and he will receive an even greater trouncing than my opponent received last time.

Several members interjected.

Mr PEARCE: To come back to the member for Mundaring, if it is absolutely necessary for the good people of the Mundaring electorate to have twice the voting power of the good people of the Gosnells electorate, the representative of the Mundaring electorate ought to receive half a vote here. Perhaps he and the member for Bunbury could have one vote between them; in that way they would be representing the same number of people as I am. I see you are glaring at me, Mr Speaker, and suggesting in a telepathic way that I should get back to the question of one-vote-one-value in local government.

Mr Clarko: What about the member for Geraldton? Would you give him half a vote too?

Several members interjected.

The SPEAKER: Order!

Mr PEARCE: Perhaps you can understand, Mr Speaker, why I am somewhat amazed that anyone can come into this place, or indeed any other place, and suggest that people ought not to have a vote in matters that concern them. It has been suggested by the Minister that local government

is very close to the people, but I believe it is an observable fact that in any community, any group of people—and particularly those in the metropolitan area—this is not so. If we asked a group of people who is their Federal member of Parliament, who is their State member of Parliament, and who is their local councillor, despite the fact that the councillor is closest to the people and ought to be, most of them could not tell us the name of their councillor.

Mr Rushton: You must mix with some strange people. They generally know these things in reverse order.

Mr PEARCE: The Minister ought to move around in the sections of Armadale he managed to dispense with under the redistribution of boundaries. I would say that most people could give the name of their Federal member of Parliament, a good percentage could give the name of their State member of Parliament, but very few people could give the name of their councillor. This is so, because hardly any people in the community actually vote for their councillor.

Mr Rushton: That is a reflection on your council.

Mr PEARCE: It is not a reflection on my council.

Mr Sibson: You are denigrating local government, as you always did, because you want to get rid of it.

Mr PEARCE: Nonsense! We want to make it more effective and closer to the people. The only way to do this is to involve the people in the decision-making, and we can do this by giving them a vote. Members on the other side have a fear that if we move away from a restricted property basis for the entitlement to vote, all sorts of people may vote and they may not vote for the people who are on the councils at the present time.

Mr Sibson: Do you get a vote in your local government election?

Mr PEARCE: Of course I do, because I own property; but not everybody does own property and I do not think that because I own property I should get a vote whereas someone else who is the fourth person in a place which has been rented does not.

Mr Nanovich: Did you vote at the last election?

Mr PEARCE: I always exercise my right to vote in local government elections, even when it means choosing between Liberals.

Mr Blaikie: With your ownership of property you are showing remarkable capitalistic tendencies. You are improving.

Mr PEARCE: The Australian Labor Party is not against people owning their own homes; the goal of owning one's own home is something the Labor Party set up for itself. However, that has nothing to do with the Bill. I hope that when I resume my seat in a few minutes many of those vociferous back-benchers on the Government side will actually stand and deliver a speech on this subject.

Mr Herzfeld: There is nothing to answer.

Mr PEARCE: However, they are not keen to give votes in local government elections to some people.

Mr Blaikie: What about compulsory voting?

Mr PEARCE: The Bill before the House does not provide for that; however, I personally would approve of it.

Mr Blaikie: You would have compulsory voting?

Mr PEARCE: Yes. I do not see any difference in voting between any of the three tiers of government. I think the voting system ought to be the same whether it be for the Federal Government, the State Government, or local government. The three tiers of government run in exactly the same way.

Mr Clarko: Maybe we should have Liberals in all levels.

Mr PEARCE: As the member for Geraldton so rightly says, have we not now? Therefore, I do not think we would be looking at any change in local governments. If members opposite are not afraid that their people will be ejected from local authorities if we had an automatic widespread franchise, then what are they afraid of? This principle is already established in the Federal and State Governments.

Mr Herzfeld: The Minister has said that once there is proper legislation that will come in here.

Mr PEARCE: The Minister did not; in fact, when he was on his feet I interjected on this very point, and he did not guarantee adult franchise in his legislation.

Mr Rushton: I listed the items that would be in it.

Mr PEARCE: And adult franchise will not be amongst them. Is that right? It is right.

Mr Rushton: It is one of the items being considered.

Mr PEARCE: As I said at the time by way of interjection, I will be white-haired with a beard before the Minister for Local Government or any

of his colleagues introduce legislation to provide for adult franchise at local government elections. The point is, if members opposite are waiting for the Bill which will really give adult franchise in local government elections, how can they justify that by voting against the principle at the present time? Back-bench members of the Government, and even Ministers, are being put on the spot by this Bill. Either they are afraid of adult franchise, or they are not afraid of it.

Mr Watt: I do not support adult franchise, no matter which side introduces it.

Mr PEARCE: Fair enough, if that is the member for Albany's point of view, and I hope he will stand on his feet and make a speech about it.

Mr Watt: I have just made it.

Mr PEARCE: Okay. If members opposite in all conscience support adult franchise for local government voting, it is up to them to vote for it now. If they cannot do that they are leaving themselves open to charges of hypocrisy for voting against a Bill because it is introduced by the Opposition and saying to their electors that they are waiting for the Minister to introduce the very same principles contained in the Bill before us this evening.

MR CARR (Geraldton) [9.14 p.m.]: By the time this second reading debate is concluded we will have had something like two hours of debate on the Bill. In that time the contribution of the Government has been a very poor 10 minutes from the Minister, and a few equally poor unenlightened interjections from Government back-benchers. The Minister, when he took up 10 minutes of the time of the House, made the point that he was opposing the legislation for "good reasons"; he said that about three times. In my opinion he provided no such good reasons at all.

The Minister gave one reason which I believe has some validity, and that was when he made the point that consequential amendments would be required due to the fact that the Bill does not deal with the subject of entitlement of people to stand for council. I make the point, as I think the member for Welshpool made by way of interjection at the time, that it is not completely unusual to have a situation in which a person is eligible to vote but not eligible to be elected.

However, I do accept the point in general terms that it would be desirable if entitlement to stand provisions were amended so that every person who resides in a council area may stand. My reply to the Minister in respect of that particular point is this: We introduced this Bill so that the Parliament could debate a principle, and we want the Government to provide an answer regarding



whether it agrees with the principle that every person who is governed by a local authority should vote, or whether the Government rejects that principle.

If there are problems of detail, disagreements on detail, or inadequacies of detail in the Bill then, through you, Sir, I can assure the Minister that we on this side of the House would be most happy to accept amendments to bring in consistency during the Committee stage. I challenge the Minister, if the problem of detail in the drafting really is the problem that concerns him, to accept the Bill in principle and propose amendments to it.

The Minister for Local Government made comment that he is about to introduce a Bill to amend part IV of the Act during the spring session of Parliament. As I said when I introduced this Bill, that legislation was promised two years ago. This is something like "Blue Hills". I have been listening to "Blue Hills" for some years, and I have been listening to the Minister's statements concerning possible amendments to part IV of the Act for some years; I have been wondering which would end first. The reality is that "Blue Hills" has ended, and we are still listening to the saga about proposed amendments to the Local Government Act at some future time.

Mr Rushton: Give me time and I will rewrite the whole Act.

Mr CARR: The Minister commented that the Australian Labor Party had three years in office, during which time this Bill could have been drafted. I remind him that his Government, and he as Minister, have been in office for 4½ years; so he is not in a position to accuse anybody else of acting slowly.

Mr Laurance: If you are so keen about it, what happened during those three years?

Mr CARR: I was not here at that time, but I can assure the member for Gascoyne that had I been here a great deal of activity would have occurred on this subject.

The Minister also referred to the fact that people might not have a vote in the area in which they hold property; that people may have property in one local authority and vote in a different local authority. It is interesting to compare that situation with the position of State and Federal electorates. Every person in this country votes in Federal elections as per where he resides, and not as per where he owns property, where he does business, or where he happens to stay when he goes away for weekends. People vote in respect of the area in which they reside. I pose the question:

Why should local government elections be treated any differently from State and Federal elections?

Mr Rushton: Because they are dissimilar.

Mr CARR: The Minister tries to say they are dissimilar and are dealing with different issues; but, for heaven's sake, all branches of government are dealing with people, and nothing the Minister can say will change that.

Mr Sodeman: There are major variations in the forms of government, though. In respect of the Federal Government, everybody is a taxpayer, and the same thing applies to State elections.

Mr CARR: To follow that up, everybody contributes to local authority revenue by the payment of Federal income tax.

