

Legislative Council

Tuesday, 22 June 1993

THE PRESIDENT (Hon Clive Griffiths) took the Chair at 3.30 pm, and read prayers.

MOTION - CONDOLENCE

Hasluck, Sir Paul

HON GEORGE CASH (North Metropolitan - Leader of the House) [3.34 pm]: I move without notice -

That this House expresses its sincere regret at the death of Sir Paul Hasluck, a former member of the House of Representatives, Federal Minister and Governor General, and places on record its appreciation of his long, distinguished and meritorious service to the people of Western Australia and, indeed, Australia, and his wife, Dame Alexandra Hasluck. This House also tenders its sympathy to the members of his family.

Members, together with the whole of Australia, were saddened to learn of the death in January this year of Sir Paul Hasluck. Sir Paul was a former journalist, diplomat, Australian representative on the United Nations Security Council, Federal member for Curtin, Federal Minister of the Crown, Governor General of Australia, and author.

Sir Paul was clearly one of the most significant figures in contemporary history. Born in Fremantle, he began his working life as a journalist with *The West Australian* and later moved into lecturing history at the University of Western Australia. Such were his talents as a writer and lecturer that in 1941 he was released from *The West Australian* at the request of the Department of External Affairs; so began his diplomatic career. During his time with the Department of External Affairs he was involved in the formation of war and post-war external policies and subsequently cold war policy. In 1946 he was appointed to head the Australian mission to the United Nations in New York, and he later represented Australia on the United Nations Security Council.

In 1949 Sir Paul won the Perth seat of Curtin in the House of Representatives, a seat he held until 1969. During those 20 years as the member for Curtin, Sir Paul held several ministerial portfolios, including Defence and External Affairs. In this latter capacity he greatly extended Australia's involvement in international affairs. His knighthood and appointment as Governor General also came in 1969. He was Governor General for five years, during which time he almost became Prime Minister. In fact, one of the greatest testimonies to Sir Paul is that he was often described as the best Prime Minister Australia never had.

Despite all his successes and his enormous contribution to public life, from all accounts Sir Paul was a true gentleman of great sincerity and dedication. On behalf of Government members I record our deep regret at the passing of this great Australian and extend the sympathy of the House to his family.

It is also important that the House note the passing of Sir Paul's wife, Dame Alexandra Hasluck, who died last Friday aged 85. Like her distinguished husband, Dame Alexandra contributed much to public life. She was an author of considerable note, publishing 11 books on Australian social history. After graduating from the University of Western Australia, Dame Alexandra taught in private schools and was a member of the foundation staff of St Hilda's Anglican School for Girls in Mosman Park. As the wife of the Governor General she continued her involvement with youth as the National President of the Girl Guides Association. During this time she was also the National President of the Australian Red Cross Society. On behalf of Government members I extend sympathy to her family.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [3.38 pm]: On behalf of the Opposition, I support the motion of condolence for Sir Paul Hasluck, who was born in Fremantle on 1 April 1905 and attended Perth Modern School and the University of Western Australia. Sir Paul studied journalism and obtained Bachelor and Master of Arts degrees. He joined the staff of *The West Australian* in 1922 and became a senior subeditor, and was twice a winner of the Lovekin Prize for journalism. In 1930 he

became a lecturer in Australian history at the University of Western Australia. He joined the Department of Foreign Affairs in 1941 and in 1946 led the Australian mission to the United Nations. He resigned from the department in 1947.

Sir Paul Hasluck began his political life in the newly created seat of Curtin in 1949 for the Liberal Party of Australia and held the seat for 20 years. It is perhaps ironic to note that it was his good friend and great Federal Labor leader, John Curtin, who encouraged Sir Paul to enter public life. In 1951 he became the Minister for Territories under Sir Robert Menzies, a post he held until 1963. Sir Paul Hasluck retired from Parliament in 1969 and became Governor General, holding that position until 1974.

It is sad to note that Sir Paul Hasluck's widow died just recently. It must have been a tremendous experience for both of them to share 61 years together in marriage. Sir Paul Hasluck is survived by a son, Nicholas. The Opposition extends its sympathy to the family.

HON PETER FOSS (East Metropolitan - Minister for Health) [3.40 pm]: I would like to join in this motion. It is quite clear from what has been said that Sir Paul Hasluck was a man of many parts: a journalist, a statesman, an author, a diplomat and Governor General of this nation. I would like to relate a small anecdote that shows how a great man can manage to communicate at all levels.

The Guildford Primary School is in my electorate. Every year Sir Paul Hasluck attended the end of year concert at which he presented a number of awards to the children. I do not think the children realised how significant it was that this man - a Knight Companion of the Order of the Garter and a man who had heaped upon him practically every honour that this country could bestow - would turn up every year. Every year he turned up, every year he made that presentation and every year he said that the happiest days of his life were spent at the Guildford Primary School. I am sure that he sincerely meant that. It is an indication of the greatness of that man that he was able to show himself in that way to the primary school children.

I count as my friends Nicholas and Sally Ann Hasluck. I sympathise in the loss of their father and father-in-law, and also the loss of Dame Alexandra Hasluck.

HON MAX EVANS (North Metropolitan - Minister for Finance) [3.42 pm]: I rise to support this motion. If people want an interesting account of Sir Paul Hasluck, they should read a book he wrote about 10 years ago entitled *Mucking About*. It was about his life up to the age of 35 years. His father was a captain in the Salvation Army. The book talks about his life in 1915 when he would have been about 10 years old, when he went to the primary school at Midland Junction and when his father looked after an old men's home. He then went to Collie where his father looked after a boys' home some miles out of Collie. It was quite an interesting life for him to be involved with the people in that area at that time. The main thrust of his book was that if people had not achieved anything by the time they reached 35, they never would. He wrote a very interesting chapter about his life when he was a journalist with *The West Australian* newspaper and accompanied Magistrate Moseley on a royal commission dealing with Aborigines throughout the north west in the 1920s when communications were not as good as they are today.

I first came to know Sir Paul Hasluck when he was Governor General and Chief Scout of Australia and chaired the national meetings of the Scout Association of Australia in Canberra. He took a very keen interest in scouting and it was a great privilege to know him then. At that time he was also Vice President of the Girl Guides Association. Every alternate year, because Lady Kendrew would not chair the annual general meetings of the Girl Guides Association, Sir Paul and Sir Charles Court did so. He showed a personal interest in the guide movement, as did Lady Hasluck. He was a man who took a great interest in youth all of his life. In recent years he wrote some very interesting articles about politics and Parliament. He wrote very well, spoke very well and was worth listening to. I send my condolences to his family. He was a great Australian. I appreciate the work that he did for young people in this country.

THE PRESIDENT (Hon Clive Griffiths): Order! Before I put the question, I wish to associate myself with the comments of each of the honourable members who spoke. It is not for me to reiterate their comments but, as President of this Legislative Council, I also extend my sympathy to the Hasluck family.

Question passed, members standing.

MOTION - CONDOLENCE

Jackson, Sir Lawrence

HON GEORGE CASH (North Metropolitan - Leader of the House) [3.45 pm]: I move without notice -

That this House expresses its sincere regret at the death of Sir Lawrence Jackson, former Chief Justice of Western Australia, and places on record its appreciation of his enormous contribution to the judiciary and the community, and extends its deepest sympathy to his wife and members of her family.

The late Sir Lawrence Jackson was born in South Australia in 1913. He gained his tertiary qualifications at the University of Sydney and by the time he was 36 years of age he was a Supreme Court judge. That, in itself, is a reflection of his tremendous ability and the reputation he had forged in a relatively short career in law. He remained on the Supreme Court bench for 20 years until his appointment as Chief Justice in 1969. Sir Lawrence had a profound effect on the Supreme Court. He is credited with giving the court a more human face, making it a kinder, more courteous realm and always was regarded as a patient and fair member of the judiciary.

His positive influence extended beyond the Supreme Court. As Chancellor of the University of Western Australia his role was far greater than that of a mere figurehead. He was very influential in this position and achieved much in the area of education. Many would also remember Sir Lawrence as President of the Western Australian Cricket Association, a position that he held for 12 years. It was one which gave him the opportunity to indulge his passion for the game of cricket and earned him many friends. On behalf of Government members I extend to the family of the late Sir Lawrence Jackson our sincere sympathy.

HON TOM STEPHENS (Mining and Pastoral) [3.48 pm]: I second the motion. I thank the Leader of the Opposition for giving me the opportunity to speak on behalf of the Opposition on this motion of condolence to the family and the associates of Sir Lawrence Jackson. I regret that I was unaware that this motion would be moved this afternoon. I have just said goodbye to the daughter of Sir Lawrence Jackson in the corridor after she and her son attended Parliament House to have afternoon tea. They are soon to return to America. Had I known this motion was to be dealt with, I would have liked them to stay to hear it. Nonetheless, I know that these words will be recorded and, as is the President's wont, the condolence motion and the words that have been spoken in this Chamber by way of tribute to Sir Lawrence will be passed on to his family. I understand that it is quite unprecedented for this House to deal with motions paying tribute to people who were not members of the State Parliament. Although I am the father of this side of the House, I cannot recall any. Perhaps members on the other side of the House can recall motions of this sort, but I cannot.

Sir Lawrence Jackson brought to the Supreme Court of Western Australia great skills that have been paid tribute in the obituaries that appeared in the daily press. An article in *The West Australian* newspaper refers to the tenor that began in the Supreme Court with the arrival of Sir Lawrence Jackson. It speaks of a sense of fairness, a sense of courtesy and the introduction of the title "Mr" to the accused, a title which apparently did not previously exist. Surnames were all the vogue until the arrival of Sir Lawrence Jackson. In that court he had the capacity to create an expectation of fairness to be meted out to whoever appeared before it. That sense of fairness was a singular characteristic of Sir Lawrence Jackson in both his public and private life. I understand Sir Lawrence's knighthood was not for his services to the legal profession in the first instance, but rather for his services to cricket. He was a great devotee of that game, for which I have no similar affection. However, he maintained a lifelong commitment to and interest in cricket, much to the pleasure of the people with whom he worked.

The family of Sir Lawrence Jackson has seen the recent passing of a great man. As a friend of his daughter, Diana, I pay tribute to an aside to that passage of life. Sir Lawrence Jackson had the devotion of a family. Over the past several months Diana spent many hours in the company of her father giving to that right of passage the respect that is due to a man, indeed, to any man, but especially this man of such great stature. Diana was a guest in my home on the night Sir Lawrence died. During that evening, she recounted her own sense of deep respect for her father's career.

At the time of his retirement from the Supreme Court, Athol Thomas' article in the *West Australian* referred to Sir Lawrence Jackson's attitude to some of the issues of the day. One concerned capital punishment. He spoke as a judge who had had to don the black cloth and issue the death penalty. He spoke of his horror of and disdain and abhorrence for that penalty and of his hope for a change to the requirement that courts dispense a sentence that bore the community no good. The article outlined his own hopes and expectations that the libel laws of this country would be reformed to become uniform. The article mentioned the responsibility belonging to the media to maintain a sense of decency and self-respect for its role and its need to restrain from treading in areas of defamation when no community interest was served by that.

Sir Lawrence Jackson was a man of many parts. He will be sadly missed by his family, his many colleagues, the Supreme Court, the University of Western Australia and the Western Australian community at large. With the deepest respect, in that context the Opposition wishes to be associated with this condolence motion to the family of Sir Lawrence Jackson.

HON PETER FOSS (East Metropolitan - Minister for Health) [3.54 pm]: Sir Lawrence Jackson was, as everybody has said today, a man who was known for his courtesy. It was a very important characteristic because, as the saying goes, justice not only must be done, but must be seen to be done. A judge who is ill tempered or who does not show respect for counsel or people involved either as witnesses or as litigants is unable to give the impression that justice is fair. I think far too many judges forget that they have a duty to be courteous so that the litigants appearing before them believe they are receiving proper consideration of their case. No people who went before Sir Lawrence ever came away with the impression that they had been wrongly dealt with. They always came away with the impression that they had been fairly and courteously dealt with. He was a great person to appear before and a very thinking judge. One always felt that a decision that came from Sir Lawrence was correct.

I also had the pleasure of being associated with him during his time at the University of Western Australia when I acted as solicitor for the university. Again, although I was a very junior solicitor and he was the most eminent member of the legal profession he was always extremely courteous in receiving advice that was at times very tentatively tendered to such an eminent person. Nonetheless one always felt one had a fair hearing and a most courteous reply. His passing is a great loss to the State of Western Australia and also to the two of his children, Alton and Diana, both of whom are friends of mine. It must be a great loss to them and to Lady Jackson. I know it is a great loss to Western Australia, which I regret.

THE PRESIDENT (Hon Clive Griffiths): I too want to associate myself with the comments that have been made by the various speakers. I reaffirm, for the benefit of Hon Tom Stephens', that as is custom, I will collect the *Hansard* copy of the various speeches and send to the families of these people a copy of the motions that have been moved.

Question passed, members standing.

MOTION - CONDOLENCE

Brady, John (Jack) Joseph

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [3.57 pm]: I move without notice -

That this House expresses its sincere regret at the death of John (Jack) Joseph Brady and places on record its appreciation of his devoted public service to the people of Western Australia and extends its deepest sympathy to his family.

Jack Brady was elected to Parliament in a by-election held on 13 March 1948. He retired on 31 March 1962 as the member for Guildford-Midland. He was a well respected member and well remembered for his contribution to Parliament and to his constituents. He continued with his heavy involvement in community service after his retirement.

It is worth noting that during his time as a member of Parliament he served as Minister for Native Welfare and Police in 1956 and 1959. The portfolio of Police is one he and I have in common. However I know from having read his profile some time ago that I have something else in common with Jack; we both served as a junior worker in the railways. I note, too, that

as strenuous as that job was he still found time to study accounting at night school and, later, economics as an external student. I think it fairly stamps the man as being dedicated to the work he did and to wanting to improve himself, his electorate and the lot of his constituents. That is the reputation he had. I extend sympathy to his family.

HON GEORGE CASH (North Metropolitan - Leader of the House) [4.00 pm]: On behalf of Government members, I support the motion moved by the Leader of the Opposition which records our sympathy for the recent death of Jack Brady. As has been said already, he was a member of Parliament for 24 years, a long time in anyone's book. He retired from the Parliament before any current member of this House had been elected to the Parliament. However, many members would know of Mr Brady through his reputation.

Those who make a point of reading the *Hansard* will know that Mr Brady had a wide interest in a significant number of topics. They will also know from the contributions that he made to the Parliament that he was extremely well regarded by his constituents, who had great affection for him. There is no question that Mr Brady was a diligent and dedicated member of Parliament and Minister of the Crown. On behalf of Government members, I extend sympathy to Mr Brady's family.

HON T.G. BUTLER (East Metropolitan) [4.02 pm]: I first met Jack Brady in 1959 when he was a member of the Hawke Government and I had a long and very worthwhile association with him over the following years. He was highly respected in the State seat of Guildford-Midland and as the member for Swan and was often referred to as the ultimate parish pump politician. He was widely respected in his electorate during the time of his membership of the Parliament and remained so until his death. He was a very thoughtful person and was one of the first people to contact me upon my election to the presidency of the Western Australian branch of the Labor Party in 1979. He had a very long and active involvement in the Labor movement both as a trade unionist and as a parliamentarian, stretching from 1929 to 1974.

I understand that, with Jack Brady's passing, the only surviving member of the Hawke Government is Hon John Tonkin. Jack Brady had a very distinguished career as a Labor man which was recognised by the Labor Party State branch in 1982 when he was awarded life membership. He is remembered by the majority of the Labor movement for his many years of devoted service. I pass on my condolences to his family.

HON R.G. PIKE (North Metropolitan - Parliamentary Secretary) [4.04 pm]: I knew Jack Brady for many years. I met him first through my association with his daughter, Elaine Brady, who is now Elaine Phillips, and who is a close family friend. I met him in Collie when he was Minister for Police. My fond recollection of Jack Brady is that he was the typical hard working, courteous, reasonable, hands on Labor man who said what he thought without apology and as one of a long line of men and women who made a great contribution to the Parliaments of Australia as one traces the history of the Labor Party back to its very beginnings. Needless to say, we did not agree on politics, but we agreed on many other subjects. I think it is a profound loss to the State when a member of the eminence of Jack Brady leaves us and it is appropriate that I should associate myself with the remarks made.