Mr Tubby: But doesn't a ratepayer pay rates?

Mr CARR: Of course he does; but that does not alter the point that every person contributes to local government. As I said in my introductory remarks, when the member for Greenough receives his personal income tax assessment notice it will actually show how much of his income tax has gone towards local government.

Mr Sodeman: Are you saying rates should be higher?

Mr CARR: That is not a very logical conclusion to draw from my remarks.

Mr Taylor: It is the same as saying that we should cut out pay-roll tax when a local company does not get a vote for the State Government. Surely the member would not suggest that sort of argument; that a company should not pay pay-roll tax to a Government for which it does not vote?

Mr CARR: The Minister also made a fuss about consulting with local government and emphasising that local authorities support the present electoral system. It is important to bring a couple of points to the Minister's notice on the subject of consultation. In the Minister's position, consultation should be seen in the context of leadership. The Minister for Local Government is the leader of local government in this State, remembering that local government was introduced by the Local Government Act, which this Minister administers. The Minister for Local Government should be seen as the leader of local government in this State with a responsibility to lead, not to follow local government blindly as this Minister does.

Mr Rushton: They have autonomy, too.

Mr CARR: I suggest to the Minister that his prime responsibility should be to see that all of the people who reside within a local authority are well served by local government. After all, the Local Government Act does state that a

municipality consists of the inhabitants of the area, not the property. The Minister's prime responsibility is towards the inhabitants of the municipality. The local government and the shire councillors in fact are only the vehicle to be used to see that the residents of a municipality receive the best possible service from local government.

It seems to me this Minister is more concerned with preserving the vehicle, than serving the people, more concerned with saying to local authorities, "What do you want in order to keep intact your positions as shire councillors and shire clerks?" In fact, the Minister is dealing with the means as though it were the end.

Mr Rushton: You do not understand local government.

Mr CARR: I suggest to the Minister that he is the one who does not understand local government because he sees the councillors as the end, and in fact they are not. They should never be seen as the end; they are merely the vehicle, the means towards providing the best service for the inhabitants of a municipality.

Mr Sodeman: When has the Minister ever said that? He agrees with what you are saying on this point.

Mr CARR: The Minister has never come out and said it; I am quite sure he would not. However, he has shown from his actions that he believes this to be so. Not only does the Minister consult with local government; he also follows it blindly, like a blindfolded sheep. The Minister has not accepted his responsibility to show leadership in the field of local government in this State. He is an ineffective, weak Minister who is preventing local government in this State from achieving its real potential, a potential which is shown in other States, to succeed in wider fields of endeavour.

Mr Tubby: Is that the opinion of local government?

Mr CARR: Of course it is not, because local government is a biased organisation; it is elected from a restricted part of the community. The whole point the Opposition has been trying to make in this debate is well brought out by the interjection from the member for Greenough. Local government at the moment does not represent all the inhabitants living within a particular municipality; it disproportionately represents those people who have property interests. We say that local government should be allowed to represent all the people living within a municipality. Of course, the people who are presently councillors do not want the change because they have a vested interest in the continuation of the biased system, to ensure the

electoral rolls which benefit them, themselves, who have been elected, are perpetuated.

Mr Tubby: Because they make a major financial contribution.

Mr CARR: The member for Greenough is getting very close to the point of this whole issue; propertied people are well represented on the councils. The whole point of the Government's rejection of this measure is that members opposite are frightened that Liberals who sit on local government councils at the moment will lose their seats.

Mr Shalders: Nonsense!

Mr Sodeman: What rubbish!

Mr CARR: Members opposite seek only to preserve the present biased system. They do not want a system where all people are equally represented.

It is important in any Government that the Government represents the views of the electorate at large—not just one part of the electorate.

Mr Sodeman: You talk about Liberals being on local government councils. They do not run as Liberals or Labor Party people.

Mr CARR: Good heavens, I trust the member for Pilbara is not expecting members to be so naive as to believe that because people running for local government do not have, "endorsed Liberal Party candidate" after their names on the ballot paper, they are not running with the support of the Liberal Party or the Labor Party, or whatever it may be and will not put that party's views during council meetings!

While it is true that most people in local government do not want this change to take place there is a growing feeling within local government for the change. I have spoken to a large number of shire councillors at various conferences and at the last annual conference of the Country Shire Councils' Association and I found that over a period of time there has been a growing feeling that justice must be done and that a more just electoral system must be introduced. This Government may well survive for another two or three years or so with the present biased system, but there is a feeling in the community and within local government itself which is saying more and more loudly, "The system we have just is not fair; it is about time we made it more fair."

As I mentioned, the Minister spoke very briefly and did not refer to a large number of the points raised when the Bill was introduced. He made only a passing reference to the financial situation. I reiterate that in the 1976-77 financial year, \$52 million was provided by the State and Federal

Governments to local authorities in Western Australia. I wonder whether we can simply dismiss that as being quite an insignificant amount of money.

The Minister also made absolutely no reference to the situation in other States. As has been pointed out by a couple of Opposition speakers, along with South Australia, Western Australia trails the other four States which, in one form or another, provide a vote for all residents over the age of 18 who are on the Federal and State rolls. I believe South Australia is amending its legislation, or is proposing to do so soon, which will leave us straggling as the very last bunny.

The Minister attempted to imply that the Government intends to introduce a Bill during the spring session of Parliament which will cover all the matters raised. When I have asked him at local authority conferences specifically whether it will include adult franchise, the Minister has replied it will not. If I am misrepresenting the Minister, I challenge him to interject now to state that it will include adult franchise.

Mr Rushton: It will cover eligibility.

Mr CARR: Yes, I know, and when I pursued that matter further the Minister conceded it will not provide full adult franchise. So, let nobody in this House believe that once the Minister's review of part IV of the Act comes before the House, the matter will be resolved.

I was disappointed the Minister omitted to discuss the present confusion in the Act as to the definition of the term "occupier". I referred to the situation in the Pilbara where a lot of mining companies will not allow the wives of employees to be part of tenancy agreements. Consequently, the local authorities in those areas are interpreting that to mean those wives are ineligible to vote. I asked the Minister to clarify that point, and I was hopeful he would clarify the interpretations of the term "occupier".

Mr Rushton: You have the answers and the clarification you seek.

Mr CARR: The answers the Minister has given do not clarify which interpretation is correct, and do not deal with the situation where each authority throughout the State is interpreting the definition of "occupier" differently.

I conclude by saying that, eventually, there will be adult franchise in local government in Western Australia because, more and more, people are coming to realise the present system is unacceptable. The Australian Labor Party will push this issue repeatedly in this House until that day comes when we are successful in introducing

this democratic reform to local government in Western Australia. I commend the Bill.

Question put and a division taken with the following result—

#### Ayes 17

Mr Bertram	Mr T. H. Jones
Mr B. T. Burke	Mr McIver
Mr Carr	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr Grill	Dr Troy
Mr Harman	Mr Wilson
Mr Hodge	Mr Bateman
Mr Jamieson	

(Teller)

#### Noes 27

Mr Blaikie	Mr O'Connor
Mr Clarko	Mr Old
Sir Charles Court	Mr O'Neil
Mrs Craig	Mr Ridge
Dr Dadour	Mr Rushton
Mr Grayden	Mr Sibson
Mr Grewar	Mr Sodeman
Mr Hassell	Mr Spriggs
Mr Herzfeld	Mr Stephens
Mr Laurance	Mr Tubby
Mr MacKinnon	Mr Watt
Mr McPharlin	Mr Williams
Mr Mensaros	Mr Shalders
Mr Nanovich	

(Teller)

#### Pairs

Ayes	Noes
Mr T. D. Evans	Mr Coyne
Mr Barnett	Mr P. V. Jones
Mr T. J. Burke	Mr Crane
Mr Tonkin	Mr Young
Mr Bryce	Mr Cowan

Question thus negatived.

Bill defeated.

## LEGAL AID COMMISSION ACT AMENDMENT BILL

### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr O'Neil (Chief Secretary), read a first time.

### *Second Reading*

Leave granted to proceed forthwith to the second reading.

MR O'NEIL (East Melville—Chief Secretary) [9.35 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to provide a discretionary power for the Legal Aid Commission to grant approval for the Director of Legal Aid to engage in any other remunerative employment. At present, section 18 (3)(e) of the Legal Aid Commission Act stipulates that the director may, at any time, be removed from office, amongst other things if he engages in any other remunerative employment.

Apart from the obvious implication, it also means he is unable to serve in the reserve or citizen forces of the Commonwealth.

The discretion to allow other members of the commission's staff to serve in these forces already exists with the Legal Aid Commission.

The Australian Capital Territory Legal Aid Ordinance has taken a general approach to a similar problem by giving its commission the power to decide whether approval should be given and a similar line has been taken in this Bill now before the House. This will require the Director of Legal Aid to obtain the approval of the commission in each instance.

There are also two minor amendments included in the Bill to correct a printing and a drafting error in the principal Act.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bateman.

### LEGAL PRACTITIONERS ACT AMENDMENT BILL

#### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr O'Neil (Chief Secretary), read a first time.

#### *Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR O'NEIL** (East Melville—Chief Secretary) [9.37 p.m.]: I move—

That the Bill be now read a second time.

An amendment to the Legal Practitioners Act passed by Parliament last year provided for the Director of Legal Aid to take up to four articulated clerks. It has since been recognised that the Act did not take into account the possibility of the director being a legal practitioner from outside the State of Western Australia and, as a consequence, of not being able to satisfy the criteria laid down in the existing legislation.

The Legal Practitioners Act provides that a practitioner must be a person admitted and entitled to practise as a barrister, solicitor, attorney and proctor of the Supreme Court of Western Australia, or in any one or more of these capacities and be of at least two years' standing in Western Australia.

The newly appointed Director of Legal Aid was admitted as a legal practitioner in South Australia and has applied to be admitted to the Supreme Court of Western Australia but he does not, of course, have the requisite standing of two years in this state as required by the Act. Nevertheless, he has the requisite standing in South Australia.

In view of this circumstance the director is currently not able to take an articulated clerk which defeats the object of the amendment passed last year.

It is, therefore, proposed in this Bill to make provision for the Director of Legal Aid to take up to four articulated clerks, provided he is a barrister or solicitor, or both, of the High Court of Australia or of the Supreme Court of another state for a period of not less than two years' standing.

Subject to the passing of this Bill, the Legal Aid Commission has indicated it is prepared to take four articulated clerks who would otherwise be unable to secure positions with the commission, and I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

### EVIDENCE ACT AMENDMENT BILL

#### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr O'Neil (Chief Secretary), read a first time.

#### *Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR O'NEIL** (East Melville—Chief Secretary) [9.40 p.m.]: I move—

That the Bill be now read a second time.

This Bill seeks to provide a more convenient method of presenting evidence in court as to the time of sunrise and sunset in all parts of Western Australia.

Some difficulty has been experienced when Government officers are required to present as evidence in a prosecution the precise time that the sun has set or risen in a particular part of the State. This problem arises in the enforcement of regulations in which such times are an important factor, such as when a boat's navigation lights should be burning and the hours during which a vehicle's lights should be turned on.

Instead of having to call a technical meteorological officer on the occasion of each such court proceeding, it is proposed to publish the relevant times for varying places and dates in the *Government Gazette*. The production of the *Government Gazette* would, under the provisions of the amending Bill, be accepted as *prima facie* evidence of the relevant times.

**Mr Jamieson**: This is a sort of daylight saving.

**MR O'NEIL**: It is probably lawyer saving. There will be a consequent saving in manpower and costs and I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

**PUBLIC TRUSTEE ACT AMENDMENT BILL***Receipt and First Reading*

Bill received from the Council; and, on motion by Mr O'Neil (Chief Secretary), read a first time.

*Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR O'NEIL** (East Melville—Chief Secretary) [9.43 p.m.]: I move—

That the Bill be now read a second time.

**Mr Davies:** This is all powerful legislation.

**Mr O'NEIL:** This Bill contains three basic proposals, the first of which seeks to increase the gross value of an estate which the Public Trustee may administer under sections 10(4) and 14(1) of the Public Trustee Act, 1941-1975.

These particular sections of the Act empower the Public Trustee to elect to administer an estate without the formality of a grant of probate or administration where the value of an estate does not exceed \$5 000. It is an alternative available to the Public Trustee and is intended to save time which would otherwise be spent in the preparation and execution of formal documents through the Supreme Court's probate division.

The gross values were last amended in 1968 and it is now considered reasonable, having regard to inflation, to increase the gross values of estates to which sections 10(4) and 14(1) apply to a more realistic figure of \$10 000.

The second proposal relates to amendments to sections 30 and 31. These are reciprocal sections to allow the Public Trustee to authorise officers in other States to administer the property of incapable persons and to empower the Public Trustee to act on the certificates issued by the proper officers in other jurisdictions.

It has been apparent for some time that these sections were not achieving the purpose for which they were created and have been the subject of discussion at a number of Public Trustee conferences. Because of the different definitions of mentally ill persons in the Acts in other States and New Zealand, it has not been possible for the Public Trustee to utilise the sections.

For example the Public Trustee Act in Victoria gives the Public Trustee in that State, when so requested, the power to manage the Victorian estate of a person who has been certified as a "lunatic patient" in any other State. In Western Australia there is no such person as a "lunatic

patient", the description here being an "incapable patient".

The amendment proposed has been made wide enough to encompass all incapable or infirm persons whose affairs are placed in the hands of a Public Trustee in this or one of the other States. The amendment will include New Zealand.

The third proposal of the Bill seeks to increase the Public Trustee's charges, including the minimum charges. Whilst the Government is conscious of the need, wherever possible, to restrain increases in costs, inquiries have shown that the Public Trustee must receive an increase of revenue commensurate with the higher cost of performing services today, particularly with the amount of work done in relation to relatively small estates. In this regard, the present fee of \$10 for estates up to \$200 is quite insufficient for the work involved.

It will be appreciated no doubt that many of the small estates placed with the Public Trust Office are those reported through clerks of courts, hospitals and police where the beneficiaries are either unknown or unavailable. This results in extensive inquiries in tracing beneficiaries and establishing entitlements out of all proportion to the value of the estate. Difficulties are also experienced in confirming the ownership of assets and their subsequent disposal in isolated areas.

Some small estates are, of course, less time-consuming than others from an administration point of view and to relieve the beneficiaries in those cases, the Public Trustee contemplates that provision will be made in the regulations to give him the power to reduce the rate or amount of the minimum fees prescribed.

In addition, it should be borne in mind that the Administration Act was recently amended to enable widows, or other next of kin who wish to do so, to apply with the assistance of officers of the Supreme Court for direct administration, and they may thereby considerably reduce their expenses in administering estates. Such estates may be attended to by the relatives without the intervention of the Public Trustee at all.

The fees and the percentages detailed in the Bill, including those covering the income from an estate, are still considered to be reasonable by today's standards. To the extent that they result in an accretion of the receipts of the Public Trust Office they will reduce but by no means extinguish the current loss on expenditure.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

## LISTENING DEVICES BILL

### *Receipt and First Reading*

Bill received from the Council; and, on motion by Mr O'Neil (Chief Secretary), read a first time.

### *Second Reading*

Leave granted to proceed forthwith to the second reading.

**MR O'NEIL** (East Melville—Chief Secretary) [9.47 p.m.]: I move—

That the Bill be now read a second time.

The matter of whether there should be legislative control of listening devices is not new and has been under active consideration in Australia for over 10 years. In 1968 the Standing Committee of Attorneys-General produced a draft Bill which it was thought could serve as a model for legislation in all Australian jurisdictions.

The States have a general power to make laws with respect to listening devices whether telephonic or otherwise. All States, with the exception of Tasmania and Western Australia, have introduced legislation to regulate their use. These acts, like the Bill currently before the House, were based on the draft produced in 1968, although there are variations from State to State.

The Government, in now introducing this legislation, does so in the knowledge that electronic listening and recording devices available today are even more sophisticated than they were 10 years ago. It is said that the use of listening devices by private investigators of various kinds has reached significant levels, although this is difficult to prove. Notwithstanding this lack of proof, however, electronic listening devices are now of such sophistication and their potential for misuse is so great, that controlling legislation seems clearly required. The fact that modern equipment in this field is so portable and miniaturised only reinforces the need for this legislation.

At present there is no Commonwealth legislation in regard to listening devices generally, although this is foreshadowed in respect of security and customs matters.

In essence, the Bill proposes to ban the use of listening devices except in certain specified situations and then only subject to conditions.

The basic provision of the Bill is to prohibit the use of any electronic or mechanical device to overhear, record, monitor, or listen to private conversations without the consent of the parties thereto. Exemption is provided for State police

and also for customs officers and for officers acting under any Act of the Commonwealth relating to Commonwealth security.