THE PRESIDENT (Hon Clive Griffiths): I also want to be associated with the motion if for no other reason than to put the record straight. I served for nine years in this Parliament with the late Jack Brady. He left this Parliament in 1974. I wonder sometimes where members get their information from. However, Jack Brady was a very fine member of this Parliament and, on numerous occasions, I spoke to him about certain subjects that were raised in the Parliament. He represented the seat of Swan from 1962 to 1974, prior to which he represented Guildford-Midland from 1948. He was a very dedicated member of Parliament and came to the Parliament for many years after he retired. It was always great to have the opportunity of speaking to him when he came here for lunch. I extend my sincere condolences to the members of his family.

Question passed, members standing.

CHAIRMAN OF COMMITTEES - ELECTION

THE PRESIDENT (Hon Clive Griffiths): Honourable members, the position of Chairman of Committees is vacant and I now call for nominations to fill the vacancy.

MOTION - CHAIRMAN OF COMMITTEES*House, Hon Barry, Election*

HON GEORGE CASH (North Metropolitan - Leader of the House) [4.07 pm]: I move -

That Hon Barry House be appointed Chairman of Committees.

HON E.J. CHARLTON (Agricultural - Minister for Transport) [4.07 pm]: I second the nomination.

Question put and passed.

HON BARRY HOUSE (South West) [4.08 pm]: I thank members for their confidence in electing me to the position of Chairman of Committees. I am conscious of the importance of the role of Chairman of Committees and of upholding the traditions and integrity of this House. I will endeavour to see that the orderly functioning of the Chamber continues. I give an undertaking to do my best to maintain the efficient functioning of the Parliament and to be fair to all members of the Chamber.

**STATEMENT BY THE PRESIDENT - OMBUDSMAN'S LETTER ON
FORMAL INVESTIGATION OF JOSEPH BARTLETT DETHRIDGE**

THE PRESIDENT (Hon Clive Griffiths): I have received a letter from the Parliamentary Commissioner for Investigations addressed to me as President of the Legislative Council. It is dated 21 June 1993 and states -

Dear Mr Griffiths

re: Formal investigation: Mr Joseph Bartlett Dethridge

As you know, I am currently carrying out a formal investigation under the Parliamentary Commissioner Act into various aspects of police conduct arising from the arrest, charging and detention of Joseph Dethridge at Fremantle Police Station on 8/9 January 1992.

I commenced my investigation on 19 November 1992. At that time, because of the public interest in the matter, I indicated that I would report my findings to Parliament and would give the matter priority, notwithstanding that my resources were then heavily committed in investigating other cases. However, the completion of my investigation has been delayed by matters beyond my control.

The main cause of delay has been the effect on my investigation of prosecution action taken by the Dethridge family, on legal advice, against one of the police officers who had a close involvement in aspects of the matters I intended to investigate.

On 21 December 1992, when my investigation was already well under way, I was advised by the solicitors acting for the police officer in question that prosecution action had been taken by a member of the Dethridge family. This action concerned two alleged offences of unlawful assault by the officer upon Joseph Dethridge, at the Fremantle lockup, on 8 May 1992. The solicitors for the officer expressed the view that, as the matters the subject of the private prosecution were sub judice, I should not proceed with an investigation. They requested that I hold over my investigation until such time as the prosecution had been dealt with by the Court.

I replied to the solicitors advising them that, in the circumstances, while the private criminal proceedings against their client were pending, my investigation would not deal with the matters which were the subject of those proceedings, nor the responsibilities of any officers who might have witnessed the incidents in question. I also wrote to Mr and Mrs Dethridge confirming this restriction on the scope of my investigation. In doing so, I recognised their right, on the basis of legal advice, to take the proceedings against the officer concerned. However, at the same time, I was mindful of the fact that if my investigation was to cover certain issues affected by the criminal proceedings, it would necessarily be delayed pending the outcome of those proceedings.

In the meantime, I interviewed a large number of other police officers together with civilian witnesses, including the Dethridge family.

I recently became aware that the criminal proceedings against the police officer concerned had been dealt with by his conviction and fine in the Fremantle Magistrate's Court. Arrangements were then made for the interview of the officer concerned, together with some other officers, so that my investigation could be finalised.

My investigation is now substantially completed and I am in the process of preparing my report. However, there will necessarily be some further delay before my report can be tabled in Parliament. This is because section 25(7) of the Parliamentary Commissioner Act provides that I must not in any report make any adverse comment of any person, unless that person has been given the opportunity to respond to it and his or her response is fairly set out in the report. Since I envisage making comments about the actions of a number of persons that could be construed as being adverse, I would need to send a draft copy of the relevant parts of my report to those persons and give them a reasonable opportunity to respond. This is in keeping with the principles of natural justice.

I will write to you again as soon as I am in a position to table my report in this matter. In the meantime, however, I would be grateful if you would table this letter.

A letter in similar terms is being sent to the Speaker of the Legislative Assembly.

Yours sincerely

R EADIE

Parliamentary Commissioner for Administrative Investigations

[See paper No 356.]

PETITION - PRIMARY SCHOOL PROVISION, SINGLETON

The following petition bearing the signatures of 691 persons was presented by the President (Hon Clive Griffiths) -

We the undersigned residents of the townships of Golden Bay, Singleton and Madora note that:

There is a possibility of a delay in the provision of a Primary School at Singleton to serve the communities of Golden Bay, Singleton and Madora. Residents had been advised and firmly believed that a school would open in time for the 1994 school year.

Provision of that school would afford the communities extra-curricular facilities as well as a connecting road from Singleton to Golden Bay and an additional exit from Singleton to Mandurah Road acting as a fire exit; and

therefore, respectfully request that the Legislative Council will be pleased to recommend to the Government that it give a firm undertaking to provide a Primary School at Singleton in time for the commencement of the 1994 school year and your petitioners humbly request that the Legislative Council will grant this petition.

[See paper No 357.]

PETITION - DUCK SHOOTING, RECREATIONAL

Reintroduction Legislation Rejection

Hon John Halden presented a petition signed by 5 004 citizens of Western Australia urging Parliament to reject legislation which would allow the reintroduction of recreational duck shooting in Western Australia.

[See paper No 358.]

SELECT COMMITTEE OF PRIVILEGE - PETITION BY BRIAN EASTON REPORT

Tabling

The President tabled the report of the Select Committee of Privilege on the Easton petition.

Order of the Day for Next Sitting

On motion by Hon Peter Foss (Minister for Health), resolved -

That the report be made an order of the day for the next sitting of the House.

ADDRESS-IN-REPLY*Motion*

Debate resumed from 17 June.

HON GRAHAM EDWARDS (North Metropolitan - Leader of the Opposition) [4.30 pm]: First of all, I wish to congratulate the Leader of the House on his election to that position. I certainly hope that he will follow the practice entered into by his predecessor, Hon Joe Berinson, and seek the cooperation of the Opposition in ensuring that the business of the House flows freely. I can assure him that he will have every support from me when he does follow that practice. I also congratulate the Ministers on their appointment. I hope they will enjoy their time as Ministers and that they will serve the State well. I congratulate Hon Barry House on his election to the position of Chairman of Committees and I hope that he will perform his duties with the degree of fairness that he has forecast.

I also congratulate Hon Bruce Donaldson on his maiden speech which he delivered last Thursday, and I congratulate those other members, Hon Murray Nixon, Hon Murray Criddle, Hon Ross Lightfoot and Hon Barbara Scott, who were elected to fill vacancies from within their parties. I take the opportunity to welcome Hon Jim Scott to this place and to congratulate Hon Reg Davies on being the first Independent elected to this Chamber. I warmly welcome and congratulate members on my side of the House, Hon Alannah MacTiernan, Hon Nick Griffiths and Hon John Cowdell. I look forward to the contribution which I am sure they will make to this place.

I take the opportunity to congratulate His Excellency the Governor, Sir Francis Burt, and Lady Burt on the job they are doing. They prove the point that there is no need to go outside the State to appoint a Governor. I was a little disappointed to note in the Governor's speech that no reference was made to the fact that Hon Bill Grayden had retired from Parliament. I do not know how that happened. I notice that Bob Pearce, Ian Thompson and Gavan Troy were mentioned in the speech, but there was absolutely no mention of Bill Grayden. That is unfortunate because while Bill Grayden sat on the wrong side of the political fence as far as I am concerned, he was a man for whom I had an immense amount of respect. His retirement from Parliament probably marked the end of an era, not just for Bill Grayden but for ex-service organisations in this State.

I think it is worth briefly recounting the fact that Bill Grayden was elected in 1947. He resigned in 1949 to contest the Federal election and won the division of Swan seat. He was defeated in the 1954 Federal election and re-entered State Parliament in 1956 as the member for South Perth in the Legislative Assembly. He was sworn into the Cabinet of Sir Charles Court in 1974 as Minister for Labour and Industry, Consumer Affairs, Immigration and Tourism. He resigned from the Ministry on 21 July 1978. He was Minister for Education, Cultural Affairs and Recreation between 1980 and 1982 and the Opposition spokesman for health in 1983.

During World War II Bill Grayden served in the AIF, enlisting in 1940. He served in the 2/16 Australian Infantry Battalion in Syria and in the Middle East, before taking part in the Kokoda trail and the Ramu-Markham Valley campaigns in New Guinea. He also had service in Borneo.

I want to recognise that because I had occasion when I was a backbencher in previous Governments to approach Bill Grayden to ask him whether he would serve as an Opposition backbencher on a committee that was being established by Keith Wilson, the then Minister for Sport and Recreation, a committee which I was asked to chair. The first person I went to was Bill Grayden. Honourable members might understand why when they know that the committee that was being set up was one to establish a boxing control commission. I could not think of a more appropriate person to serve on that committee. Bill Grayden did not hesitate and indicated that he would do the job. He was a very valued member of that committee.

Following the completion of those tasks, which led to the establishment of the Boxing Control Commission in Western Australia, I asked him to serve on a diving task force which we set up and on which he served with equal distinction. Bill Grayden and I are joint patrons of the Korea South East Asia Forces Association. I have never once known him to involve himself in politics at any of the functions that we attended jointly or at any time to involve politics in the functions of the Korea South East Asia Forces Association. He was very well respected.

I remember the first time I met him many years ago at a social gathering. He tried very hard to get me to join the Liberal Party. He and I differed on that point. I wanted to refer to Bill Grayden's service because, although the omission of his name from the Governor's speech was an oversight, in my view it would be unfortunate for his retirement to pass unnoticed in this debate.

I am sure that all members, new and old, would have noticed an article in Saturday's *The West Australian* newspaper, under the heading "Ministers breathe life into traditional sleepy hollow". In the article the writer, Steven Loxley, makes the point that a lot of responsibility has been transferred to the Legislative Council. It points out that this has occurred as we now have five Ministers in the Council, compared to three in the previous Government. The article states -

Included in those five are Ministers with responsibility for the two biggest-spending portfolios in the State Budget - Health and Education - which are also two of the most contentious areas in cost-cutting. Apart from the responsibilities of Health Minister Peter Foss and Education Minister Norman Moore, there are also Transport (Eric Charlton), Mines (George Cash) and Finance (Max Evans).

Given the comments made in the report of the Royal Commission into Commercial Activities of Government and Other Matters I was surprised to see the appointment of five Ministers and one Parliamentary Secretary in this Chamber. In the same article Steven Loxley says that the increased number of Ministers is in part due to the reservoir of talent among the coalition's upper House ranks and the favours which had to be repaid in the Liberal camp after Richard Court toppled Barry MacKinnon from the Liberal leadership last year. The question that begs to be asked is: Which Ministers were appointed because of their talent and which as a favour?

Hon N.F. Moore: You'll soon find out.

Hon GRAHAM EDWARDS: As the Minister for Education has interjected, we will find out! Mr Moore, of all people, will not be able to hide.

Hon N.F. Moore: Who has ever tried to hide?

Hon GRAHAM EDWARDS: I am sure the question of talent and who was owed favours will unfold. Mr Moore will have to come to terms with the fact that he is in Government; he is making the decisions. We will see the excuses that he trots out. Steven Loxley goes on to say that the Labor Opposition will be seriously tested by having to combat five senior Ministers. He says that the Labor Party has lost Joe Berinson and Kay Hallahan from the change of Government in February. He says that despite intense pressure over Hon Joe Berinson's prominent position in the Burke, Dowding and Lawrence Cabinets when decisions were made which cost the State millions of dollars, Mr Berinson retired with his reputation intact. He says that Hon Kay Hallahan bravely left her safe Legislative Council seat and successfully contested the lower House seat of Armadale. He also says that the test facing Labor will be given added impetus with the presence in the Council of Independent Hon Reg Davies and Hon Jim Scott representing the Greens.

Hon Joe Berinson will be missed from our side of politics, as will the contribution made by Hon Kay Hallahan. On the bright side I reiterate my congratulations to the likes of Hon Alannah MacTiernan, Hon Nick Griffiths and Hon John Cowdell. We have witnessed the end of an era, but not the end of the flow of talent that has traditionally come from the Labor side of politics into this Chamber. We recognise that we have a test, but I suggest to Mr Loxley that it is a test and a challenge that we accept. It is wrong to say that the test rests entirely with the Opposition; not only does the Opposition have a test, so too does the *The West Australian* and so too does the Government. We are also aware that with the transfer of responsibilities to this House there has been a transfer of some massive resources to assist the five Ministers and the Parliamentary Secretary opposite in their duties. I accept that they are

major duties and ministries, and we accept that they have a major role to play. We know what is lined up against us. We are aware of our responsibilities and I can assure you, Mr President, and members on the other side of the House that we will not shirk those responsibilities. As an Opposition we are keen to contribute to an upper House that continues in its role as a House of Review just as it has operated as a House of Review over the past 10 years. We certainly want to contribute to a Committee system that meets the expectations of members of both sides of the House and the royal commission. I forecast to the Leader of the Government that we on this side of the House will be looking for chairmanship of two or three of the standing committees of this House. We certainly are not prepared to be relegated to a position simply for want of numbers where we become an Opposition that is forced to delay, frustrate and object to legislation. We believe that we have a positive role to play. If Hon George Cash uses the Government numbers in this place to prevent the Opposition's having access to the Committee system and to reasonable resources, we are prepared to canvass our options.

I reiterate that this is not just a test for the Opposition but for all of us. There is a test for the *The West Australian* and its political journalists. We all know that for a time they became the champions of the call for a royal commission. Equally now I would expect that *The West Australian* will continue to be prepared to champion the need to adopt the recommendations of the royal commission; that is, to have in place a committee system that will ensure proper scrutiny of Government. The real test will be of Mr Cash, his Ministers, and members of the Court Government. Do they want the Legislative Council to continue as a House of Review or do they want it to become the traditional Liberal Government rubber stamp that we have seen so often in the past? The Government's test will be to adopt a course that will see the Legislative Council elect effective, balanced standing and select committees with a fair distribution of the chairmanship of those committees. The Government can either do that or fall back on that typical Liberal Government approach, which is to produce the rubber stamp. If that is what the Government is going to do, if Mr Cash and his colleagues are not dinkum about the Legislative Council and its role, they can save a lot of money by buying a \$10 rubber stamp, doing away with the Council, its members and staff and the charade that Liberal Governments have created so often in the past.

I suggest that Mr Cash put those savings into the retention of places such as the Midland Workshops. I can assure Mr Cash that if his Government is to be about efficiency, effectiveness, return for investment, accountability and the scrutiny of taxpayers' dollars, it must be prepared to apply those same principles and practices to this Chamber. It is simply a matter of what is good for the workers of the Midland Workshops must be good enough for the members of this Chamber. I am sure members will recall that the Government was elected on the slogan of "More jobs, better management". That is what it said before the election; however, I think it is timely to look at what the headlines in *The West Australian* have said since.

I refer to *The West Australian* on Wednesday, 17 March, which carries the big headline "Court sharpens razor to cut jobs". Does that fall under the heading of more jobs or better management? The leading paragraph of the article states -

Government trading enterprises such as the WA Water Authority and the State Energy Commission of WA will bear the brunt of Premier Richard Court's plan to cut the public workforce by 5 per cent.

Mr Court said yesterday there was little scope to cut public service departments.

He was looking at about 100 government agencies and enterprises to determine where cuts could be made, privatising some agencies and contracting out work to make the necessary savings. Mr Court said it would be premature to list all the agencies under the microscope.

Is that more jobs or better management? The next article to which I refer was published on Tuesday, 9 March under the heading "Barnett delivers Collie power jolt". The article states in part -

A State Government proposal that the \$2 billion power station planned for Collie be halved in size - and part of it delayed - could jeopardise the entire project.

Hon Doug Wenn would be interested in this, because it sounds to me like better management -

The formal widening of the Carnegie brief yesterday sent shockwaves through the Government, the State Energy Commission of WA and Asea Brown Boveri, the Swiss-Swedish conglomerate proposing to build and operate the station.

Is that more jobs or better management? The body of the article states in part -

Mr Barnett's National Party colleague and Deputy Premier Hendy Cowan also reacted sharply.

I am sure Hon Eric Charlton will be interested in the next paragraph which states -

"We made an election commitment to build a power station at Collie and that was for 600mw with construction starting next year," Mr Cowan said.

Hon T.G. Butler: He also said he was going to close the railway workshops.

Hon GRAHAM EDWARDS: We will deal with that in a short while.

Hon T.G. Butler: His nose has grown a foot!

Hon GRAHAM EDWARDS: A heading dated Saturday, 27 March states "Fare rises certain as rail debt climbs". I wonder whether that comes under the heading of "More jobs, better management" or whether it is part of the concern about which the Liberal and National Parties were speaking before the election; that is, concern for ordinary families? The article stated that metropolitan train and bus fares would rise within months. I am sure, Mr Charlton, that we will have the opportunity to discuss the Government's concern for ordinary families as we proceed with the sittings of this session.

I now turn to something which has been a major area of interest for Western Australia, something from which the Opposition does not and will not hide or run away; that is, the royal commission. If the Government thinks it can have an association with the royal commission and then drop that association because it does not like its recommendations, it is in for a shock. The heading to which I refer is, "Premier rejects WA Inc advice". So much for the commitment to the recommendations of the royal commission. The opening paragraph of the article dated Monday, 5 April states -

The State Government has rejected a major royal commission recommendation urging the establishment of an independent corruption commission.

Only a few days later an article on Saturday, 10 April was headed "Court's tax rises a threat: experts". The article states -

The State Government is under attack from economists, business and trade unions over the threat to emerging economic recovery in its plans to increase taxes and charges.

Does that come under more jobs or better management? I guess that in time we will see. On Thursday, April 15 *The West Australian* carried the headline, "WA Inc advice shunned again". Part of the article states -

The State Government has rejected another key WA royal commission recommendation - the establishment of an independent body to guard public service standards.

The move comes little more than a week after Premier Richard Court knocked back the WA Inc probe's recommendation for the urgent establishment of an independent corruption commission in WA.

The latest move was attacked by the Civil Service Association . . .

Acting general secretary Paul Aslan said a central control was needed to ensure public sector standards were monitored.

"Having spent \$30 million on the royal commission, we should take on their decisions," he said.

I am sure that the opinion of the Civil Service Association and its acting general secretary, Paul Aslan, is shared by many people; however, whether it is shared by members of the Government is yet to be seen. On Friday, 16 April a big headline in *The West Australian* stated, "You're wrong, Mr Premier". Is that more jobs or better management? The article commences -

Premier Richard Court refused to accept yesterday that his plan for a new public service watchdog was in direct conflict with the WA royal commission's key recommendation for a stronger, more independent body.

Mr Court insisted his proposal to put himself and his department in charge of public service standards and conduct was consistent with the commission's call to establish an independent watchdog answerable only to Parliament.

But he could not explain how the new body to replace the existing Public Service Commission could be independent of government if it was under his control.

Once again, so much for what appeared to be a fleeting fling. I am sure that is what the Government wants to turn it into.

Hon N.F. Moore: Do you always believe everything you read in *The West Australian*, or only selectively?

Hon GRAHAM EDWARDS: I certainly think that the number of articles from which I have quoted gives -

Hon N.F. Moore interjected.

Hon GRAHAM EDWARDS: I am not surprised that Mr Moore is sitting there interjecting because I am delivering to him a few home truths.

The PRESIDENT: Order! Hon Graham Edwards may not be surprised that Hon Norman Moore is interjecting, but I am. I ask him not to.

Members opposite seem anxious. My reference to their election campaign slogan of "More jobs, better management" must be striking a raw nerve. I remind them that they are not my comments - I am simply quoting from an article printed in one of the local newspapers.

[Questions without notice taken.]

Hon GRAHAM EDWARDS: I refer now to an article printed on 24 April in *The West Australian* headed, "Anger as EPA chief sacked". The article reads -

The sacking of Barry Carbon as Environmental Protection Authority chairman and chief executive would emasculate the authority, the Opposition said yesterday.

Mr Carbon said he was shocked and hurt by the move to split the roles of chairman and chief executive while Labor environment spokesman Jim McGinty said he was appalled.

Shortly after leaving Environment Minister Kevin Minson's office yesterday, Mr Carbon said the media appeared to have known about his dismissal before he did.

Not only is that disgraceful, but if that is the case, I once again ask under what heading does this item sit? Is it care for the environment, concern for ordinary people or better management?

I refer to an article of Monday, 26 April in *The West Australian* headlined, "Axed Carbon will fight EPA moves". The start of the article reads -

Axed Environmental Protection Authority boss Barry Carbon yesterday accused the Court Government of possible impropriety and unlawful action.

A defiant Mr Carbon, whose dismissal was effectively signalled by Environment Minister Kevin Minson on Friday after his position as EPA chairman and chief executive was split, vowed that he would fight the Government and not let the EPA's strength and independence be destroyed.

"Today is about a smell of impropriety in Government and what I think we should do about it," Mr Carbon said.

Once again from where do we get our more jobs, better management and concern for the environment and the ordinary people? It is certainly not reflected in that story. A day later, on Tuesday, 27 April an article appeared in *The West Australian* under the headline, "Experts warn as EPA row grows". I quote -

A former chief of the Environmental Protection Authority warned yesterday that the Court Government's plan to split the body's two key roles could jeopardise the environment.

Professor Bert Main said that splitting Barry Carbon's roles of chairman and chief executive could lead to conflict within the EPA leadership and leave the environment without an effective watchdog.

The comments from some members of our community seem to suggest that that is exactly what the sacking was all about. This Government was trying to create an environment without an effective watchdog. The article continues -

His concerns were echoed by EPA member Norman Halse, who feared that the system of environmental protection was under threat.

Is that care for the environment, more jobs or better management?

The West Australian of 28 April carried the headline, "Hundreds of rail jobs get the axe". Is that more jobs, better management? The article reads -

Hundreds of Westrail workers at the Midland workshops will be forced to choose redundancy or redeployment after the State Government announces plans today to corporatise the rail authority.

But union bosses warn that few workers will volunteer for redundancy and there are unlikely to be enough jobs for the bulk of redeployed workers.

That is why I assume the heading in *The West Australian* on that morning was "Hundreds of railway workers get the axe". More jobs, better management!

On Friday, 30 April *The West Australian* carried the heading "Court Ministers cavalier". It is not *The West Australian* saying these things, it is *The West Australian* reporting comments by the Deputy Premier, Hendy Cowan. The article states -

Deputy Premier Hendy Cowan yesterday criticised his Government's performance in its first 11 weeks . . .

It is unfortunate that Hon Norman Moore is not here because I want to explain to him that I do not always agree with *The West Australian*. However, one must sit up and take notice after a series of articles like this. One must also take a bit of notice when the Deputy Premier of the same Government of which Hon Norman Moore is a Minister accuses some Ministers of adopting a cavalier approach. Who knows, perhaps it was Hon Norman Moore about whom he was talking.

Hon Tom Stephens: Certain to have been him.

Hon GRAHAM EDWARDS: I do not want to point the finger. As I said, I am sure that as we move into the next few weeks we will find out whether those Ministers were appointed because of ability or whether they were appointed because a few people had to be paid a few favours.

Hon Tom Butler: It looks like it worked. He has been relegated to the backbench.

Hon GRAHAM EDWARDS: Mr Cowan was being quoted as saying that he did not want to criticise individual Ministers, but when questioned about mines Minister Hon George Cash's announcement last week that he would seek Cabinet approval to allow exploration in the Ningaloo Marine Park Mr Cowan said a media statement did not constitute Government policy. That is an interesting comment. I note that when I asked a question last week of the Leader of the House, he included in his answer the words "alleged mining". The word "alleged" was not included in his media statement, nor was anything alleged in the article to which I referred. The last article to which I refer - I think I have made the point - once again in *The West Australian* of Thursday, 13 May is headed, "Court trip sparks Chinese protest". I wonder whether that also comes under the heading of more jobs, better management. The article begins -

China has asked Australia to block Premier Richard Court's planned visit to Taiwan next week.

In the body of the article, Andre Malan, a journalist for whom I have much respect, comments -

For Mr Court, the Taiwan visit will keep alive his family's long and intimate association with the island.

There is simply no hiding from a series of articles written over that period. It is interesting to note that, at about the time that these articles were appearing in the newspapers, there was a lift in the profile of the debate on native title. The debate on native title has been grabbed with both hands by the Premier, who is under siege in his own State, and was grabbed with both hands by his chief adviser, Bill Hassell, not to use it as an opportunity of doing anything of value for Aboriginal people, miners or pastoralists, but to divert attention from the sorts of headlines which pointed to ministerial disunity and Government mismanagement. That is exactly what this Government is attempting to use in this debate to camouflage its mismanagement and its disunity and to camouflage the fact that when we strip aside the words, there is nothing there, no new jobs and no better management.

The history of Federal and State Liberal Governments in this country is marked by endeavours and attempts, unfortunately for the future of this nation, which have not been too successful. One has only to look at recent history, over a few decades, when anybody talked about Asia to see the constant attacks, the McCarthyistic attitude, and the fearmongering and scaremongering that was practised and to see raised the spectre of communism coming down through Asia and taking over this country. The conservatives cleverly exploited it for a long time to their political advantage. Where did that lead us? It lead us into Vietnam. That is where the fearmongering and scaremongering took us. The consequence of that is the trauma it has caused to families because so many young Australians lost their lives and because so many suffered and continue to suffer. It took us nowhere.

The other tactic that we have seen used so often by Liberal Governments, State and Federal, is the division of the people by bashing the workers and the unions to create a pedestal from which they can hop from term to term in Government. Fortunately, the people woke up to Liberal Governments using that tactic so successfully for so long to exploit people for their political purposes. If members opposite doubt what I am saying or think that I am wrong, they have only to look to the fact that an era of reasonable and responsible unionism in this country has been brought to an end by the provocative statements and attacks on workers' conditions and jobs which manifested itself outside this Parliament the other day. It is no good Ministers of this Government looking for scapegoats by trying to blame workers, particularly those Ministers who have set out on a deliberate and provocative course designed to achieve division, separation and fragmentation in the community.

Hon N.F. Moore interjected.

Hon GRAHAM EDWARDS: The Minister will have his chance to make his speech and I will listen with interest when he does. I will be listening for something a bit more compassionate and a little more understanding and for something that is designed to pull people together rather than to separate them in the way the Premier has done so disgracefully in the Mabo debate.

I will refer to a couple of articles because there are some people in politics who are worth listening to. One of those people is Fred Chaney. He is a member of the Liberal Party but a man who, in my view, is well respected in this State and in the Federal arena. Over the years, he has built an extremely good reputation as a man who is prepared to look beyond the quick political fix and the quick political return. I think history will bear him out to be a man who has shown some leadership in the Aboriginal debate. It is terribly unfortunate that he was not able to be more influential in politics in this State.

Hon Tom Stephens: He probably would have been Prime Minister now except that the Courts would not allow him to transfer from the Senate to the House of Representatives at the right time.

Hon GRAHAM EDWARDS: That is true. I am sure he is on one side of the native title argument and the Courts are on the other side. I have had my political differences with Fred Chaney. However, political differences with a person should not mean that one does not respect that person. It is for that reason that earlier in the debate I spent some time congratulating Mr Bill Grayden on his achievements. I was prepared to draw attention to them when people on his side neglected to do so.

I do not subscribe to everything that is written in *The West Australian*. However, this article was not written by a journalist; I understand it was written by Fred Chaney and that he was invited to write the article. Therefore, whether one agrees with it or not, one should not use

it as an opportunity to criticise *The West Australian* as Hon Norman Moore is wont to do whenever the newspaper writes something with which he does not agree.

Hon N.F. Moore: I asked whether you agreed with what it said.

Hon GRAHAM EDWARDS: I have fully answered that.

Hon N.F. Moore: That is the only question I asked.

Hon GRAHAM EDWARDS: I am pleased the Minister is satisfied with the answer. The heading of the article is "Solution lies in shared interests". It was printed in *The West Australian* of 6 April 1993. In order to do it justice, I will read the whole article.

Sitting suspended from 6.00 to 7.30 pm

Hon GRAHAM EDWARDS: I repeat that this was not the view of a journalist from *The West Australian* but the view of a person of some standing; namely Fred Chaney, who had been invited to contribute an article on native title. The article is very important in respect of this issue, which has the potential to offer more division than solution. The article states -

Australia's future depends on our re-finding the capacity to deal with problems rather than agonising over them, to come together in the pursuit of shared objectives.

Our failure to keep up with the countries of our region is in large part a failure to see the opportunities in change.

The High Court of Australia in the Mabo case changed what had been the common law relating to native title in Australia. That it did so was in the tradition of the common law which is part of our British inheritance. At the time I was at the law school of the University of WA, Lord Denning, the great English judge, visited to recount his experience in overturning common law which produced unjust results.

Up to the Mabo case the courts had supported a legal fiction that Australia was not owned at the time of settlement. That this was a fiction is clear from the Gove land case where Judge Blackburn describes in detail the complex traditional relationship Aborigines had with the land. The law just chose not to give it any legal recognition.

Well, the highest court in the land has changed its mind. It has not created a legal fiction, it has abolished one. Why all the fuss?

The worry is what impact this might have on existing interests in land and the creation of new interests in land. This worry may inhibit investment in new mining projects and interfere with other new business activity, tourism for example. The mining industry, very important to WA, is particularly concerned, and there are demands that governments must act to overcome doubts and confusion.

I do not think anyone will disagree. The article continues -

But there are also clear points determining how governments can act.

There could be general agreement on most, if not all, of the following:

1. It is the role of the courts to interpret the law and to declare or find the common law. Parliaments may change the law but judges, not politicians, find and apply the law. This is another part of our British heritage and that aspect of the separation of powers is not seriously challenged.

2. It is also an accepted part of our legal tradition that governments do not take away property rights without compensation. That rule should apply to all equally, miners, pastoralists and Aborigines alike.

3. The precise reach and nature of native title has yet to be determined, because Mabo deals with particular circumstances. Any legislative action at this stage is likely either to enhance or diminish those rights and anyone claiming that their rights have been reduced could claim compensation. It is almost certain that any solution offered will involve on-going litigation or at least some machinery for determining what rights exist.

4. The parliaments of Australia have the power to take away property rights but the Commonwealth and Northern Territory are constitutionally required to pay compensation if they do. The States cannot solve the problem by unilateral State action.

That point seems to have been missed by people leading the debate in this State. The article continues -

5. Australia's perilous economic situation means that investor confidence - and clarifying doubts about titles - is important to everyone.

6. It is also important to devise new and better ways to integrate the aspirations of Aboriginal Australia with those of the rest of Australia.

A national solution must recognise the interests involved. At a minimum, that solution will involve Commonwealth and State legislation which:

- . Confirms existing titles of all kinds.
- . Confirms a capacity in governments to create new titles.
- . Provides an avenue for anyone who claims to have been deprived of a property right by these acts of confirmation to claim compensation. As governments act as agents for the community in these matters, the claim would be against the governments rather than any individual group or corporation.
- . Deals with the separate issue of social impact where, for example, mining impinges on the use and enjoyment of land by Aboriginal communities, particularly remote communities.

The likelihood that claims for compensation and for recognition of native title will be complex and protracted means that there will be incentive for governments, industry and Aborigines to treat any such legislation as an interim solution only.

But it would provide an umbrella under which the untidy and uneven impact of the application of the Mabo principles could be sorted out.

It seems that an overall solution reached by discussion and agreement and ultimately enshrined in legislation would be the best outcome.

That is a balanced argument, put not by someone from my side of politics, not by a journalist, but by someone who is held in high esteem not just by the Liberal Party but also by the Australian community.

I conclude by contrasting that article with the editorial in today's *The West Australian*. I do not hold *The West Australian* out to be a bible, but *The West Australian* has at least proved itself to have some balance in its comments about this issue. The article is headed, "Scare tactics erode Mabo", and states -

The debate on ways of finding a sensible path through the social and legal complexities of the High Court's Mabo decision is in danger of running off the rails.