A member of the Police Force, acting in the performance of his duty, may be authorised by the Commissioner of Police, Senior Assistant Commissioner, or a police officer of or above the rank of inspector appointed in writing by the commissioner to authorise the use of a listening device. The Minister for Police will be entitled as of right to be informed by the Commissioner of Police of particulars of the use of any listening device by any member of the Police Force.

An officer of customs of the Commonwealth Government authorised by the Comptroller-General and a duly authorised person employed in connection with the security of the Commonwealth, both acting in the performance of their duties, have similar exemptions.

The Bill contains penalties for the use of a listening device to record or overhear a conversation to which a person is not a party of \$5 000 or 12 months' imprisonment and for the communication or publication of the substance or meaning of any private conversation by any member of the Police Force, officer of customs or security personnel other than in the performance of his duty of \$1 000 or three months' imprisonment.

Mr Jamieson: If they don't get the internal telephone system fixed soon there will be a lot more people in gaol.

Mr O'NEIL: Penalties can be applied to individuals as well as corporate bodies. In the case of corporate bodies, directors, managers, secretaries or other company officers who authorise or permit the commission of an offence against the Act, are also liable.

Persons who are parties to private conversations are permitted to publish them in certain stipulated circumstances.

There is also a provision in relation to the destruction of records of conversations.

People having private conversations are entitled to do so without eavesdropping. In the absence of legislation, those persons who may be motivated by curiosity or evil designs to listen in to the conversations of others will be able to continue to do so.

Whilst the Government has no exact evidence as to the current extent of the use of listening devices it is considered that it is time that Western Australia joined the other States in providing restrictions in the interests of the individual privacy of citizens.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Bertram.

### **PETROLEUM PRODUCTS SUBSIDY ACT AMENDMENT BILL**

#### *Second Reading*

**MR MENSAROS** (Floreat—Minister for Fuel and Energy) [9.52 p.m.]: I move—

That the Bill be now read a second time.

This Bill will enable a subsidy to be paid to eligible distributors of the main petroleum products, so that consumers in country areas will pay a price which includes no more than 4c per gallon of transport costs, or 0.88c per litre.

The products on which subsidy is to be paid are the same as in the previous scheme which was discontinued by the Federal Government of Mr Whitlam in 1974. They are motor spirit, power kerosene, automotive distillate and aviation fuels.

Because of minor changes in the new Federal legislation, the States Grants (Petroleum Products) Amendment Bill, 1978, it has been necessary to amend the existing State legislation. These amendments involve only limited changes in definitions and penalties.

The legislation now before the House will enable the State to make subsidy payments to registered distributors of eligible petroleum products of amounts ascertained in accordance with the scheme.

The metropolitan area is called a free delivery area and a series of transport differentials—expressed in cents per litre—are set down for all regional towns and centres throughout the State. For example, Port Hedland has a freight differential of 0.44c per litre for motor spirit and therefore no subsidy would be payable.

For Kalgoorlie the motor spirit differential is 1.97c per litre and it would therefore attract a subsidy of 1.09c per litre. In other words no-one in the State should pay more for the transport of the petroleum products I have mentioned than 0.88c per litre.

The freight differentials to be subsidised are based on costs submitted by individual oil companies to the Prices Justification Tribunal and accepted by that tribunal.

Honourable members will be aware that this subsidy scheme is a transport subsidy scheme only and has been formulated to reduce the costs of eligible petroleum products in country areas. The scheme will have no effect whatsoever on metropolitan prices either at a wholesale or retail level.

The subsidy scheme will work in exactly the same way as the previous scheme. A registered distributor will submit a claim for subsidy to an authorised officer. The authorised officer will examine the claim for payment and if satisfied issue a certificate to that effect which will then be forwarded to the State Treasury for payment direct to the registered distributor. These State expenditures are to be reimbursed by the Federal Government.

Registered distributors will be required to keep detailed accounts of eligible product sales for 12 months and these accounts must be available on request for inspection by authorised officers. Authorised officers will be empowered to take copies of accounts and question people under oath on relevant matters. Penalties are provided for any breach of the Act. As with the previous scheme, Bureau of Customs officers will be appointed as authorised officers.

The reintroduction of this scheme will help to reduce the cost of living of people in our country areas and will make a real contribution to decentralisation.

I commend the Bill to the House.

Debate adjourned, on motion by Mr T. H. Jones.

### **ZOOLOGICAL GARDENS ACT AMENDMENT BILL**

#### *Second Reading*

**MRS CRAIG** (Wellington—Minister for Lands) [9.56 p.m.]: I move—

That the Bill be now read a second time.

The second schedule to the Zoological Gardens Act, 1972, describes the area of land comprised in the Zoological Gardens at South Perth.

The Bill before the House proposes to amend the second schedule to permit in one instance a small reduction in area for the purpose of providing a bus bay at the new entrance to the Zoo in Labouchere Road. This will necessitate the excision of a small portion of land from class "A" reserve No. 8581, in fact an area of 98 square metres.

This proposal is strongly supported by the Main Roads Department and Metropolitan Passenger Transport Trust from the point of view of both reducing restrictions to the movement of traffic and ensuring a high level of pedestrian safety.

The bay will be the disembarking point for some 28 000 children per year who come to the Zoo in organised parties, a large and increasing number of whom come for zoo school education. To this figure must be added large numbers of

children who travel to the Zoo privately. Another factor to be considered is the increasingly heavy traffic travelling to and from the Judd Street ramp via Labouchere Road.

It has also come to notice that other amendments to the second schedule are necessary and parliamentary approval is now sought for these other adjustments.

To further explain and to clarify this situation it is necessary to provide, firstly, for the excision of a bus bay at the old entrance being land taken from reserve No. 22503, in February, 1972; the Metropolitan Transport Trust desires to retain this area for its use; secondly, to delete the purposes of reserves Nos. 8581 and 22503 as these no longer apply, both areas now being reserves for "Zoological Gardens"; thirdly, to provide for the fact that reserves Nos. 8581 and 22503 are now classified as class "A"; fourthly, to express in metric terms the areas of the land referred to in the second schedule; fifthly, to correct the impression by the wording in the Act that reserve No. 22503 and Perth suburban lots 108, 121, 122 and 326 to 330 inclusive are separate portions of land. The Perth lots referred to, in fact, comprise reserve No. 22503.

The proposed legislation is purely a machinery measure for regularising and portraying an accurate description of the land comprised in the Zoo, and I commend the Bill to the House.

Debate adjourned, on motion by Mr H. D. Evans.

## LOCAL GOVERNMENT ACT AMENDMENT BILL (No. 2)

### *Second Reading*

**MR RUSHTON** (Dale—Minister for Local Government) [10.00 p.m.]: I move—

That the Bill be now read a second time.

The Bill provides for four major amendments to the Local Government Act as well as several minor amendments that have become necessary as a consequence of amendments to other legislation or to correct small errors that have been noted in the Act.

The major matters cover—

- (i) admittance of the public to special meetings of a council;
- (ii) closure of portion of a private street;
- (iii) the maximum rate in the dollar that may be imposed by a council;
- (iv) the upper limit on the minimum rate assessment that may be determined by a council.

Under the existing provisions of the Local Government Act, an ordinary meeting of a council is automatically open to the public unless the council resolves otherwise. However, because no such provision is made in respect of special meetings of a council, the implication is that these meetings are not automatically open to the public even though there would be nothing to prevent a council from resolving that the public be admitted.

Following some publicity with respect to the right of the public to attend special meetings, the Country Shire Councils' Association, the Local Government Association, and the Country Town Councils' Association all supported a proposal that the Act be amended to make it clear that special meetings of council were automatically open to the public unless the council resolved otherwise. The Bill provides for this amendment.

The present provisions of section 297A of the Act provide that, at the instigation of a council and provided certain procedures are complied with, the Governor may approve the closure of a private street in the district and divide the land so closed amongst adjoining lots. This power has been exercised frequently, particularly to close the "back lanes" which were created in very old subdivisions.

It has always been thought that this power to close private streets extended to the closure of portion only of a private street and action has been taken over the years to close a good many portions of these streets under the existing provisions of the Local Government Act. However, the Crown Law Department recently gave its opinion that the present provisions of section 297A allowed only for the whole of a private street to be closed, not merely a portion.

This Bill therefore seeks to rectify this anomaly and to authorise retrospectively those closures of portions of private streets which have already been dealt with.