Since the breakdown of negotiations at the Council of Australian Governments meeting in Melbourne this month, political leaders have returned to their bunkers and exchanged invective from entrenched positions.

WA Premier Richard Court has compounded that fragmentation with his latest assertion that some residential areas established in WA since 1975 could be open to Mabo-style claims.

In picking up a theme by Liberal Party State president Bill Hassell, Mr Court has introduced another element of fear into the debate, implying that private homes could be under threat. The kindest interpretation that can be put on his remarks is that he is drawing a long bow.

Under the Mabo decision, Aborigines would have to show an uninterrupted association since colonisation with any land claimed. It is unlikely that much vacant crown land has been converted to residential freehold since 1975. The amount to which Aborigines could claim valid title and be eligible for compensation would be even less.

As well as aggravating a delicate issue with inflammatory remarks, Mr Court continues to cling to the forlorn notion that Federal and State legislative action to reverse the Mabo decision is the best course.

Native title in Australia is now enshrined as part of the vast body of international common law, no matter how vigorously Mr Court and his cohorts object to it.

Hon E.J. Charlton: How will Aboriginal people benefit?

Hon GRAHAM EDWARDS: To continue -

Mr Court should be working to solve the many real problems arising from the Mabo judgment, not creating false ones for political ends which will divide the community.

The important questions to be resolved include validating mining and other leases granted since 1975, deciding how to compensate Aborigines with Mabo-type claims to land occupied by mining and pastoral ventures and ironing out problems of future access to land that will arise in relation to successful native title claims.

Solutions will be found only with goodwill and a realistic approach on all sides. It should be noted that Aboriginal leaders in WA and the mining industry have been handling the debate carefully.

Politicians should learn from that example.

I think I understand the view that many Australians have of a debate such as this. It is a debate that could be so easily exploited by people who do not express the goodwill that is so necessary to resolve issues of this kind. I do not care whether the political leaders are Premier Court or Prime Minister Keating: It is crucial that people stop thumping their chests and pulling their beards. They should sit down and work through the issues instead of grandstanding in the manner that we have witnessed in this State in recent times. Consultation, negotiation and compromise by all parties are the ingredients necessary to resolve the issue of native land title.

I said earlier that the earlier experience in this country over the long term with McCarthyism, fear of reds under the beds, and the constant scaremongering that went on about our Asian neighbours, created an easy opportunity and a great environment in which to send Australian troops to fight the so-called flood of communism that would flow from Asia. In retrospect, we all agreed that would never happen, but just as we created an environment for Vietnam through that constant scaremongering it seems that, unfortunately, the current debate is one that has the capacity almost to go to the same depths and create the same divisions within Australia. The people intent on fearmongering, division and fragmentation are really creating an enemy within. Who will benefit from the current climate being created or contributed to by people who appear to have a motive of political expediency rather than a motive of political maturity and leadership?

I ask members opposite when debating the issue in the next few months both in the party room and in the community to give some weight and consideration to the views that have been expressed by Fred Chaney. We do not need to agree with him totally. However, if we accept the leadership role he has offered and take the path he suggests, the greater will be our chance to resolve these issues for the benefit of all rather than continuing the division, fragmentation, hurt and trauma that must surely come from the current debate and the current course being taken. I support the motion.

HON M.J. CRIDDLE (Agricultural) [7.45 pm]: Mr Deputy President (Hon Barry House), I am indeed honoured and privileged to be standing in this place today addressing you. It is a humbling experience to be chosen by the people I live among to represent them in this esteemed place. I place on record my thanks to the President for chairing the recent seminar on parliamentary procedure and practice. As a newcomer, the information imparted in that forum will prove valuable in the days and weeks to come.

I pay tribute to my predecessor, Hon John Caldwell, who served the electors of the Agricultural Region diligently and with distinction. I also mention another former member, Hon Tom McNeil, whose parliamentary career spanned 12 years. It was Hon Tom McNeil and his Liberal colleague, Hon Margaret McAleer, who served as members of North West Province prior to the redistribution in 1989 that converted the seat to the Agricultural Region. After her distinguished career I wish Margaret well in the future.

I also thank the National Party for giving me the opportunity to run for Parliament, and my fellow party candidates, Hon Eric Charlton, Dascia Wreckett and Geoff Gill, for their support during the campaign. Special mention should also be made of the contribution by Dexter

Davies, Roma Straham, Ron Aikenhead, Mary Graham, Glynis McDonald, Andrew Short and Bill Graham - and the people of my own local community. In passing, I place on record my congratulations to Viv Carson, the 1992 winner of the RAS Agricultural Achiever of the Year Award, and also more recently the 1993 winner, John Hawkins. His service to the noodle growers is well known. Finally, I thank the electors of the Agricultural Region for placing their faith in me and the coalition Government. I hope their faith and judgment in me will be vindicated.

I take this opportunity to explain where I am coming from and how I became interested in entering Parliament. I was educated in Perth for nine years. I came to Perth as a very small boy, and returned to a virgin block in a place called West Binu. The area was just a graded road through the bush with no facilities at all. Together with other people in the area, I had the job of developing all the infrastructure required, which included roads, State Energy Commission facilities, Telecom facilities, the school bus and school ovals. Now, people come to me to convince me that the areas in the bush need upgrading and I am very aware of the job they face. Certainly it is a big challenge.

The next four years in Government will be a daunting task. I firmly believe that with resolution and commitment the coalition Government can successfully fulfil the expectations of the Western Australian people. I sincerely wish it well in that daunting task.

The issues of roads and their contribution to tourism, and the industrial site at Geraldton and the wool industry, are the basis of my substantive remarks here today. One of my first tasks as a member for the Agricultural Region will be to press the Government for urgently needed road works to assist potential development in country areas. A priority, as I see it, is the upgrading of the Port Gregory access road from Northampton and the extension of the coastal road from Port Gregory north to Kalbarri. Once constructed, the Kalbarri to Port Gregory link will be a major scenic tourist drive. It provides a coastal link between the North West Coastal Highway to Kalbarri through to Northampton. This opens up potential for tourism development, beneficial to the small coastal communities located along this route. It is a major task, but in the long run a very worthwhile project that will reap enormous benefits in tourism, crayfishing and agriculture as it serves the little communities which serve the crayfishing boats as they move up and down the coast. It is no secret that Australians by and large are retiring much earlier in life. This means increased leisure time opportunities at the same time that personal travel is growing in popularity. Kalbarri is already a major tourist destination and a scenic road link with Port Gregory would not only benefit that town but also would add to the region's overall wealth generated by tourism.

Tourism is our fastest growing industry, positioned to supply two out of every 10 jobs in the 1990s. Apart from the boom, this road project will provide tourism and will enhance the efficient movement of our fishing products from Kalbarri. Closer to Geraldton the debate continues over a suitable site for the mid-West region's heavy industrial site. Although full environmental impact studies remain to be completed, the most favoured option is Oakajee, some 16 kilometres north of Geraldton. On the face of it, Oakajee certainly seems to be the best of the 11 sites so far examined. However, I urge the Government to look seriously at another option, 10 kilometres east of Maru. This area already has established industry and contains existing transport infrastructure for rail and road as well as a gas pipeline to meet energy needs. A move to Maru would allay even the most intense environmental concerns about having heavy industrial activity positioned on the coast as would be the case with Oakajee. Exports could be conveyed from Maru to Point Moore, a possible site for deep water ship anchorage. Point Moore would be an ideal export point for the minerals from the so-called "golden triangle", along the Leinster-Mt Magnet Road, past Maru and along Port Way. This option would run out cheaper than the \$300m price tag attached to the Oakajee proposal. It is a bit of lateral thinking that seems to be gaining support within the region and I hope the Government looks seriously at the suggestion.

The proposal to transfer exports along a conveyor belt system to ships in deep water at Point Moore has been achieved in other parts of Australia and the world. For instance, Port Hedland uses conveyor belt systems to export in excess of 40 million tonnes of cargo per year. Co-operative Bulk Handling Ltd uses the port system for grain out of Kwinana. This system would also prove helpful to local grain growers by assisting with the through-port loading of grain at Geraldton. At present between 85 per cent and 92 per cent of ships load grain, firstly, at Geraldton and then sail to another port to complete loading because of draft

problems at the port of Geraldton. In essence, the port is too shallow. Farmers who cannot get enough grain onto a ship to fully load at Geraldton must on-pass to another port at the additional cost of about \$2 a tonne, which is ultimately paid by the grower.

Obviously, other areas of great concern lie in the wool industry and the negative effect this has on graziers' incomes throughout the Agricultural Region and pastoral areas. All decisions made to date have been of a catch-up nature. I believe the wool stockpile should be commission sold where possible with full support also given to developing a local, viable wool scouring, top making and spinning industry with a view to handling a larger portion of the clip in this country, thus quickly removing as much of the debt as possible. The industry can once again get back to producing the world's best natural fibre profitably, pay taxes and employ people, which is something that has been forgotten in this debate. Negative actions cannot bring positive results. It amazes me that people are taxed to keep a stockpile which does not allow any prospect of a price recovery and compounds the problem faced by producers.

Furthermore, the live sheep, lamb and mutton trade, along with the carcass trade, offers the industry a ready avenue to increased income. The Jordanian market is promising. However, there appears to be a real need to foster this market and other Middle East opportunities. The bottom line to greater success in this regard is to make our product more competitive. Recently, efficiencies introduced in abattoirs and changes to restrictive work practices are offering farmers savings of up to \$3 a carcass. This is a welcome start, but more must follow. If we allow a loss of sheep numbers, it impacts back through the community in the welfare of shearers, shedhands, livestock transport, local stock agents and others. Then the towns are hit. Everyone suffers when Government services are cut back or closed down entirely due to a population drift from a town or region. It is comforting that some assistance is available under the rural adjustment schemes, but the only way to solve this problem is in the production and marketing of the product in an acceptable, viable way to get the most effective and efficient result possible.

Mr Deputy President (Hon Barry House), in closing, I wish the President and you well in your respective tenures as President and Chairman of Committees in this Chamber. I wish the Government well. I am proud to be part of this important institution and I hope I can make a meaningful contribution to the affairs of State.

Honourable members: Hear, hear!

Debate adjourned until a later stage of the sitting, on motion by Hon George Cash (Leader of the House).

[Continued below.]

DEPUTY CHAIRMEN OF COMMITTEES

Appointment

On motion without notice by Hon George Cash (Leader of the House), resolved -

That Hons Derrick Tomlinson, W.N. Stretch, Murray Montgomery, Cheryl Davenport and Sam Piantadosi be appointed as Deputy Chairmen of Committees.

ADDRESS-IN-REPLY

Motion

Debate resumed from an earlier stage.

HON N.D. GRIFFITHS (East Metropolitan) [7.58 pm]: Mr Deputy President, I congratulate you on your election to the position of Chairman of Committees and Deputy President; and, in his absence, I also congratulate the President on his re-election. I have two things in common with the President: First, my surname, and second, an affliction. I trust that members will bear with me.

I am indebted to the voters of the East Metropolitan Region, many individuals and the Australian Labor Party for being a member of this House. My debt is greatest to my family: My wife, Rhonda, and my four sons, Stephen, Paul, Thomas and James. My parents have been generous in their support of me. They have, I trust, instilled in me the proposition that

the purpose of public office is to serve the community. I have the honour of having as a predecessor Hon Fred Evan McKenzie, who represented the people with distinction for 16 years in this House. He stood and stands for many things which are important. When he gave his word he always kept it and he set a high standard.

Hon Peter Foss: Hear, hear!

Hon N.D. GRIFFITHS: Hon Fred McKenzie was and is a champion of our railway system. In his maiden speech he spoke about the relevance of public transport and the railway system in general. He foreshadowed the electrification of the suburban railway system and the northern suburbs railway line. Those matters were fundamental to the people of Western Australia. They involved greater economic efficiency, greater overall comfort and the fostering of a better physical environment. In February 1993 all seemed well for our rail system. The Lawrence Government had approved in principle the spending of \$27m over four years for a major upgrading of the Midland Workshops. The northern suburbs line was operating, new trains were being used and the National Rail Corporation was on the horizon. The story gets better.

The Liberal and National Parties, then the Opposition coalition, promised with particular relevance to Midland to re-equip the workshops, which employed 850 people - they could not even get their numbers right then - to guarantee the long term future of the workshops, to co-locate an institute of heavy engineering at the workshops, and to invite the private sector to co-locate at the workshops site to make them into a world class facility. When the people of Swan Hills went to the polls on 6 February 1993 the Midland Workshops faced a very rosy future. They were not to know what was about to happen. In secret, a plan was considered to breach a solemn promise. After leaky performances which have already come to characterise the Court-Cowan Government, Hon Eric Charlton formally announced the breach of faith on 27 April 1993. That breach of faith was kept from backbench Government members. Like all guilty secrets it had to seep out. The people of the East Metropolitan Region, in particular the people of Midland, were poorly served in the Cabinet room. They were entitled to expect more of their local representative; their expectations were dashed.

I look forward to hearing Hon Peter Foss account for his actions in this matter. The decision to close the Midland Workshops was ideological and taken without proper economic appreciation and social responsibility. The decision stems from a lack of appreciation of the role of the public sector. The public sector is important to the development and maintenance of Australian civilisation. It plays a role in meeting economic development and enhancing the environment, making Australia a better place. Public investment and infrastructure is essential to economic growth. It contributes to productivity and provides a vital role in economic restructuring through services to industry. It deals with market failure in strategic areas. It assists in ensuring Australian ownership of important national assets. It dilutes concentration of economic power in the hands of private interests, and it ensures that essential services are publicly accountable and available at affordable prices to all Australians, regardless of where they live, particularly to low income and disadvantaged people.

In declaring war on the public sector as the Court-Cowan Government has done through the infamous Midland Workshops decision and other similar decisions, the Government has callously disregarded the adverse impact on more disadvantaged people in our society, through significant losses of employment and working conditions, and has opened itself to the disposal of public assets at undervalued prices. It has lent itself to assisting further concentration of economic power. The likelihood exists of increased foreign ownership and control. A viable public sector with viable operations such as that of the Midland Workshops is essential to the good government of Western Australia.

The Court-Cowan Government is the prisoner of a philosophy which misunderstands Australia and misreads Australian history; it downgrades Australia. The Government advances the view that the mix of institutions and practices uniquely Australian has caused a deterioration in our relative prosperity. The negative view they espouse - upheld by Dr Hewson and his ilk - is that in the 1880s Australia was the most prosperous country in the world and in the early years of this century we somehow or other got it wrong. It is true that in the early 1880s Australia was relatively prosperous. It was the beneficiary of high prices for commodities which were produced more efficiently and profitably than they could be by

its rivals because of advantages peculiar to Australia. The community got its land cheaply from the Aborigines, and Australia had abundant mineral resources.

Australia was the beneficiary of support from Britain. It was part of a very successful trading bloc. It was a high wage economy, had significant public enterprise involvement and received substantial capital inflow. The world of the 1880s ended in the 1890s. The market got it wrong. Australia was an open economy. The world capital was withdrawn and commodity prices crashed. In the 1890s the predecessors of the Court-Cowan Government sought to prop up their misplaced view of the world by reducing labour costs. Out of the misery of the 1890s arose a unique Australian civilisation; a civilisation based on protective measures, a regulation of trade with a tariff, a system of industrial arbitration and control over immigration.

Those measures did not end the openness of the Australian economy, which continued and continues to be dependent on commodities and capital inflow. The economic difficulties that visit upon Australia with regularity, as they are visited on most countries, are not the result of the civilising aspects of the early years of this century being carried on, but of the openness of the economy against which there is no real protection. When economic difficulties have been faced it has been the practice of so-called conservatives to rubbish Australia and to suggest that the solution is to lower the living standards of Australians. They do not like that which is uniquely Australian and seek to subvert it at every opportunity. I support Australian civilisation and with my colleagues will do all I can to defend its values from the attacks of the barbarians who would try to subvert it.

Australian civilisation is based on parliamentary democracy. Citizens have rights and obligations. Democracy is undermined if citizens do not exercise their rights. Similarly, it is undermined if citizens do not exercise their obligations. Any move from compulsory voting is wrong. I am sure members have heard this before, but to be democratic Parliaments should be elected on the principle of one-vote-one-value. This House is not democratically elected. The Parliament, as a whole, is not democratically elected.

The Western Australian Electoral Commission reports that at the last State election the Agricultural Region had 85 373 electors and returned five members to this House; that is, 17 075 electors per member. The Mining and Pastoral Region had 65 114 electors and returned five members; that is, 13 023 electors per member. The South West Region had 118 658 electors and returned seven members; that is, 16 951 electors per member. The East Metropolitan Region, a region of great significance which is more than ably represented, had 215 029 electors and returned five members; that is, 43 006 electors per member. The North Metropolitan Region had 309 997 electors and returned seven members; that is, 44 285 electors per member. The South Metropolitan Region had 222 579 electors and returned five members; that is, 44 516 electors per member. This House is not democratic and the lack of democracy is a serious stain on our system. The maintenance of this serious stain offends. It undermines public confidence and the integrity of the political system. If Parliament is more representative of the people - if it is more democratic - then it is less likely to accept callous, unrepresentative and dishonest decisions such as the closure of the Midland Workshops. The essence of the performance of a democratic system is in its capacity to enhance the happiness of those who live within its jurisdiction. This is an Australian view. It requires Governments to be concerned with the needy, not the greedy. The Labor Party supports this view. It supports Lazarus, not Dives. There is no such thing as a free lunch - someone pays; and there is no such thing as a free market, because someone pays. In a democratic society no one should be given complete freedom to pursue his own material wellbeing.

A civilised Australian approach would welcome the Mabo decision, and there is nothing sinister about it. It simply puts paid to the proposition that the country was not uninhabited prior to 1788. It provides for Aboriginal so-called native title, consistent with the rulings of other common law jurisdictions. It is disappointing that some people find this objectionable. We cannot learn from history by ignoring it. The Mabo decision does provide a significant opportunity to enhance justice for Aboriginal people in areas of concern.

In recent decades Australian civilisation has changed for the better. The role of women is now acknowledged and was enhanced in this State immeasurably between 1983 and 1993. The feminist approach which promotes the equality of male and female is fundamental to civilised Australian Government, including Western Australian Government.

The family is the basic building block of our society. It is essential for the nurturing of children. A need exists for family law to be applied to common law marriages which are now called by many people *de facto* relationships. The common law is an inadequate vehicle for the resolution of property disputes involving people who, at common law, are husband and wife. Common law is expensive and often fails to protect those who need protection. This matter has been extensively canvassed and legislation at a State level should be introduced with minimal delay. The medium term objective should be a uniform family law throughout Australia dealing with all families, irrespective of how they come into being.

A high standard of community health is vital to all Australians. Health is not a luxury. No system devised by human beings is perfect. However, the Medicare system is a substantial success in providing for the health needs of Western Australians. This system is based on the principle of health being a community obligation. It is a proper public enterprise involvement rather than a *laissez faire* type approach such as that in the United States, which adopts the rule that a person can receive health care if he pays for it, otherwise he runs the risk of missing out. I am concerned that changes to the health system may be in the interests of the greedy rather than the needy. Devolution is dangerous and the market does get it wrong.

Our obligations to education are similar to our obligations to health. Australian civilisation provides that our education systems should cater for people to have the opportunity to fulfil their capacities. As in health, more than in other areas, a trickle down elitist approach does not work. Education, like health, is about a need - it is not about having it if one pays for it, something to which the Australian people gave short shrift on 13 March 1993. Here again devolution is dangerous.

Our civilised approach to employment was also expressed in the people's verdict on 13 March 1993. It is a fundamental obligation of each Australian Government to maximise employment opportunities in jobs which provide for a civilised standard of living. Australia is not a peasant society and it is not a coolie society. Australians demand, and are entitled to, decent remuneration. People in Australia and outside Australia who strive to promote their own economic wellbeing by pushing Australians down have got it wrong. The road to prosperity is not about lowering the standard of living of Australians. For example, there is no point being a small business proprietor in Western Australia if one's major market, the working Australian, does not have the wherewithal to pay for the goods or services one proposes to sell.

Fundamental to the maintenance and betterment of income and conditions of work is a strong union movement with a specialised system of conciliation and arbitration. The common law is an inadequate system for dealing with disputes between employers and employees. There is no liberty to contract where bargaining power is not equal. The real world demands a strong trade union movement. A strong trade union movement is a cornerstone of Australian civilisation and it should not be under the sorts of threats that those opposite are making.

The East Metropolitan Region is environmentally significant. Many of its people regularly look at the city from the hills and see a polluted city and suburbs. A greater use of public transport, particularly electrified rail systems, will go a long way to limiting the haze. Again, the Midland Workshops decision will inhibit the promotion and maintenance of increased public rail transport. Rail transport is important to those who do not live in or near the greater metropolitan area. Too often those who reside in country Western Australia are forgotten. The fact of their existence is often raised only when some politician seeks to divide Western Australians. A sense of greater community obligation is important to country people. Primary producers are affected greatly by weather and the terms of trade. Australia's terms of trade have been heading south since the 1950s and reached a state of near collapse in the 1980s. The wider community of Western Australia and Australia can and should contribute to the wellbeing of people in the country. It is a nonsense that Australia, with a current oversupply of labour, particularly unskilled labour, does not for example increase textile production. Processing in Australia of Australian primary produce is one of the ways forward. Our primary manufacturing and service sectors should work together.

There is no good future in conflict. To promote division between the people living in Western Australia and between Western Australians and the people living in other States of

Australia is to do a disservice to all concerned. Since the State election members of the incoming Government have carped on the proposition that we who are Western Australians are somehow different from other Australians - that somehow or other the world is different when the Nullarbor is crossed. This view has become more strident following the democratic decision of the Australian people on 13 March 1993. In the mid-1970s there were those who unsuccessfully dreamt of the secession movement of the 1930s. There is no point in engaging in further fantasies of that nature. Like Fightback, it is backward stuff. It is disloyal to the country; it is disloyal to the people who make up the country; it is un-Western Australian; and it is un-Australian. Western Australia is a State within the Federation of Australia. Many of its inhabitants come from overseas and from other parts of Australia. To engage in strident parochialism is stupid. It is true that we contribute significantly to the country's export performance as a whole. Equally it is true that the country as a whole contributes significantly to the infrastructure which enables the exports to take place and to the services that we enjoy. I am proud to be a Western Australian, but I am proud to be an Australian first. It is with great pleasure that I support the motion.

[Applause.]

HON KIM CHANCE (Agricultural) [8.26 pm]: I add my congratulations to those of my colleagues to you, Mr Deputy President (Hon Barry House), and to the President in his absence on your election and his re-election to office. In your case, Mr Deputy President, you were unopposed and that indicates the regard with which you are held in this Chamber.

I am pleased to support the motion and in doing so it gives me a great deal of pleasure to welcome new members to this place. Historically speaking, there is a relatively high number of new members in this Chamber and it is of special significance to me because with the exception of one or two of the new members, I have known all of them for many years. In each case I am confident the new members on both sides of the House will bring skill and experience that will honour this Parliament and serve the people of Western Australia well. There is another unique quality to our list of new members; that is, I doubt that this House has ever seen new members from four different parties entering Parliament simultaneously. Apart from members whose allegiance lies with the Australian Labor Party, the Liberal Party or the National Party, we also welcome Hon Jim Scott from the Greens (WA) party. As I have said, I have known most of the new members for years, but this is particularly the case with Jim Scott. In fact, apart from my family, there is no-one I have known for longer. We were born on the same day - 16 November 1946; we grew up in the same small wheatbelt town and we attended Doodlakine Primary School together.

Hon Graham Edwards: He looks younger than you.

Hon KIM CHANCE: Yes, he has probably lived a cleaner life. As adults we farmed neighbouring properties and played in the centre line and half back line of the same football team. That particular football team had some illustrious captain/coaches; one in particular was South Fremantle and former State ruckman, Fred Senior. We had Henry Fulgrave, a Swan Districts utility player who was a veteran of three Swans premierships. We had two or three other South Fremantle representatives who served our interests well, but the one members will know best of all was another neighbour who later became Senator Peter Walsh. Doodlakine has very productive farmland but, unfortunately, like much of the eastern wheatbelt, it has its share of dry years. In one such year someone was heard to grumble that "about the only thing you can rely on producing in Doodlakine is politicians". Hon Jim Scott is the sixth member of Parliament to come from Doodlakine, three of whom represented the conservative parties, two of whom represented the Labor Party, and now he represents the Greens (WA). Given that Doodlakine has an adult population of 17 and there are only 25 farms in the area, this is an unusual ratio. Even more unusual is that all six came from four adjoining properties covering no more than 6 000 hectares.

Although some comments have been made about the water at Doodlakine containing some mysterious substance which has produced this result, I prefer to think that the town's capacity to produce members of Parliament is due to a tendency for serious discussion and a willingness to act; however, my colleagues have all disagreed with me!

Hon Derrick Tomlinson: Perhaps it has something to do with the collapse of the rural economy; you have to do something.

Hon KIM CHANCE: Probably on that point I would have some agreement with members from Morawa. Ours would have been the only local football clubrooms in the world where economics and international relations, as well as more conventional subjects, were passionately and frequently discussed over a few beers. Leaving aside speculation about the reason for this unusual trait, and also to avoid comparison with the town of Morawa which has a similar reputation for producing bulk members of Parliament, I am satisfied just to say that it was a wonderful place in which to grow up.

The wheatbelt is still a wonderful place in which to live and to raise children. It has been noted since Parliament resumed that these regions have suffered huge setbacks, particularly since the halcyon days of the post-war economic boom and fairer international trade. The population of the Shire of Kellerberrin, which includes Doodlakine, has reduced remarkably since those days. This is due to the effect of new technologies in agriculture which have resulted in more production from an area of land using fewer people; this is a beneficial trend and has existed since the iron ploughshare replaced the wooden stick.

It also illustrates a more sinister trend; namely, the effect that the corruption of international competition has had on our farmlands, and ultimately our nation. The factors which led to one farmer leaving the district and his neighbour buying the farm to increase his production area to maintain a decent living income lie at the root of our current economic deficit.

In my contribution to the Address-in-Reply debate last year I spent some time referring to market corruption and its causes and effects. I will not repeat myself this year. However, I regret to note that international markets have not improved in any ethical sense, and also that recent events indicate that the United States of America is expanding its brutal vandalism of world markets for both goods and services. Washington's readiness to impose retaliatory sanctions on Qantas when one of its airlines was penalised for breaking a commercial undertaking was a clear example of America's arrogance in using its economic dominance in our region. Similarly, the proposal to expand the export enhancement program is a barefaced betrayal of our long friendship. The EEP is the tool used by the US to steal wheat markets from the more efficient, non-subsidised countries such as Australia. Recently, as a result of a dispute with Canada - its soon to be free trade partner in the North American free trade agreement, NAFTA - the United States announced that it would be targeting Australian wheat markets in Asia. If this occurs, our wheat industry, which is only beginning to recover from a long recession, may face even more difficulties.

I was pleased to note that His Excellency the Governor, Sir Francis Burt, made reference to this matter in the part of his speech directed at the economy. He eloquently made the point that farm gate prices have been reduced to subsistence levels by the international trade restrictions and unfair practices in rural commodity markets. No member of Parliament would condone the actions of the United States in this matter. Few would disparage the attempts by the Government and at diplomatic levels to address this issue through the accepted forums for negotiations between these countries. However, at some time we must accept that the United States has ignored and rejected us in this matter.

It is an act of fantasy to maintain the apparent double standard in our relationship with that country: On the one hand we regard the Americans as friends and allies in personal and diplomatic areas; on the other hand they are bitter enemies who deliberately take action to destroy our economy. We can send clear messages to Washington and to the American people indicating that America is no longer welcome as a friend of Australia. This can be done without cutting access to the forums of continued negotiations. Although these means are primarily within Commonwealth jurisdiction, some are within our control. It is time we exercised our right to apply sanctions whenever we feel such action would make our point.

The Governor gave prominence to the tragedy of the virtual collapse of the wool industry in Australia. In moving the Address-in-Reply Hon Bruce Donaldson referred to the state of our wool industry and the dismantling of the reserve price scheme. A State Government may be able to do little or nothing to substantially relieve the difficulties wool producers face, particularly the wool specialists of the great southern and north west regions. Nevertheless, this occasion cannot pass without my expressing deep concern regarding the problems of the wool industry which are not directly linked to the market corruptions experienced by the wheat industry. The wool industry's problems began and continue as a result of the change in economic circumstances of our major customers, particularly Russia, Eastern Europe and

China. Before the political turmoil in Russia, and before that country had a foreign exchange shortage, its trade accounted for 10 per cent of our wool production. One sideline recently revealed was that the total wool sales to the non-Russian market was above the eight year trend. Although it is true that the prices were low, the demand for the produce has continued to give some hope to growers.

I do not intend to join the experts, instant and otherwise, in offering sure-fire remedies to the industry's problems. These remedies range from the barely credible to the insane, and virtually all of them revolve around the elimination of the wool stockpile. Notwithstanding the problems with the stockpile, which hangs over the market with a depressing effect, it remains an asset and not a liability. To burn the asset will not eliminate the debt created in accumulating the asset. The minimum responsibility that the industry can reasonably expect from the Federal Government is that the stockpile is held and reduced with some discipline; the Commonwealth has met this minimum responsibility. Certainly a number of options are available to the Commonwealth which may well find more favour with woolgrowers, but if the Government acquired the stockpile on behalf of the taxpayers of Australia a huge increase in our already uncomfortably large Budget deficit would occur.

An aspect of the wool downturn which has particularly saddened me is the way some sections of the wool industry and some commentators have turned on the function of the Australian Wool Corporation. With the crystal clarity of hindsight it is easy to say that the AWC was wrong when it decided to increase the floor price above the 700¢ per kilo level. Those who base their criticisms on this overlook two key points: Firstly, the price of wool had been elevated by the free market to almost double that level when the decision was made. Secondly, the AWC was under pressure from growers to adjust the floor level so that it had some relevance to the price buyers were paying for wool at the time. At the time the decision was made woolgrowers had equity in the AWC market support fund of \$1.6b; this was the largest grower-owned market support fund in the world.

It should come as no surprise to anyone that sufficient confidence existed within the industry to make what seemed at the time to be a nominal upwards adjustment in the floor price. Indeed, the present critics of the Australian Wool Corporation seemed to be remarkably silent on the issue at the time. The free fall in price which later hit world markets raised the question of when, or even if, floor prices should be reduced. Again, growers generally held the view that the corporation should tough it out. The execution of that decision to tough it out simultaneously created both the stockpile and the debt which today plague the wool industry. The drastic run on the Australian Wool Corporation was halted by the then Federal Minister for Primary Industries, John Kerin, when he effectively dismantled the scheme. It had failed, and neither he nor anybody else could keep it alive. Even at that point there were critics of Kerin's action. I wonder what those critics would say now if he had not intervened until the debt had reached \$5b instead of \$2b.

Watching the dismantling of the Australian Wool Corporation was like attending the funeral of an old friend. For almost 20 years the corporation had effectively managed the huge logistic and financial affairs of one of Australia's biggest and most competitive industries. It did so with consummate skill and with never a hint of corruption and, I am told, without the loss of a single bale of wool. The marketing system it pioneered drew together those of us who favoured more radical and interventionist schemes, along with those who objected to any intervention in the free market at all. Within a few years of its operation the Australian Wool Corporation had achieved a rare level of grower support from people with widely differing marketing philosophies. That in itself was a huge achievement.

The future for the wool industry in the intermediate term hangs on the ability of northern hemisphere economies to regenerate. There is still a strong demand for wool, but as with any deferrable purchase item the demand is sensitive to price. In the longer term wool still has to combat its old enemies - the labour intensive nature of the industry and competition from increasingly high quality synthetic fibres. The industry will overcome these difficulties as it has done over the years, but in the short term this great industry, which has contributed so much to all Australians' present standard of living, needs a hand. I hope that members in this place understand that.

I was pleased that the Governor referred to the Government's intention to carry out a determined and sustained search for new markets for existing and new agricultural products.

The Premier and Deputy Premier have already devoted much of their time in this pursuit, and all Western Australians would appreciate that the strong market development approach that the Lawrence Labor Government had engaged in, particularly into Asia, is being followed on vigorously by the new Government. New markets and new products frequently go hand in hand.