The Local Government Act at present sets down that the maximum rate which a council may impose is 6.25c for each dollar of the unimproved value of a property or 25c for each dollar of the annual value. The limit of 6.25c on unimproved values may be increased to 15c in the dollar with the approval of the Minister. Higher limits are applicable where a council provides a reticulated water supply.

The 25c limit has caused some problems to a number of councils in recent years and is no longer realistic. However, rather than impose some new arbitrary limits, it is proposed to remove the rating limits altogether.



The provisions of the Local Government Act oblige councils to impose a rate of an amount no greater than is sufficient to balance the budget and these provisions effectively place a limit on the rate.

In any case, any figure selected as a maximum rate would not have universal relevance because its effect from council to council would depend almost entirely on the vintage of valuations in use at each council.

In no other State is a maximum rating limit specified. The Bill therefore proposes to amend the Local Government Act to remove all rating limits.

As the Local Government Act stands at present, a council may impose a minimum rate assessment of not greater than \$20 on any property which would otherwise be assessed for some lesser amount. The minimum rate limit was \$10 when the Act came into being in 1960. This was increased to \$20 in 1972. In the light of present-day values, the \$20 limit is no longer realistic and the Bill provides for a new limit of \$40.

I commend the Bill to the House.

Debate adjourned, on motion by Mr Carr.

### **MURDOCH UNIVERSITY ACT AMENDMENT BILL**

#### *Second Reading*

Debate resumed from the 6th April.

**MR CARR** (Geraldton) [10.06 p.m.]: The member for Gosnells is handling the Bill for the Opposition and he is somewhere down the corridor at the moment. However, the Whip has gone to get him so he will be here shortly to take up the debate on the Bill.

It is a little disappointing that the Opposition had so little notice of the Premier's intention to change the order of items on the notice paper. When the Premier postponed the previous three items, we were caught a little on the hop. However, I am pleased to note that the member for Gosnells is back in his place.

**MR PEARCE** (Gosnells) [10.07 p.m.]: The Bill seeks to change the constitution of the Murdoch University Senate in a number of ways. In essence the Opposition is in agreement with the changes to be made, with one exception.

When the Tonkin Labor Government established the Murdoch University and the senate, it made a fairly unique provision for the appointment of nominees not only by the Premier, but also by the Leader of the Opposition. The

legislation at that time allowed for the Premier to nominate two people, one of whom was to be a member of Parliament and one not a member of Parliament, and the Leader of the Opposition was given a similar privilege. I emphasise that that provision was included when the Tonkin Labor Government was in office.

What we did was to give to the present Premier, then the Leader of the Opposition, the right to nominate two people to the senate. Now that the then Opposition has found its way to office, it is intending to take away from our side—the now Opposition—the right to nominate one of the two people it can at present nominate.

The contention in the Minister's second reading speech was that it had proved impracticable for members of Parliament, who are busy people, to sit on a university senate of right; and I think we accept that point. It has proved impracticable in the case of representatives of both sides, both busy members, and there was a problem in meeting statutory requirements for attendances of meetings.

When in Committee, I shall put to members the suggestion that we should take out the necessity for one of the two nominees of the Leader of the Opposition to be a member of Parliament, but still leave the Leader of the Opposition with the right to nominate two people to be on the Murdoch University Senate. That would leave the Opposition in the same position it is in at the moment with regard to the nomination of representatives, and it would also remove the difficulty which has arisen as a result of the necessity to have one of them a member of Parliament.

The Government's amendment actually puts the balance of nominating one person in favour of the Government. In a separate amendment in the Bill the Government has, through the Governor, the right to nominate four people to the senate. Therefore when we consider who nominates people under the present system we find that the Government nominates six, four directly and two who are nominees of the Premier; and the Leader of the Opposition can nominate two. The Government wants to change that balance by making the person, who is at present the member of Parliament nominated by the Leader of the Opposition, a Government nominee. We feel that is undesirable.

On the subject of appointments to statutory boards, I indicate that it is our opinion that the Leader of the Opposition should have the right to nominate members to statutory organisations, which is why we took the action we did under the

Murdoch University legislation. The reason is that as we all know, when a Government goes out of office it leaves boards which are composed of appointees of its own choosing, and a new Government tends to change the position and replace the members with its own appointees.

As long as the Government stays in office it continues the process of putting people, appointed by the previous Government, off statutory organisations. When the Government changes, the process reverses and quite valuable people are lost from the statutory boards. I am not suggesting that we do it any less than the present Government, but I will instance the case of the Hon. R. F. Claughton who was a member of the Museum Board. He was an interested and active member, and he put a lot of care and attention into his work. When his term expired the Government replaced him with an appointee of its own. I do not blame the Government for taking that action.

If the Leader of the Opposition has a right to nominate one or two people to a board, a person in that capacity should continue to function on the board. That would lead to greater continuity on the boards of people who take an interest in them.

I put my proposition to the Government in the spirit of co-operation. We accept all the other amendments enshrined in this Bill, but we ask the Government to consider changing the provisions to which I am referring dealing with the nominees of the Premier and the Leader of the Opposition, only to the degree that we take out the sections that make one of such nominees a member of Parliament. That would leave a balance of nominees, *per se*, as they are now.

During the Committee stage I will move amendments accordingly, and I hope the Government will consider them. Apart from that, we are happy to accede to the provisions in the Bill.

**MR OLD** (Katanning—Minister for Agriculture) [10.12 p.m.]: I thank the honourable member for his contribution to the debate, and I note that he will be moving during the Committee stage to amend the Bill with regard to the representation of nominees by the Premier and the Leader of the Opposition.

I am handling this Bill tonight on behalf of the Minister for Education, and I do understand the situation put forward by the honourable member. I point out that although the Premier and the Leader of the Opposition, in the past, have had two appointees, the system of appointing members of Parliament to boards is one which has some

problems. The problems are as pointed out by the honourable member; members of Parliament are busy people, especially at certain times of the year, and they find it difficult to attend board meetings and put in the time they consider necessary.

I am pleased that the Opposition does agree that it is desirable to have lay members on the senate, rather than members of Parliament. I will say no more at this stage, but wait until the matter is brought up again during Committee. I commend the second reading.

Question put and passed.

Bill read a second time.

### *In Committee*

The Deputy Chairman of Committees (Mr Sibson) in the Chair; Mr Old (Minister for Agriculture) in charge of the Bill.

Clause 1 put and passed.

Clause 2: Section 12 amended—

**Mr PEARCE:** The intention of the two amendments which appear on the notice paper in my name are to allow both the Premier and the Leader of the Opposition to nominate two people, without any restriction on whom they nominate—whether they are members of Parliament or not. The Premier and the Leader of the Opposition can each nominate two people, but with the passing of my amendment the situation would differ from that which exists in the parent Act. The necessity for one of two nominees to be a member of Parliament would be removed, as would the restriction that the other nominee be not a member of Parliament.

My amendment would leave the balance of nominees as they are at present, but would remove the necessity for two members of Parliament to be on the Senate of the Murdoch University. The number of Government appointees will have to be reduced by one, whereas the Bill will allow for an increase in the number of appointees from the Government.

My amendment will allow for greater continuity in the membership of people on the senate. Other amendments in the Bill are aimed at greater stability for the Senate, and will allow for lay people to have a longer term, or serve a greater number of terms. If the Government were to change at the next election, the Premier, who would then be the Leader of the Opposition, would be able to maintain two appointees on the senate. My amendments are aimed at greater stability, and I hope the Government will agree to them.

Mr OLD: The Government does not agree to the proposed amendments to the Bill. I do not think it is desirable that members of Parliament should be members of the senate. The member for Gosnells has pointed out that his amendment provides that the nominees would not be from any particular field.

The idea of taking the political appointments out of the situation is due to the lack of time available to members of Parliament to sit on the senate, and the intention that appointments should not be political. I think that has been demonstrated in the past.

I do not see any necessity for there to be two nominees from both the Premier and the Leader of the Opposition. As has been pointed out by the member for Gosnells, it may be that some day the present Government will become the Opposition. Frankly, I do not see that happening, but if it does the boot will be on the other foot. I intend to oppose the amendments.

Mr PEARCE: I am disappointed with the attitude of the Government. I think my amendments are reasonable, and they are aimed at removing the political element involved, while at the same time leaving some stability in the Murdoch University Senate.