In many ways the future of the wheatbelt and its regional towns depends on the development of both. It is disturbing that our production from the wheatbelt has remained agricultural and even to some extent monocultural over the decades in spite of the fact that most of our region was essentially fully developed as early as the 1950s. Our community and towns are already suffering the effect of depopulation, bearing out the premise that unless an economy moves forward, like a shark, it will die. I am aware of the doubts cast on the theory that value adding is some sort of holy grail for rural communities. These doubts in many ways are soundly based on the fact that if we manufacture goods from our primary produce we will be cutting into employment prospects in the very countries to which we seek to export. This has been the case for years. For example, Europe has not been interested in buying processed wool simply because European buyers do not want their processing plants to lie idle. Their preference for greasy wool is based less on some technical fact than on their interests in maintaining their domestic employment levels and consequently their domestic market. In this area, at least, we have seen some improvement, and wool scouring and top making is a growing industry in Australia. This has not been as a result of some kind of altruism by the Europeans or the Japanese. It has come as a result of environmental pressures which have made dirty industries such as wool scouring steadily more expensive. As pressure has crept up on the developed world in an environmental sense, these industries have become virtually untenable. Hence, it is more attractive to carry out these industries in Australia where the pressure on the environment is less acute than in crowded European and Asian countries. If the Agricultural Region or Western Australia in general is to attract any new industries other than those too dirty for Japan or Europe, we need to encourage the innovative small business sector. Apart from encouragement, our budding industries desperately need good research and accurate market information. In this area the Lawrence Labor Government made a strong commitment to provide the structures in the Department of State Development and the regional development authorities and commissions. Also, in conjunction with local government authorities and the Federal Government the Lawrence Government fostered a large number of local enterprise centres, some of which have been spectacularly successful in creating business and employment opportunities in rural areas. The Minister for Commerce and Trade, the Deputy Premier, who now has this area of responsibility, has expressed the desire to continue and further this work and I wish him well in that.

The five members of the Agricultural Region may well represent different philosophies, but if there is one thing that our electors can expect us to be united in, it is the future of our region. I am confident that within either a coalition or a Labor Government the present members for the Agricultural Region will not let down their electors in this regard. While the economic future of a region is important, so too is the quality of society. A prosperous region in which opportunities for social contact were limited would be less attractive than one which contained a diverse and accessible population. Rural communities lie at the fringe of what constitutes a critical mass of population and size. Some communities have, sadly, gone over the edge, and once thriving towns in the north east of the wheatbelt exist only as forlorn names on the map. A town dies more or less officially when its school closes. Schools are the centre of social activity in small towns. The goods sold at the local store are transported in the school bus and parents meet in town to discuss the often mundane but somehow essential needs of the school and its community. An enlightened policy which was followed by a former director general of education, Dr D. Mossenson, somehow survived changes in Government and administrations. It was the recognition of the value of the small schools. Dr Mossenson held that such was their value that unless parents determined that school numbers had fallen so low that the children's education was adversely affected, the school could stay open. I am the first to concede that this is not a good argument from an economic rationalist point of view. The cost of educating each child in a small school is undoubtedly higher than at a large school, but the economic rationalists do not have to stay and watch the town die after they shut down the school. They go on and get on with the business of creating the brave new world - or whatever it is that economic rationalists do in their spare time. The town dies when the school closes. The family that runs the school bus

that is no longer needed moves on to where one is needed. The business that sends its goods out on the bus eventually closes down. The parents still meet to discuss their mundane, but essential matters, but they meet in another town where the children go to school and where they now do their shopping.

In the end, all that is left of their town is a few sheets of flapping iron and a name on the map. If the closure of a country school is a sad, although sometimes unavoidable thing, it tends to happen at the end of a town's life. The closure may have shortened that life by a few years but the odds are it was probably going to die anyhow.

The closure of a country hospital is a very different matter. There are 32 hospitals in the Agricultural Region; two of those are regional hospitals, Geraldton and Northam. The remaining 30 are in small wheatbelt and great southern centres, ranging from Kununoppin at one end of the scale to bigger towns like Katanning at the other. These small country hospitals lie at the very base of the town's economy. They are of critical importance to the provision of health care not only to the sometimes vast areas that they service, but also to the users of our major interstate and intrastate highways. I do not know whether statistics on this matter are kept, but I am sure the total number of metropolitan, overseas or interstate visitors who have been saved by those hospitals is very considerable indeed. As far as I am aware there is no allowance made by health planners which seeks to accommodate the influence of a major highway on the ratio of staffed beds per head of population within the catchment area of any given hospital. However, if accidents on a major highway caused an increase in the use of the hospital by, say 10 per cent, it would appear on paper that in this catchment area the use of the hospital facility was 10 per cent higher than it would be in another region which did not have that highway problem.

Another aspect that I believe is worth mentioning has been a relatively recent trend for older people to retire in country towns. In fact, this is a highly desirable reversal of an earlier trend of country people to retire to metropolitan or near metropolitan coastal towns. While towns such as Albany, Bunbury, Esperance and Geraldton have always attracted retirees and will continue to do so because of their undeniable qualities, smaller towns are now also enjoying an increase in support from retirees. Some like Northampton, for example, because of their warmer, though not extreme climate, are favoured by people from the Pilbara who are seeking an environment with which they will be comfortable. In a great many cases wheatbelt towns have not been chosen for their climate and almost certainly not for their fishing or recreational facilities, but essentially for economic reasons. Many retirees, often those without partners, are attracted by the low housing cost and relatively low cost of living, often found in the wheatbelt. Rentals are generally much cheaper than in Perth. Those who do own homes in the city find that they can buy a suitable house in a country town and still have a substantial nest egg from the proceeds of the sale of their house in Perth. People are also attracted by the low crime rate in smaller towns. It is not usually necessary to lock one's house. In many cases houses do not even have locks. Because of the compact nature of small towns, vehicle ownership is often not needed, as most facilities are within walking distance.

Above all, retirees will make their eventual decision based on the availability of a good doctor and a good hospital in the town of their choice. Imagine just how those people who made their decision to retire in the beautiful old town of Northampton feel now that the Minister for Health has announced that their hospital is to become little more than a nursing post and that they must look to Geraldton for any serious medical treatment. There is no regular public transport between Geraldton and Northampton that could facilitate the need for visiting a sick spouse or friend. Patients would be left isolated and alone when they most needed support. The next hospital north of Northampton, on the very busy North West Coastal Highway is Camarvon. Northampton's catchment area goes as far north as the Billabong and Overlander roadhouses, hundreds of kilometres from Northampton and obviously even further north of Geraldton. Northampton's hospital also services farming communities inland in the Chapman Valley and the Northampton shires as well as a number of coastal fishing and tourism centres to the west. The people who live in this region and whose lives will be so fundamentally affected by the downgrading received not one word of consultation or warning from Hon Peter Foss, the Minister for Health. I find it absolutely incredible that this particular Minister - I am sorry he is not in the House - who stood in this Chamber and lectured us ad nauseam on the need for open and accountable Government -

could, in one of his first actions as a Minister, so utterly deny the people of Northampton one of their most basic needs without so much as a single word of consultation. Anyone can make a mistake. I am not so ungenerous that I cannot acknowledge the likelihood of a new Minister making a mistake given the great pressure Ministers are under. I also acknowledge that Hon Peter Foss has apologised to the people of Northampton for his failure to consult with them prior to taking away their hospital. However, unless we are doctors most of us can rectify an error. With goodwill and integrity we can put things right again. However, what goodwill and integrity has Hon Peter Foss shown? Since his acknowledgment that the announcement could have been better handled he has belatedly facilitated the establishment of a community consultative committee which, in spite of - I am not suggesting the Minister did this - an apparent attempt to stack it with Shire of Northampton and hospital board representatives, I now believe has a majority of community elected members and is chaired by Mr Brian Donegan, a person in whom the community justifiably places great trust. That process of consultation has started. The Minister now has effectively kneecapped the community by announcing via his director of medicine, as Peter Brennan was reported to have done in the *Geraldton Guardian* of Friday 18 June, that his decision will stand. It does not matter what the consultative committee resolves, the decision will stand. What kind of consultation is it when a party - coincidentally the one with all the power - says, "I do not give a damn what anyone says, we will do it my way"? The coalition's health policy clearly states its commitment to the recommendations of the Joint Select Committee on Country Hospitals and Nursing Posts. How does the Minister equate that policy on which this ham-fisted Government was elected, with key recommendation 51 of the select committee report which states -

It is recommended that before any country hospital or nursing post is reorganised or closed, there be conducted a thorough needs-based study of the health requirements of the local community/area. Any study must be conducted in cooperation and consultation with the local community, with an emphasis on consumers and including providers and other relevant stakeholders.

The report states further -

The consultative process may involve many agendas, and the task of effectively managing these is by no means straightforward. It is suggested that in rural communities where there is a clear need to examine existing health services closely and make significant changes, a systematic process should be adopted. In all cases it is paramount that the community be involved, preferably from the earliest stages.

That was a fine recommendation and it was a magnificent report. It was the report of a joint select committee chaired by Hon Julian Grill. Does the coalition's policy, which adopted the policy that I just read, refer to all of the select committee recommendations except 51 or does the Minister think it is all right as long as he has his fingers crossed when he gets to the bit about consultation? Had the Minister been fair dinkum about the need for consultation and cared even in the slightest about the people of Northampton he would have found that, quite apart from the fact that Northampton is actually a leader in its field - it was the first hospital to introduce the rural GP's training scheme - it is also a very efficient hospital by anyone's standards. Frequently, we get the impression that small country hospitals are expensive to run and are somehow inferior to major hospitals in regional or metropolitan centres. However, any objective analysis cannot support that view. It is certainly true that some of the very expensive equipment that is used in modern medical technology can be located only in larger hospitals where it can be utilised more efficiently. To that extent, a large hospital can undertake tasks that small hospitals cannot. However, that technology was paid for as much by the citizens who live in the remote areas as those who live in the large centres. It seems to me like a case of double jeopardy if we are to close hospitals in remote areas partly because the technology that the local people pay for is available only somewhere else.

Double jeopardy or not, if a small hospital is not being used, it must close. However, that is not the case with Northampton. Last year's occupancy rate at Northampton hospital was almost the same as that in our overloaded public teaching hospitals. According to an appendix of the 1991-92 annual report of the Health Department of Western Australia titled, "Statements A and B" which was also tabled in the Legislative Assembly under the number 600B on 24 November 1992, Northampton District Hospital averaged an occupancy rate of 86.13 per cent while the metropolitan public teaching hospitals' bed average is very close but

a little higher than the average for the Northampton hospital. Statewide, the average occupancy rate was more than three per cent lower than at Northampton and in the metropolitan area non-teaching hospitals, the average occupancy rate - the net demand for the services - was almost 10 per cent lower than at Northampton. We think we have an accommodation problem in the metropolitan area! However, in the non-teaching hospitals - that is, those hospitals which are most directly comparable with Northampton; and we should not compare them with teaching hospitals which have a particular role - the use of the facilities was almost 10 per cent lower than at Northampton.

I do not know whether there is any better indicator of whether the size of a hospital is properly matched to demand in its catchment area than by measuring occupancy rates. If there is, I would be pleased if somebody would improve my knowledge by telling me what it is. Certainly, in the hospitality and tourism industry, the occupancy rate of a caravan park or a motel, for example, is regarded as the key indicator of whether we have had overcapitalisation or undercapitalisation relative to the potential of customer numbers. I cannot see why a hospital should be all that much different in that respect at least.

It has been said that Northampton hospital suffers from a high leakage ratio; that is, a relatively high percentage of patients in its catchment area are receiving attention somewhere else. On the face of it, this seems to be the case, but given the very high occupancy rate, it may also be possible that sometimes Northampton cannot take any more patients because its resources are fully committed and patients must be referred on, presumably to Geraldton. Whatever the case may be, the high level of use of the Northampton hospital would seem to provide more arguments for increasing its service capacity than reducing it. Northampton is not a dying town; it has a bright and steadily growing future with all of the signs indicating that this growth, and hence the growth in demand for hospital services, will continue for the foreseeable future. If the hospital closes or is reduced to the status of a pretentiously titled nursing post on a fraction of its current budget, where will the high and growing demand be met? Obviously, the welcome extension of facilities at the Kalbarri Nursing Post will cater for some of the more minor medical needs which were met previously at Northampton. However, the only realistic choice for those cases requiring hospitalisation for more than 48 hours is the Geraldton Regional Hospital.

I spoke with senior personnel of the Gascoyne mid-west health region in Geraldton and I asked what would be the level of increase in the Geraldton Regional Hospital's budget to accommodate the additional demand coming from Northampton and points north. The answer was that there will not be any. I asked, "No increases at all?" I was told that no increase is planned for the Geraldton Regional Hospital. I then asked the obvious question: How will the Geraldton Regional Hospital manage the increased demand given that it is notorious for having difficulty staying within its budget now? I was told that the length of stay would be shortened. The average length of stay at the Geraldton Regional Hospital is another figure that I should have available. However, it is substantially less than the State average of 5.15 days and we are expected to believe that it can be shortened still further. Does that mean that mid-west people are tougher than the rest of us, or does it just mean that they are more expendable? I was then told that hospital care was expensive. I knew that already. I was also told that patients should recover at home. I did not know that. I always thought that sick people should stay in hospitals until they are well enough in the doctor's opinion to be discharged.

Hon Max Evans interjected.

Hon KIM CHANCE: The interjector may be right because apparently that is not the case any more. According to the Health Department, it is now much better for sick people to go home, although not all sick people, just sick mid-west people.

However, the regional office did say that these patients would need an extended nursing service, which was something of a relief. That would entail nurses visiting the homes of patients who had been discharged early so that their recovery may be monitored and assisted. I asked the regional officers how this extended nursing service would be managed in a logistical sense since some of the patients' homes are a very long way from Geraldton and some of them even quite a long way from Northampton or Kalbarri. I thought that the cost of providing an effective service all of the way out to the Overlander or even to Yuna would be very high if all that travelling was from Northampton.

I was told that the nurses would not necessarily come from Northampton. When I asked where would the nurses come from, I was told that the Health Department would contract the services of nurses who lived in the area to perform the house calls. I thought, "I have got it now!", and asked, "Which nurses?" I was told, "There must be some nurses out there. I know there is one in Port Gregory."

Hon Tom Helm: There is one in Port Hedland.

Hon KIM CHANCE: I heard about that one too, and I did not believe it either.

It is my belief that a nurse who leaves that profession for a time, which I think is five years, is deregistered and in order to regain registration and be legally able to work again must retrain, a process which requires at least some full time attendance at an approved institution and quite a degree of extended study from Curtin University.

We have a situation in which the Minister is proposing to send to their homes people who anywhere else in the State would have remained in hospital. However, these patients, some of whom live in remote and isolated areas, and some of whom live in conditions that are not the world's best, will be visited occasionally when and if the Minister's department can find a local nurse who is willing to come out of retirement and to go to the expense of spending months away from home in order to retrain, on the off chance that he or she may pick up the odd day's work.

Hon Tom Helm: Is the Minister aware of this?

Hon KIM CHANCE: I cannot believe that Hon Peter Foss, who I know is a hard working Minister, is not aware of it. This is an absurd proposition. I would ask the Minister if he were here, but he can reply at some other time when he has the opportunity - I am not ungenerous in that regard - to tell members of this House -

Hon Graham Edwards: You are more generous than they were, I will give you that much.

Hon KIM CHANCE: We should start like the next Government and not like the Opposition.

I ask the Minister, when he does have the opportunity, to tell the members of this House and, not incidentally, the people of Northampton, what have those people in Northampton done to deserve this appalling treatment? If the concept of a multi purpose health centre were such a brilliant idea, why has the Minister not trialled it in his own electorate? Hospitals in his own electorate are more expensive to run, have lower occupancy rates and have longer average bed stays per admission than does Northampton Hospital. Most important of all, people in his electorate, when it all fouls up, will have the luxury of choosing to go to an alternative hospital when they become dissatisfied with the cut price treatment which they will receive in his cynical, cheap excuse for a medical facility.

The people of Northampton have no such alternative. I am sure they will be interested to know why they and not the people of the East Metropolitan Region will be the guinea pigs for this experiment. Had the Minister taken even a few moments of his time to talk to the local people, he would have found out a few other things; for example, efficiency. Only five of the 87 public hospitals in Western Australia, with the exception of the Perth Dental Hospital, operate at a marginally lower average cost per admission than does Northampton Hospital. The remaining 81 hospitals in Western Australia cost more to treat a patient for the whole time of admission than does Northampton Hospital. So why on earth is the Minister even considering downgrading this of all hospitals? Why poor old Northampton Hospital? In the year 1991-92, each admission at Northampton Hospital cost \$1 581.37 on average. Statewide, that figure was \$2 988.48. That is more than \$1 400, or nearly double the cost. Sure, that Statewide figure includes the teaching hospitals, which obviously will be very expensive. Even within the region, which I think is the most efficient in the State, the average was \$1 739.73, which is more than \$200 an admission over Northampton's cost. Average cost per admission is an important indicator of efficiency because it takes into account both major factors. It takes into account both the cost per day at which the hospital runs on a bed basis and the length of stay in the hospital. Therefore, if we have what seems to be a relatively efficient hospital but which in order to keep up its bed average is hanging onto patients and keeping them in for a day or two longer, obviously the cost per admission will show up that inefficiency. Although the average length of stay at Northampton Hospital is slightly longer than in the rest of the region, it is well below that of the rest of the State.