I am particularly disappointed in that it was a Labor Government which set up the Murdoch University Senate and it was not required at that time to provide for any nominees of the Leader of the Opposition, but we chose at that time, exactly for the reason of removing the possibility of political bias, to give to the Leader of the Opposition the same number of nominees as we gave to our own Premier. As they had two each, there would be no leaning of the senate one way or the other.

We are prepared to accept the Government's contention that the appointment to the senate of one member from each side of the Parliament has not worked in practice. What we object to in the Bill is that the Government is not only taking away the necessity to have two members of Parliament on the senate but it is also changing the balance of nominations in favour of the Government. It may be that in fact the Government's nominees, as distinct from the Premier's nominees, are political people. It means more people will be appointed by the Government party than by the Leader of the Opposition. The end result will be that the political colour of the senate oscillates from election to election, and that does not seem to be reasonable.

I point out again that, for reasons of stability, we were politically generous when we wrote into

the Act that the then Leader of the Opposition should have two nominees. Now that he has become Premier he wants to take away the right we gave to him as Leader of the Opposition. I am disappointed in the Government's attitude and I do not think it will do the university any good.

The DEPUTY CHAIRMAN (Mr Sibson): You have not actually moved the amendment yet.

Mr PEARCE: I move an amendment—

Page 2, lines 2 to 4—Delete paragraph (a) and substitute the following—

“(a) by deleting paragraph (h) of subsection (1)”.

Amendment put and a division taken with the following result—

#### Ayes 17

Mr Bertram	Mr T. H. Jones
Mr B. T. Burke	Mr McIver
Mr Carr	Mr Pearce
Mr Davies	Mr Skidmore
Mr H. D. Evans	Mr Taylor
Mr Grill	Dr Troy
Mr Harman	Mr Wilson
Mr Hodge	Mr Bateman
Mr Jamieson	

(Teller)

#### Noes 26

Mr Blaikie	Mr Nanovich
Mr Clarko	Mr O'Connor
Sir Charles Court	Mr Old
Mrs Craig	Mr O'Neil
Dr Dadour	Mr Ridge
Mr Grayden	Mr Rushton
Mr Grewar	Mr Sodeman
Mr Hassel	Mr Spriggs
Mr Herzfeld	Mr Stephens
Mr Laurance	Mr Tubby
Mr MacKinnon	Mr Watt
Mr McPharlin	Mr Williams
Mr Mensaros	Mr Shalders

(Teller)

#### Pairs

Ayes	Noes
Mr T. D. Evans	Mr Coyne
Mr Barnett	Mr P. V. Jones
Mr T. J. Burke	Mr Crane
Mr Tonkin	Mr Young
Mr Bryce	Mr Cowan

Amendment thus negatived.

Mr PEARCE: I move an amendment—

Page 2, line 6—Delete paragraph (b) and substitute the following—

“(b) by deleting paragraph (i) of subsection (1) and substituting a new paragraph as follows:—

(i) four members appointed by the Governor of whom two shall be nominated by the Premier and two by the Leader of the Opposition.”

I have made the point in regard to how we feel about this matter—that the balance of nominations on the senate should be maintained

as it is. As the argument has already been canvassed, I will not detain the Chamber by pursuing it any further, but I have moved the amendment to give members on the Government side the opportunity to reconsider the matter.

Mr OLD: The first amendment having been lost, I cannot see how this amendment could have the desired effect; so we oppose it.

Amendment put and negatived.

Clause put and passed.

Clause 3 put and passed.

Title put and passed.

### Report

Bill reported, without amendment, and the report adopted.

### Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Old (Minister for Agriculture), and transmitted to the Council.

*House adjourned at 10.31 p.m.*

## QUESTIONS ON NOTICE

### SEWERAGE

#### *Manjimup*

547. Mr H. D. EVANS, to the Minister for Water Supplies:

- (1) What amount of finance will be available for the expansion of sewerage services at Manjimup in the current year?
- (2) Upon what aspects precisely will these funds be used?

Mr O'CONNOR replied:

- (1) \$300 000.
- (2) The construction of a waste water treatment works and outfall sewer connecting the existing effluent reticulation with the new treatment works.

## HIGH EXPLOSIVE DEVICES: WARNBRO

### *Removal*

548. Mr BARNETT, to the Premier:

Will the Premier please advise what stage negotiations with the Australian Government have reached in relation to

the clearing of high explosive devices from the Warnbro area?

Sir CHARLES COURT replied:

The matter has been under consideration by Commonwealth authorities in Canberra and the indication is that a reply from the Prime Minister can be expected next week.

## HEALTH

### *Defoliants 2, 4-D and 2,4,5-T*

549. Mr BARNETT, to the Minister for Health:

- (1) Has his department examined the possible effects to humans in the vicinity of areas where 2, 4-D and 2,4,5-T is used as a herbicide?
- (2) What is the result of any such investigation?
- (3) Will he provide me with details of the research and conclusions reached?

Mr RIDGE replied:

- (1) No.
- (2) The only possible effects to be observed would be the effects of dioxin.
- (3) Chemical tests of these herbicides reveal no contamination with dioxin.

## POLICE STATION AND RTA

### *Rockingham*

550. Mr BARNETT, to the Minister for Works:

- (1) Is he aware of the appearance of the interior of Rockingham police station and Rockingham Road Traffic Authority office?
- (2) How often are police stations repaired and renovated throughout the State?
- (3) When was the last time internal repairs and renovations were carried out to the Rockingham police station?
- (4) Will he conduct an immediate investigation into the appearance of the interior of the Rockingham police station?

Mr O'CONNOR replied:

- (1) Not in detail.
- (2) Depending on the condition of the building and availability of funds, the policy is to programme repairs and renovations every five years externally and every seven years internally.
- (3) 1969.

- (4) A contract for external and internal repairs and renovations to the Rockingham police station, courthouse and quarters was let on the 22nd February, 1978, to B. Maric for the sum of \$17 500.

The contractor commenced work on the 23rd March, and work is approximately 18 per cent complete.

## POLICE STATION

### *Rockingham*

551. Mr BARNETT, to the Minister for Works:

- (1) Is he aware that because of possibly poor ventilation in the Rockingham police station, distressing conditions have been experienced over the summer months not only by the public who have had occasion to use the facility but also by the staff and officers on duty within the building?
- (2) Will he agree to install, or investigate the possibility of installing, before next summer, a suitable airconditioning unit?

Mr O'CONNOR replied:

- (1) No.
- (2) Arrangements will be made to investigate the situation at the Rockingham police station.

## POLICE STATIONS

### *Personnel*

552. Mr BARNETT, to the Minister for Police and Traffic:

- (1) Further to his answer to my question 35 of 1978, of the 23 police stationed at Rockingham, has he included CIB and road traffic personnel?
- (2) If so, what is the amended figure, excluding CIB and Road Traffic Authority personnel?
- (3) Of the number of actual police left as in (2) above, how does this equate with numbers of police to population?
- (4) Would he please list—

- (a) The metropolitan and near metropolitan police stations with a higher manning per head of population using the amended figure achieved in (2) above;

- (b) the metropolitan and near metropolitan stations with a lower manning per head of population?

Mr O'NEIL replied:

- (1) Yes.
- (2) Nine.
- (3) One general duties policeman to every 1 876 head of population.
- (4) (a) Fremantle.  
Subiaco.  
Midland.  
West Perth.  
Kwinana.
- (b) Armadale.  
Bayswater.  
Belmont.  
Brentwood.  
Cannington.  
Claremont.  
Cockburn.  
Cottesloe.  
East Fremantle.  
Gosnells.  
Hilton Park.  
Inglewood.  
Innaloo.  
Kalamunda.  
Lockridge.  
Maylands.  
Morley.  
Mt. Hawthorn.  
Mundaring.  
Nedlands.  
Nollamara.  
North Perth.  
Palmyra.  
Scarborough.  
South Perth.  
Victoria Park.  
Wanneroo.  
Wembley.

## CONSERVATION AND THE ENVIRONMENT

### *Fluorocarbons*

553. Mr BARNETT, to the Minister representing the Minister for Conservation and the Environment:

What legislation currently exists or is being planned to control the use of fluorocarbons in Western Australia?

Mr OLD replied:

Fluorocarbons in pesticides are

controlled under the Pesticides Regulations of the Health Act.

There is no other legislation planned for controlling their use in Western Australia.

## HEALTH

### *Lead Content of Atmosphere*

554. Mr BARNETT, to the Minister for Health:

- (1) Are tests carried out to monitor the atmosphere for lead content in—
  - (a) the inner metropolitan area; and
  - (b) in metropolitan and near metropolitan market garden areas?
- (2) What has been the result of such monitoring during—
  - (a) 1975;
  - (b) 1976; and
  - (c) 1977?
- (3) What areas were monitored?