Hon John Halden: What was the view of the local member?

Hon KIM CHANCE: The view of the local member, I must say, was one of extreme embarrassment. To his credit, though, Hon Kevin Minson, the member for Greenough, did attend a public meeting of 450 fairly unhappy people at Northampton. The Minister for Health did not attend.

To put Northampton Hospital's performance into perspective, it was cheaper in 1991-92 than any metropolitan public hospital on a per patient basis. Each patient who would otherwise have been treated at Northampton Hospital but now chooses to be admitted to a metropolitan hospital would not only make one bed unavailable in Perth but also would actually cost the State much more than had Northampton Hospital stayed open. Similarly, Northampton Hospital ran at a lower per patient cost than any hospital in the Pilbara, goldfields or great southern health regions. In the directly comparable central wheatbelt and south west regions, Northampton Hospital was cheaper than all but one hospital in each of those regions.

A member interjected.

Hon KIM CHANCE: I am sorry; it was cheaper than any hospital in the Pilbara health region.

Efficiency can also be expressed in narrower terms by analysing the cost per occupied bed per day. At Northampton Hospital last year, the average cost per bed day was \$352.84. The average in the region was \$473.68. That is over \$120 per day more expensive. The average Statewide was \$580.80, or almost \$230 per day more expensive than Northampton Hospital. Forty eight of the State's 87 hospitals run at a higher cost per day. I ask again: Why downgrade Northampton Hospital? It is true that Northampton is a small hospital, and of course its bed average would be higher if it held patients for longer, as other hospitals do, but even so three hospitals in its region have lower bed averages, and Statewide no less than 19 hospitals, including amazingly one metropolitan hospital, have lower bed averages. Why has the Minister singled out for special treatment this one fairly isolated hospital?

About 450 people turned out to a meeting in Northampton to express their deep concern about what the Minister had announced was to be the future of their hospital. If they had expected the Minister to be there, they would have been disappointed, even though he was well represented by his own and by departmental staff. The people at that meeting and the dozens of people to whom I spoke subsequently were bewildered about what they had done to deserve this, and there really was not much I could say to them to make them feel any better about what was happening. Once I had the opportunity of looking at the facts, some of which I have set before members tonight, I could understand and share their bewilderment.

I am not unsympathetic to the seemingly insurmountable problems that a State or Federal Health Minister faces. It is probably the most difficult of all ministerial tasks. I certainly bear no ill will towards Hon Peter Foss.

Hon Tom Helm: Heaven forbid!

Hon KIM CHANCE: However, this decision is wrong. It is wrong morally, economically and logistically. While the decision stays I will do all that I am able to do to frustrate its implementation. However, it is not too late for the Minister to step back and re-evaluate the effect of the decision and, most importantly, perhaps to consider the impact it would have if the same logic were applied across the board to all small hospitals. I wonder how country members on both sides of this House feel about the future of their country hospitals, because the odds are that their country hospitals' figures lined up against those of Northampton Hospital look sick. I urge the Minister for Health to take time to reflect on what action he might take. I assure him that neither I nor, I believe, my colleagues on this side would have anything but respect for a decision which would lead to the retention of Northampton Hospital in its current form.

I recently had the pleasure of attending Geraldton's *Batavia* Week, which was a celebration of the thirtieth anniversary of the discovery of the wreck of the Dutch East Indies' flagship *Batavia*. Although it was a celebration it was also a commemoration of the 364th anniversary of the loss of that fine ship and the subsequent horror that occurred on the Abrolhos so many years ago. The wreck of the *Batavia* is still the worst civil maritime accident in Australian waters. A recent visit to the wreck site was an awe-inspiring experience for me. When I first took an interest in the *Batavia* 20 years ago I was warned

that once touched by the events which occurred there I would be fascinated and haunted by them for the rest of my life. I believe that may well be true. The *Batavia* story and the abundant physical evidence which remains today has an eerie and compelling attraction. To have been able to walk on the tiny island where the survivors of the *Batavia* were terrorised by Jeronimus Cornelisz and his cohorts and to look across the channel to the markers on Long Island, the site of the gallows where the mutineers were executed, is an experience I will not forget.

Although my interest in the *Batavia* is long standing, it was the opportunity that this House granted me last year to sit on the select committee on the *Batavia* relics which provided me with most of the information I have been able to accumulate. The members of the select committee, Hon Phillip Pendal, Hon Derrick Tomlinson and I, did not go out to the Abrolhos on that fairly hectic and economical investigation. I always felt it was a pity that we could not go to the islands which were so fundamental to the whole story. When the opportunity arrived during *Batavia* Week to take part in a pilot tourism venture which traces the events of 364 years ago I was delighted to pay \$150 to visit that part of my electorate. Tourism - at least commercial tourism - had no place on the Abrolhos in the past. Although access by sea is freely permitted, visitors are prohibited from setting foot on the island. Commercial rock lobster fishermen holding A zone licences are permitted to live on clearly-defined areas but the fragile ecology of the islands is such that people must be discouraged from tramping all over the pristine coral ramps.

On the initiative of the Abrolhos Islands Consultative Committee, two commercial enterprises - Shine Aviation and Force Five Charters - have been licensed to operate a trial tourism service to the southern group; that is, the group of islands which involved the *Batavia* and her survivors. The service provides a flight from Geraldton to a strip at Wallaby Island from which passengers are able to board a charter vessel to various islands of interest in the southern group. The tour participants are able to land on the islands and, under the supervision of a guide, visit sites of interest. Although we should all be concerned to maintain the environment of the islands, if more people had the opportunity to visit the islands and absorb some of their long history and to see the complex maze of coral reefs that make up the area, we would all be more committed to the need for their preservation. Properly controlled fly in, fly out tourism incorporating both island visits and dive tours need not place intolerable pressure on the ecology particularly if the effects of tourism -

[Leave granted for the member's time to be extended.]

Hon KIM CHANCE: I do not believe that kind of tourism pressure will place intolerable pressure on the ecology, particularly if the effects of tourism can be carefully monitored. If we are able to accommodate visits of this nature we will have opened up a new tourism attraction in the mid-west which will be of immense value. A video of the islands and the reef was shown recently on Japanese television. I am told it created huge interest and inquiries from Japan seeking information about holiday destinations on the Abrolhos. It may be that we can never meet that request. However, the pilot scheme operating may well lead to an influx of visitors whose reason for being there will be very different from those of the first visitors 364 years ago.

Batavia Week was a major event in Geraldton. A number of official and semi-official functions were successfully conducted. The city hosted a visit by His Excellency, the Netherlands Ambassador to Australia, Mr J. Cornelius Th. Bast, who was quick to assure us that he was in no way related to his infamous countryman of the same name. Much of the organisation of the week's events and the impetus for celebrations came from one of the discoverers of the *Batavia* wreck, Mr Max Cramer, who with journalist, author and diver Hugh Edwards, and fisherman David Johnson, were recognised by the select committee not only for their discovery of the *Batavia* but also for their care of the relics and quick recognition of the value of their find to all Australians. Max Cramer is deservedly a living legend in Geraldton. His enthusiasm for Geraldton's part in preserving this aspect of our heritage is contagious and as fresh as the day he first dived on *Batavia*'s graveyard.

The events coinciding with *Batavia* Week led me to reconsider the recommendations that we made in the report of the select committee presented to this House last year by Hon Phillip Pendal. I fully support those recommendations still, in the light of what has occurred since they were presented. Fundamental to those recommendations is the adoption of the principle

that the majority of the *Batavia* relics belong to Geraldton and that once a suitable facility can be constructed in Geraldton the relics should be moved from their present home in Fremantle.

A feature of the proceedings of the select committee was the contrast in community attitude to the relics between Geraldton and Fremantle residents. Geraldton people came forward in huge numbers to express a genuine and sincerely held belief that the *Batavia* episode belongs in the Abrolhos and in Geraldton. They have been brought up believing that the events which occurred there are part of their history as much as Mrs Dance's cutting down a tree is part of the history of the Swan River and its settlers, and nothing will ever change that. This sense of ownership is not founded on commercial opportunities that possession of the relics might endow, even though that aspect is clearly recognised. Fremantle residents, on the other hand, did not once indicate a sense of belonging to *Batavia*; indeed why should they? As a historical event, the story of the *Batavia* holds no connection with Fremantle which is steeped in its own maritime history.

We all owe a great debt to the Fremantle Maritime Museum for the wonderful work its conservators have done to ensure the preservation of the relics. These people have put our museum at the forefront of technology in this field. But now in respect of most of the relics their job is done and it is time the *Batavia* was returned home. The most important component of the *Batavia*, the vast section of hull timbers which make up the port and stern quarter of the ship, does need to remain in Fremantle while that museum remains the centre of our conservation technology. These timbers are not yet stable and require ongoing preservation work. Even so, it is my sincere hope that one day the hull timbers will rest in Geraldton. I have already referred to Fremantle's rich maritime history. It is important for us to appreciate that the relevance and pre-eminence of Fremantle's place as our foremost maritime museum does not hang exclusively on the *Batavia* - far from it. Although the *Batavia* and the *Zuytdorp* relics have formed an important part of the Fremantle display and must continue to do so, Fremantle possesses a vast collection of exhibits which are relevant to that port's own history, including the *Vergulde Drack* discovered just north of Perth by the museum's current director, Dr Graeme Henderson. Even though the commissariat building which houses the Fremantle Maritime Museum is a beautiful example of early Western Australian architecture, it is regarded by the museum staff as a temporary home. There may be strong arguments for building a new facility at some time in the future to accommodate Fremantle's museum but I urge members to appreciate Geraldton's more immediate need and to recognise the long held hopes and aspirations of Geraldton people in that regard.

The nature of land tenure in the Agricultural Region is such that the decision of the High Court of Australia in 1992 concerning the common law rights of indigenous people will have no direct impact. However, it has been disturbing to watch as various people have made political capital of native title, making gross distortions of the fact in an attempt to whip up some sort of racial and mutual fear for their own gain. Just why the High Court judges decided to leave some of the important elements of the ruling so vague and open to misrepresentation, deliberate or otherwise, is a regrettable mystery. Whatever their reasons, the nature of the ruling is a fact and it is futile to deny that that is the case. To say that our collective handling of the Mabo decision is inappropriate is probably a polite understatement. Our reaction as Australians has ranged from absurd land claims by Aboriginal groups through to dark warnings by conservative elements that the very houses in which we live and the roads on which we drive are under some sort of threat or claim. We have seen the decision welcomed on the one hand as an opportunity to acquit ourselves of 204 years of civil rights abuse and on the other hand condemned as a form of apartheid. Each proposition is probably as ludicrous as the other.

I believe that we have tackled the reality of the issue from the wrong end. Our focus has been on trying to fill in the gaps of the High Court decision and in so doing we have applied our own, sometimes extreme, bias in order to paint a picture that suits our own needs. Rather than attempting to second guess the High Court judges by filling in the gaps for them, perhaps we should appreciate that the decision has gaps simply because the judges did not know the answers. They left the answers to the Australian people. Rather than trying to define outcomes, is it not a better starting point to try to define just what are the rights that have been conferred and what are the rights Australians collectively believe are justified?

Members may have noticed a letter in *The West Australian* newspaper on 11 June this year from Mr George Savell, the Executive Director of the Association of Mineral Exploration Companies. Mr Savell asked three questions in his letter which he pointed out are questions which need to be answered with some unanimity before the issue can be tackled. These questions were: What is native title? What basic rights does it confer? And where does it lie in relation to the title system in use in this country? I can only agree with Mr Savell. When we are able to agree on answers to those questions perhaps Mabo will not seem to be the same legal and political minefield it now seems to be.

I have mentioned before my enthusiasm for the innovative and energetic manufacturing sector in the Agricultural Region and also my desire to assist it to grow. While we were in Government and since, I have taken a close interest in the local enterprise centres which we established in conjunction with local government and Federal Government and with strong support by private enterprise. It had been my experience over the years that, although Government instrumentalities existed to serve the needs of small business, these bodies somehow seemed irrelevant to the small and developing secondary industries in rural areas. When Ian Taylor was Deputy Premier and Minister for State Development, the Lawrence Labor Government introduced changes and innovations such as the local enterprise centres which are aimed directly at making Government effort more relevant to its potential clients. We still have some way to go before we can be satisfied that we are doing all that we can to provide encouragement and support for our budding manufacturers. I have already noted my good wishes to the Minister for Commerce and Trade for the achievement of his own targets in this area.

Two weeks ago I visited a small plant in the eastern wheatbelt which I consider to be a first class case of an industry which is developing with sound logic and huge personal effort. It is an industry that we need. Its figures make sense and it needs a modest level of support, yet it has received none from any level of government. Mr Harold Dawes of Burracoppin has developed a low cost, but very effective, technology for recycling chemical drums. As I understand it he holds the only unrestricted licence for this activity in Australia. Cycledrum in Melbourne is engaged in a similar venture but it limits the drums it accepts for recycling to those which have contained chemicals of very low toxicity. The technology Mr Dawes has developed is so good that he is able to effectively treat and recycle drums that have contained highly toxic substances.

Used chemical drums have become a major pollutant in country areas, a serious and dangerous problem for local authorities, which have had neither the expertise nor the means to solve a disposal problem with which they have found themselves encumbered. The simple solution is to return the drum for refilling to the supplier. This solution not only addresses the pollution and public health problem but it is also economical. A properly cleaned drum is a fraction of the cost of a new imported drum. Mr Dawes' product has been widely accepted in the industry but, having got to this stage of having proved the technology, to start low level production, like any business, he needs capital. It is this point that so many small businesses find they cannot get past. I believe this is the stage at which we should be providing some support if we are to be considered to be serious about developing small businesses. Mr Dawes, like so many others, is offering not only a potentially sound business capable of employing people but also a sensible solution to a serious environmental problem. It will be tragic if it can go no further. I have advised Mr Dawes that he should seek the services of the newly established local enterprise centre in Mukinbudin and I have spoken to that centre's facilitator, Miss Linda Butterley, in an effort to find some way that this particular enterprise can expand and realise its full potential.

I am hopeful that this can be the case. If so, it will be a feather in the cap of this newly formed group. One of the distinguishing features of small business is that the proprietors are fiercely independent and generally fairly cynical about anyone who says, "I am from the Government and I am here to help you." Although this generalisation may be founded on personal experience, no reason exists why Government and private enterprise cannot cooperate for the benefit of small business, which remains our leading employer. If the wheatbelt is to remain a wonderful place in which to live and be able to offer a future for our children, it would be due in no small measure to people such as Mr Dawes, who have developed the industry and employment to keep the wheatbelt alive. I commend the motion.

Debate adjourned, on motion by Hon P.R. Lightfoot.

ACTS AMENDMENT (COAL MINING INDUSTRY) BILL

Introduction and First Reading

Bill introduced, on motion by Hon George Cash (Minister for Mines), and read a first time.

Second Reading

HON GEORGE CASH (North Metropolitan - Minister for Mines) [9.42 pm]: I move -

That the Bill be now read a second time.

The principal Acts which the Bill proposes to amend are the Coal Mining Industry Long Service Leave Act and the Coal Industry Superannuation Act which relate to coalminers in Western Australia. After extensive discussions with industry parties and State Governments, the Commonwealth Government has decided that the present coalmining industry long service leave arrangements, which involve Commonwealth and State legislation, should be replaced by an industry managed, fully funded scheme with employer contributions related to the payroll cost of long service leave. The new scheme will be national and industry wide and arrangements are proposed that it be in place by 26 June 1993.

A statutory corporation - the Coal Mining Industry (Long Service Leave Funding) Corporation - with a board of directors representative of the industry will be established by the Commonwealth Government to manage the scheme. The corporation will tender to the States to manage the new scheme, eliminating the need for State legislation. The Commonwealth Government has introduced legislation to establish the new scheme and has repealed the statutory basis of the old scheme. It has therefore sought the Western Australian Government's agreement to pass legislation to repeal the legislation that governs the old scheme, the Coal Mining Industry Long Service Leave Act. Consultation between the coal mining unions and coal mining companies has been extensive. It is their preference that the Coal Industry Superannuation Board, which currently administers the long service leave scheme, continue to administer the new long service leave scheme once it is implemented. It has been ascertained that to do this it will be necessary to amend the Coal Industry Superannuation Act, which is the other main purpose of this Bill.