Mr RIDGE replied:

- (1) (a) Yes;
- (b) no.
- (2) and (3) Results of monitoring for lead in the atmosphere at 57 Murray Street, Perth, during 1975, 1976 and 1977 have been tabled. There has never been any demonstrable need to monitor for lead in any other area.

*The papers were tabled (see paper No. 164).*

## INDUSTRIAL DEVELOPMENT

### *Light Industrial Land: Dixon Road*

555. Mr BARNETT, to the Minister for Industrial Development:

- (1) Does the Government have further land in the Dixon Road, Rockingham light industrial area, which is available for light industry to establish; if so—
  - (a) how much; and
  - (b) where?
- (2) In view of the need for employment opportunities, is it the Government's intention to release more land in the area in order to encourage labour intensive light industry to establish?

- (3) Will the Government formulate a plan to offer financial and tax incentives in order to encourage labour intensive light industry to establish and to assist in the alleviation of the current unemployment problems within the area?

Mr MENSAROS replied:

- (1) Yes. In fact, the Industrial Lands Development Authority has sold all but one of its lots in the initial light industry subdivision fronting Dixon Road and anticipates completing development of a further 15 hectares of adjoining land, comprising 36 lots ranging in size from 1 125 m. to 7 504 m. by the 31st July, 1978. It is already dealing with applications for sites in the new area.
- (2) Yes. In addition to the area mentioned in (1), the authority has about 27 further hectares in the light industry zone which it will develop in stages to keep ahead of demand.
- (3) The Government already offers to assist industry and invites inquiries to the Department of Industrial Development and the Industrial Lands Development Authority on financial assistance which is available and on terms of sale of land which are designed to encourage the establishment of industry.

## EMPLOYMENT AND UNEMPLOYMENT

### *Housing Mortgage Commitments: Effect*

556. Mr BARNETT, to the Minister for Housing:

- (1) Is he aware of the increasing numbers of families throughout the State, but particularly in Rockingham, who by reason of their breadwinners' unemployment are being forced out of their homes due to inability to meet mortgage commitments made when they were on a full wage?
- (2) As it now appears possible that unemployment will rise and subsequently more families may be forced out of their homes, will he take action which will give unemployed persons the opportunity to at least retain their homes, possibly by the payment only of interest dues until further employment is found?

Mr O'CONNOR replied:

- (1) A check with house lending authorities revealed there is no pattern emerging whereby families are needing to sell their homes because of unemployment.
- (2) Lending authorities are prepared to negotiate new repayment arrangements when purchasers encounter financial difficulties as a result of unemployment. The general request from the authorities is that they be advised early of the changed circumstances to allow new arrangements to be completed before arrears build up too high, and a general rule of authorities is to see that persons do not lose their homes because of unemployment.

#### PRE-PRIMARY EDUCATION

##### *Personnel*

557. Mr WILSON, to the Minister for Education:

In view of the Minister's comments in *The West Australian* of 6th April, 1978, to the effect that "The people who were key personnel with the pre-school board are now the key personnel with the early childhood branch, for example, Mary Close-Thomas, Lena Meenhorst and Pat O'Sullivan":

- (1) When was Mary Close-Thomas with the pre-school board?
- (2) What are Mary Close-Thomas's early childhood (kindergarten) qualifications?
- (3) (a) Is Mary Close-Thomas's official position with the Education Department one of superintendent;  
(b) are Miss Meenhorst and Mrs O'Sullivan both education officers;  
(c) if so, as education officers, are Miss Meenhorst and Mrs O'Sullivan able to influence the running of the new branch with their early childhood education expertise?
- (4) What position will Mrs Joyce Hardy hold when she returns from the London early childhood course?
- (5) What practical experience has Mrs Hardy had in the pre-school field?

Mr Old (for Mr P. V. JONES) replied:

The news item published in *The West Australian* on the 6th April was a very condensed account of an interview given to a young reporter. She was told that key personnel from the pre-school board

and the pre-primary branch of the Education Department were part of the early childhood branch.

- (1) Mrs Close-Thomas was with the pre-primary branch.
- (2) Mrs Close-Thomas's qualifications for early childhood education are—
  - (a) Teacher's Certificate (UK) for children of 4 years and older.
  - (b) Head of infant department of a demonstration school (UK).
  - (c) Six years lecturing in UK and USA in the training of teachers in early childhood education; is acknowledged in both countries as an authority in early childhood education.
- (3) (a) Education consultant with the status of acting superintendent.  
(b) and (c) Yes.
- (4) Superintendent.
- (5) Mrs Hardy has had long experience in early childhood education, especially with children five years of age. Since July, 1976, she has been fully involved in planning and developing pre-primary teaching.  
She is well qualified as she holds a Teachers' Higher Certificate, a Bachelor of Arts Degree, and is currently completing a post-graduate study of early childhood at the University of London Institute, for a Diploma in Child Development.

#### EDUCATION

##### *Joint Department-union Working Parties*

558. Mr WILSON, to the Minister for Education:

Can he say why the joint Education Department/union working parties on progressive implementation of charter goals in class sizes, promotional opportunities and improvements in working conditions for teachers in primary schools, teachers' registration and more effective use of funds for school buildings have been abandoned?

Mr Old (for Mr P. V. JONES) replied:

The Education Department's goals for class sizes are generally similar to those of the teachers' charter and each year further progress is made towards attaining these goals. Joint meetings

initiated this movement but could not now speed up this process.

The primary working party, consisting of Teachers' Union and Education Department representatives, meets on the first and third Thursdays of every month to discuss promotional opportunities and improvements in working conditions for teachers in primary schools.

With the passing of the Teacher's Registration Act, the need for further meetings of the joint department/union working party disappeared.

Design committees, on which the union is represented, exist to advise on the most effective and economical design of primary and secondary schools.

## EDUCATION

### *Policy Making: Consultation with Teachers' Union*

559. Mr WILSON, to the Minister for Education:

- (1) Is he aware of a statement by the Director General of Education printed in the *Western Teacher* of 18th August, 1977, that he does not see the union as a partner in policy-making?
- (2) If 'Yes' is this the reason why policy statements representing significant changes in working conditions or teacher expectations have been made without any consultation with the teachers' union?
- (3) What efforts has he made to back up his promises that consultation will take place?

Mr Old (for Mr P. V. JONES) replied:

- (1) to (3) Consultation between the Teachers' Union and the Education Department proceeds on a continuing and substantial scale. The chief elements of this on-going consultation are:
  - (i) Unrestricted right for the President and General Secretary of the union to contact the director-general on any matter.
  - (ii) Weekly meetings of working parties comprising members of the executive of the union and senior officers of the department.

- (iii) Frequent deputations from the union to the director-general. In recent years no request for a deputation has been refused. In addition, the union takes deputations to the Minister.

The inquiry concerning partnership in policy making can best be answered by quoting in full the letter mentioned in the *Western Teacher*—

"I acknowledge your letter of the 4th May, 1977, in which you suggested the formation of a joint Education Department/Teachers' Union committee to produce a report on programming in primary schools which might perhaps, be printed in the education circular.

My first reaction is that I would wish to thank the Teachers' Union for taking the initiative in seeking to explore an educational matter of considerable interest to its members. I might add that I have done my best to encourage the discussion of educational issues at all levels and in all circumstances, and it is far from my intention to act otherwise in the future. Nevertheless, I must draw a distinction between discussion and policy formation. In making Mr Quinn's services available as a consultant I presume that his assistance would be effective in clarifying the problem and perhaps enabling the union to approach me with some concrete proposal. I did not intend to convey the impression that the department regarded the union as a partner in policy formation in regard to this matter. Inevitably the improvement of school procedures involves the expenditure of resources and the re-allocation of staff duties and these are departmental responsibilities. Consequently, I must refuse your request but, in doing so, would add that I would be happy to receive any suggestions the union may have formulated for the improvement of programming in primary schools."



## STATE NORTHERN JARRAH FORESTS

*Value, Royalties, and Employment*

560. Mr HERZFELD, to the Minister for Forests:

- (1) What is the indicative value of timber harvested per hectare of forest in the northern jarrah forests likely to be mined in the next 20 years?
- (2) What is the annual value of the harvest of timber from the northern jarrah forests currently?
- (3) What is the estimate of annual value of the harvest at the turn of the century?
- (4) How many are employed—
  - (a) directly;
  - (b) indirectly in obtaining this harvest; and
  - (c) what are the corresponding estimates for the turn of the century?
- (5) (a) What royalties or payments are received by the Crown for the harvest of timber in the northern jarrah forests;
- (b) what would these amount to on an annual basis for—
  - (i) the present;
  - (ii) for the turn of the century?

Mrs CRAIG replied:

The questions posed are too imprecise to enable meaningful answers to be provided.

The annual report of the Forests Department contains a considerable amount of statistical information including the volumes of the various species milled and the area of the various classes of hardwood cut over for saw logs.

General working plan No. 86, sets out proposals for the level of cut for the five years covered by the plan and makes predictions of likely resource availability until the year 2010.

I will be pleased to arrange for the member to be directed to the appropriate offices of my department to enable him to obtain such information as is readily available on these and like matters and not contained in the publications referred to.

## EMPLOYMENT AND UNEMPLOYMENT

*Kwinana*

561. Mr BARNETT, to the Minister for Labour and Industry:

- (1) (a) What are the latest unemployment figures for the Kwinana region broken up into the three sub-regions;
- (b) how many job opportunities are currently available in the Kwinana region?
- (2) What percentage of the workforce in—
  - (a) Rockingham;
  - (b) Kwinana;
  - (c) Mandurah,
 is now unemployed?
- (3) (a) How many regions in the State have a higher proportion of unemployed; and
- (b) what are the percentages in each case?
- (4) (a) How many regions in the State have a lower proportion of unemployed; and
- (b) what are the percentages in each case?

Mr GRAYDEN replied:

In February, 1978, the Australian Bureau of Statistics issued the first of a monthly series of unemployment statistics. These are considered to be the most reliable measure of the level of unemployment. The Australian Bureau of Statistics figures are not available on a regional basis, however the latest available (October, 1977) Commonwealth Employment Service figures can be obtained from that department.

## BAUXITE MINING

*Stanford Institute: Research Personnel*

562. Mr BARNETT, to the Premier:

- (1) Would he please inform the House how many people were involved from the Stanford research unit in the research into bauxite?
- (2) (a) What were the names of each; and
- (b) the field of expertise in each instance?

Sir CHARLES COURT replied:

- (1) Three representatives of SRI International, formerly known as the Stanford Research Institute, visited Western Australia in connection with the study referred to by the member. The purpose of this study was not to carry out research into bauxite mining, and I would refer the member to the reply to a similar question from the member for Warren on the 7th April.

In preparing their report these representatives would receive the backing of the full resources of SRI International.

- (2) (a) and (b) The representatives who visited Western Australia are—

Mr Dennis N. Sachs, Senior policy analyst, who is the team leader and holds advanced degrees in regional economics and city and regional planning. He has had extensive experience in government administration and policy analysis in the United States. Among other appointments which he held prior to joining SRI were: Director of the Office of Policy Development of the Federal Energy Administration and Deputy Assistant Secretary responsible for land and water resources in the US Department of the Interior.

Dr Ernest Harvey, Senior economist, who holds advanced degrees in economics and business administration and has had 17 years experience with SRI consulting to local, State and Federal Governments in the United States on policies for resource development. Mr James C. Roberts III, a Regional Development analyst. (As mentioned in the answer to (1), these representatives have the backing of the resources of SRI International).

## STATE FORESTS

### *Bauxite Mining: Alcoa's Regeneration Programme*

563. Mr BARNETT, to the Minister for Forests:

Would she list all species of trees used by Alcoa in its forest regeneration

programme, and alongside itemise each species which is capable of regenerating itself?

Mrs CRAIG replied:

Under the terms of the Alumina Refinery Agreement No. 3 of 1961 applying to the Jarrahdale operations, Alcoa is required to replace overburden and the Forests Department undertakes the rehabilitation planting. Alumina Refinery (Pinjarra) Agreement No. 75/1969, provides for the company to undertake reafforestation under the direction of the Conservator of Forests. It is assumed the question relates to both mining areas.

Tree species used so far in the forest rehabilitation programme are as follows—

#### Species currently favoured—

West Australian  
Eucalyptus wandoo,  
Eucalyptus calophylla,  
Eucalyptus accedens,  
Eucalyptus laeliae.  
Introduced  
Eucalyptus saligna,  
Eucalyptus resinifera,  
Eucalyptus maculata.

Species no longer favoured or used on an experimental scale only—

West Australian  
Eucalyptus diversicolor,  
Eucalyptus marginata,  
Eucalyptus patens,  
Eucalyptus salmonophloia,  
Callitris calcarata.  
Introduced  
Eucalyptus agglomerata,  
Eucalyptus baxteri,  
Eucalyptus botryoides,  
Eucalyptus crebra,  
Eucalyptus cladocalyx,  
Eucalyptus cypellocarpa,  
Eucalyptus goniocalyx,  
Eucalyptus globulus,  
Eucalyptus microcorys,  
Eucalyptus muellerana,  
Eucalyptus pilularis, pilularis,  
Pinus brutia,  
Pinus canariensis,  
Pinus elliottii,  
Pinus halepensis,  
Pinus radiata,  
Pinus taeda,  
Cupressus lusitanica.

A range of West Australian shrub species are at present being broadcast seeded along with tree establishment.

It naturally follows that any species currently in existence is capable of regenerating itself.

Being attuned to local climate conditions, Western Australian species are favoured in this respect.

### TIMBER

#### *Hardwoods*

564. Mr BARNETT, to the Minister for Forests:

- (1) What are the known types of commercial hardwoods throughout the world?
- (2) What relationship percentage-wise does jarrah have with the rest of the world's hardwoods?
- (3) Is it a fact that the world is facing a shortage of hardwoods?

Mrs CRAIG replied:

- (1) It is not possible to provide a list because of the number of species involved. For the benefit of the member I submit for tabling a list of the texts held in the Forests Department library on this subject.
- (2) The question is not understood. I will be pleased to arrange for the member to have discussion with an appropriate member of my department on this matter if he so desires.
- (3) Hardwoods are in short supply in many parts of the world although some developing countries currently have a surplus. Based on present resource information a shortage is predicted.

*The papers were tabled (see paper No. 165).*

### QUESTIONS WITHOUT NOTICE

#### EXPORT LICENCE

##### *Alcoa Limited*

1. Mr H. D. EVANS, to the Minister for Industrial Development:

Does Alcoa Limited require a further export licence or permit or updating of its current one to export the increased tonnages which it proposes to produce in Western Australia, and if so—

- (a) Has such a permit or licence been granted?

- (b) Does the granting of such a licence require the company or State to submit an environmental impact statement to the Commonwealth Government and has this been done?

Mr MENSAROS replied:

I thank the honourable member for notice of this question. My reply is as follows—

Yes it does.

- (a) No.
- (b) Yes, the Commonwealth authorities will require an environmental impact statement in their consideration of whether to grant a licence for the export of further production of alumina from the proposed Wagerup alumina refinery. Under the recent arrangements made between the State Government and the Commonwealth Government the company will submit an environmental review and management programme to the State for approval and this document will also serve as the environmental impact statement required under Commonwealth legislation. This document has not yet been submitted.

#### EXPORT LICENCE

##### *Alwest Limited*

2. Mr H. D. EVANS, to the Minister for Industrial Development:

Does Alwest Limited require an export licence or permit from the Commonwealth Government before it is permitted to export alumina from Western Australia, and if so—

- (a) Has such a permit or licence been granted?
- (b) Does the granting of such a licence require the company or State to submit an environmental impact statement to the Commonwealth Government and has this been done?

Mr MENSAROS replied:

Again I thank the honourable member for some notice of this question.

My reply is as follows—

Yes.

(a) No.

(b) The Commonwealth and State authorities approved the environmental review and management programme for the Worsley refinery in 1975 but the project did not proceed at that time due to adverse market conditions. The company is currently preparing an updated environmental review and management programme which will be submitted to both the State and Commonwealth authorities for approval.

CLOSE OF SESSION:  
FIRST PART

*Target Date*

3. Mr DAVIES, to the Premier:

Is the Premier able to inform the House when the present part of the session might conclude?

Sir CHARLES COURT replied:

As I have discussed with the present Leader of the Opposition and his predecessor, the target date remains the same; Parliament will break up before the May school holidays. If I remember correctly, the date is Thursday, the 11th May and that is still the target date subject to the "exigencies of the service".