Other minor amendments proposed to the Coal Industry Superannuation Act at this time are to ensure compliance with the Commonwealth Government Occupational Superannuation Standards Act and regulations, which are constantly under review and are of a general administrative nature. Essentially, this Bill seeks to allow the implementation of the new coalmining industry long service leave scheme to go ahead with a minimum of disruption and allow its administration to continue under the Coal Industry Superannuation Act, as is the wish of the parties concerned - the coalmining unions and the coalmining companies. I commend the Bill to the House.

Debate adjourned, on motion by Hon Mark Nevill.

MINES REGULATION AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon George Cash (Minister for Mines), and read a first time.

Second Reading

HON GEORGE CASH (North Metropolitan - Minister for Mines) [9.46 pm]: I move -

That the Bill be now read a second time.

This Bill repeals three divisions of the Mines Regulation Act 1946: Division 2A, Health; division 5, Employment; and division 6, Sunday Labour Underground. The repeal removes from the Act anachronistic provisions which are no longer appropriate or relevant under present day conditions and circumstances to the wellbeing of the industry and its work force. I will deal with the topics in sequence.

Division 2A of the Act provides for the appointment of mines medical officers and for the periodic medical examination of mine workers. It empowers a set of regulations which prescribe for identification and prevention of occupational diseases, including exclusion of medically unsuitable persons from employment in or about any mine. Those provisions were included in the legislation many years ago when active pulmonary tuberculosis and silicosis

were rife in the underground sector of the industry. Tuberculosis and silicosis have been virtually eradicated from the industry, with very few carryover cases of silicosis being identified each year in workers involved in the industry during those earlier years.

The existing regime of issue of mine workers' health certificates and periodic X-ray examinations to maintain their currency has been recognised by occupational health authorities for several years as ineffective and inappropriate. It imposes an unwarranted burden on scarce and expensive health resources and incurs a considerable cost to the taxpayer. The report on the inquiry into Occupational Health and Safety in the Mining Industry in Western Australia, conducted by Mr Eric Kelly in 1991, also recommended that these provisions be dispensed with.

In the course of a proposed major review of the mining occupational health and safety legislation during the remainder of this year, I will receive advice on requirements for an up to date health monitoring regime appropriate for the industry, and on the framework of legislative provisions, if any, which are required. This advice will be provided by the Interim Mines Occupational Health and Safety Advisory Board which I have appointed. Any such regulatory regime will be consistent with the principles of the general duty of care and will be applied on the basis of the requirements of particular sectors of the industry. The costs associated with any regime of medical monitoring which is found necessary to establish will be borne by the industry, not the taxpayer.

I have approved the appointment by the Department of Minerals and Energy of a consulting physician with extensive occupational health experience to provide advice and assistance to the department and to the Interim Mines Occupational Health and Safety Advisory Board, to which I referred earlier. This board, which will comprise representatives from employers and employees in the mining industry and from the Department of Minerals and Energy and the Department of Occupational Health, Safety and Welfare, has been established to provide advice to me about occupational health and safety in the mining industry in Western Australia. It will be empowered to establish working parties or expert subcommittees to deal with particular tasks on specialist areas.

The repeal of division 2A removes the legislative provision for the Ventilation Board and the Mines Radiation Safety Board. The functions of these bodies will be carried out by expert subcommittees established by the interim Mines Occupational Health and Safety Advisory Board. The priority task of the Mines Occupational Health and Safety Advisory Board will be to carry out a comprehensive review of the Mines Regulation Act and the Coal Mines Regulation Act and to consolidate these two Acts into one.

I will deal with divisions 5 and 6 together as they are closely related. Division 5 contains provisions which restrict hours of work for underground employees to seven and one half hours per day and limits shifts to be worked in any week to six, with the sixth to be worked only with the consent of the employee. In present day underground mines this places a very severe constraint on the effective available working time, particularly when travel time to the actual workplace in extensive mines with decline access is considerable for such mines at depth. Effective working time for each employee can be reduced to five and one half hours a day, where a seven and a half hour limit is in place, due to travel time and meal break.

These provisions may have been considered appropriate 50 years ago, but in the light of the nature of the work and the need for clearance of blasting fumes between shifts they are no longer justifiable today. The work is extensively mechanised and ventilation systems are of a very high standard. Moreover, entry to any area not ventilated and cleared of fumes is prohibited.

Division 6 contains provisions which prevent production and development work from being carried out on Sundays. However, it does allow for other forms of underground activity such as maintenance and servicing. The effect of these two constraints has proved extremely detrimental to the economics and efficiency of the underground mining sector of the industry. The major detriment is the gross under-utilisation of both the mobile mine production units and the capital infrastructure of the underground mine development and its fixed installations.

In a mechanised mine the underground production miner no longer wields a pick and shovel, but a drill jumbo, a load haul dump or 35 tonne truck with unit capital costs ranging from

\$500 000 to \$1m. Underground mines are opened up by driving tens of kilometres of decline and horizontal development at a cost of \$2 000 a metre. Shafts and winder installations have a capital cost of \$50m to \$100m and mine pumping systems and primary ventilation fans represent a further high capital cost, and these must be operated continuously to be viable.

It is evident that the ability to operate underground mines on a continuous roster basis will profoundly improve the economics. Constraints of this type do not exist in other States of Australia or in overseas countries whose industries we must compete with in the international marketplace. In surface mining operations, as with many industries and service sectors other than mining, 12 hour shifts on a continuous roster basis are commonplace. Plants must operate continuously as a result of two imperatives. The full level of efficiency can be achieved only with production continuity rather than stop-start and the massive capital cost of plant makes maximum utilisation essential for an adequate return on the investment. The working of 12 hour shifts underground has become commonplace, worldwide and in Australia, where the operations are highly mechanised.

It has been necessary to provide a great many exemptions from the constraints of these provisions over the past five years to allow economic operation of mines in Western Australia, particularly those whose location requires long distance commuting. In such cases compressed work schedules involving 12 hour shifts are worked, but the longer period of time rostered off results in aggregate working hours per month or per year which are the same as, or only marginally greater than, those for a conventional shift roster. Such compressed work schedules are also in place at mines where the work force resides in towns near the mines. They have proved to be very popular with the work force.

No move has been made to introduce extended shifts for manual mining work; for example, air leg mining where sustained physical effort for longer periods could result in undue fatigue. The industry standard for this type of work is accepted to be a normal eight hour shift. This type of work involves much less imperative for maximum utilisation as the capital equipment costs involved are small in comparison to those for mechanised mines. For several years there has been a sustained demand for removal of these constraints. The hours and days of work and the rosters which will accommodate efficient operations and satisfy the work force are matters for industrial determination and have no place in mine safety legislation. The requirement under the general duty of care of the employer includes provision of safe systems of work and this must be taken into account when work systems and rosters are devised. The scope afforded by removal of the existing constraints allows complete flexibility in arriving at systems to suit the needs of each operation and its work force.

Members will note that provision has been made in the Act to allow for the framing of regulations covering hours of work for winding engine drivers. This has been deemed to be a prudent precaution so that, where necessary, limitations can be placed on hours where winding engines are driven manually in the hoisting and lowering of men. This task demands sustained concentration, particularly in shaft sinking work, and the need for some constraint on hours is analogous to that for airline pilots. In both situations the safety of persons in the charge of the engine driver or pilot may be dependent on those persons remaining alert. Most large winding engines are now designed for automatic operation but the requirement for manual operation will remain in shaft sinking and smaller scale mines.

A number of other amendments are required as a result of the repeals. Provisions which existed in division 5 requiring persons working underground to have competency in speaking and reading the English language will be retained in regulations and power to make these regulations is included in the Act. This requirement recognises the limited supervision which can be exercised in an underground mine and the paramount need to read safety signs, understand instructions and to communicate readily and clearly to others.

Section 41(2) of the Mines Regulation Act, which deals with age limits for persons working underground, is repealed with division 5. Power to regulate for this already exists in section 61.

Consequential amendments to the Parliamentary Commissioner Act, 1971 and the Workers' Compensation and Rehabilitation Act, 1981 are required to delete references to the Mines Radiation Safety Board and mines medical officers and to allow for the appointment of appropriately qualified physicians to discharge the functions of the latter.

Section 62 - review of the Act - has been repealed as it was directed mainly at a review of division 2A. When the major revision of the legislation referred to earlier is completed, a review provision will be included. The Bill also includes a provision to enable the Minister for Mines to delegate his functions under the Act to appropriate officers of the Department of Minerals and Energy.

In summary, enactment of this legislation will remove unwarranted and anachronistic provisions from the legislation as part of the process of microeconomic reform and will bring the legislation into line with other States in this respect. The encumbrance of issuing dozens of exemptions is dispensed with. It will reduce costs to the State and allow for a more effective system for monitoring the health of mine workers. Establishment of the capacity for continuous production in underground mines, with the facility for more flexible work systems and rosters, will allow improved efficiency and reduced costs.

I commend the Bill to the House.

Debate adjourned, on motion by Hon Mark Nevill.

MINING AMENDMENT BILL (No 2)

Withdrawal

Bill withdrawn by Hon Mark Nevill on the ground that it was identical to Order of the Day No 2.

MINING AMENDMENT BILL

Second Reading

HON GEORGE CASH (North Metropolitan - Minister for Mines) [10.00 pm]: I move -

That the Bill be now read a second time.

This Bill was introduced to Parliament late last year by the previous Government as the Mining Amendment Bill (No 2) 1992. Members will recall that because of its late introduction the Bill did not proceed to the debate stage. The Bill is now reintroduced without any changes being made to the contents of the Bill, other than the title being updated to 1993. The Bill proposes various amendments to the Mining Act 1978, including a number of important changes sought by the mining industry and also changes to the Mining Amendment Act 1990 to rectify some minor inconsistencies. The main proposals in the Bill include -

- the establishment of environmental inspectors to ensure compliance with environmental conditions attached to the grant of mining tenements;

- new amalgamation provisions for exploration licences;

- a fixed four year term for prospecting licences;

- the introduction of a retention licence to allow explorers to retain identified ore reserves which cannot be mined in the short term;

- provision to allow prospectors to mark out and apply for special prospecting licences for gold over existing mining leases; and

- the tonnage limits and depth restrictions on mining leases for gold being extended where the consent of the primary mining tenement holder is obtained.

Other amendments contained in this Bill seek to enforce the underlying principles of the Mining Act and address issues which have arisen through the general day to day operation of the Act. In order to ensure compliance with environmental conditions, it is essential for an adequate inspectorial system to be implemented. Experience in recent years has shown that while the majority of operators comply with their responsibilities in respect of environmental matters, some do not. It is proposed to provide for the appointment of two classes of inspectors - senior environmental inspectors and environmental inspectors. All environmental inspectors will be authorised to -

- enter land where mining operations are being carried out for inspection purposes;

- require any information relating to the mining operations to be provided; and

give directions to the mining tenement holder requiring that holder to modify mining operations so that environmental conditions may be complied with.

Senior environmental inspectors will also be authorised to issue directions to stop work. An appeal mechanism to the Minister against such directions given by a senior environmental inspector has been provided for.

The Mining Act currently provides that the holder of an exploration licence may, without marking out the land, apply for the amalgamation of any surrendered, forfeited or expired mining tenements situated wholly within the boundaries of that exploration licence. The new provisions will allow exploration licence holders to amalgamate their own mining tenements, and also tenements which are surrendered, forfeited or expire during the period the exploration licence application is pending. There are three administrative benefits to both the mining industry and the Department of Minerals and Energy in these new amalgamation rules. An application to amalgamate mining tenements can succeed only where the land formerly comprised in the mining tenements has not been marked out or applied for by another party.

This Bill also introduces a new title, to be called a retention licence, which will be an intermediate form of tenure between the exploration licence and the mining lease. Its primary purpose will be to provide secure tenure, for a limited time, to enable an explorer to hold an identified mineral resource which is not a commercially viable proposition in the short term but for which there is a reasonable prospect for development in the longer term. From time to time deposits are identified for which no further exploration or mining is warranted in the short term. The identified resource may be sub-economic or cannot be mined for some other reason. In these circumstances the current mining tenements are inadequate. The exploration licence is for the exploration of the ground for mineral resources; it is not a holding title, and the mining lease is inappropriate and too expensive. There is a need for a less expensive title with a work program determined by the Minister after taking into account economic, technological and policy factors. A retention licence would clearly indicate to all parties that a resource had been identified and that different commitments and expenditure to the working of the ground applied. The introduction of a retention licence will -

- give improved security of title for mineral deposits which cannot be mined for the time being;

- facilitate the implementation of an appropriate work and/or research program designed to achieve economic development of the identified resource;

- highlight areas of identified mineralisation which may be developed at some future stage; and

- reduce the administration costs and simplify administrative procedures for companies with such mineral deposits.

Certain criteria must be met before retention licences will be considered, and title will be issued only where it can be established that a mineral resource has been identified and cannot be mined for the time being because -

- the resource is uneconomic or markets cannot be found, but in either case it is expected to become economic or marketable in the future;

- the resource is required to sustain future operations of an existing or proposed mining operation; or

- current political, environmental or other difficulties in obtaining requisite approvals make mining the resource impracticable for the time being.

The main elements of the proposal for a retention licence are that any such licence -

- may be applied for only within the boundaries of current mining tenements by the holder of those mining tenements;

- shall be limited in area to that which is sufficient to cover the identified mineral resource and operational areas necessary for a mining project based on that resource;

- shall be for a term up to five years with provision for renewal for further periods up to five years; and

may incorporate a work program or expenditure commitment as determined and this will depend on the reasons for the licence being issued.

Amendments are also sought to allow a special prospecting licence for gold to be marked out within an existing mining lease with the consent of the leaseholder. Such licences are currently allowed over other prospecting licences and exploration licences, and the extension of this concession to include mining leases will enable the parties to avoid high legal costs that may be associated with tribute arrangements. This will provide improved access for the prospector to ground which is not required in the short term by the current lessee. The amendment has been urged by the Amalgamated Prospectors and Leaseholders Association, which sees it as a means of providing a stimulus to activity in the goldfields. As with the current special prospecting licence arrangements, these licences will also be restricted in the tonnages allowed to be mined unless prior permission is obtained to mine larger tonnages. Depth limitations are also attached to all prospecting licences. However, provided the prior consent of the primary tenement holder and the approval of the Minister are obtained, mining to greater depth will be allowed. Special prospecting licences may be converted to mining leases for gold, and if a conversion takes place these limitations on tonnage and depth also apply to the lease. Other amendments that have been incorporated into the Bill provide for -

an automatic right for a plaintiff to mark out land the subject of the plaintiff mining tenement where the holder surrenders that mining tenement - other than a compulsory or conditional surrender. This will stop the practice of defendants surrendering tenements before plaintiffs against those tenements have been determined;

the holders of leases to arrange for the survey of their own leases at their cost, with such surveys to be carried out if requested. The present system where surveys are subsidised by the Government will no longer apply;

a provision prohibiting the conversion of a mining lease to a prospecting licence or exploration licence for a period of three months. The practice of converting leases back into licences is against the intent of the Act as it encourages operators to hold ground for prospecting or exploration for unlimited periods;

the registration of withdrawals of applications for mining tenements to be effective upon lodgement of instrumental of withdrawal as now applies with surrenders. Once a withdrawal is lodged, it cannot be set aside and thus the priorities of later applicants to mining tenements cannot be adversely affected;

prospecting licences will have a fixed four year term rather than the present two year term, with a provision for an extension of the term for a further two years; and

clarification of provisions relating to tailings and/or mining product. Therefore, tailings left untreated when a mining tenement goes out of force become the property of the Crown; these tailings are to be included in the grant of any subsequent mining tenement; and tailings lying on existing mining tenements which are not subject to current licences to treat will automatically be included in the grant of that mining tenement.

This Bill also seeks to amend section 40 of the Mining Amendment Act 1990, which was proclaimed to commence from 28 June 1991 and introduced a graticular format for description of the boundaries of exploration licences. It also provided that all existing licences and applications, as at the commencement date, would remain subject to the old rules. In this regard section 40 of the Mining Amendment Act provided that certain sections of the Mining Act remain in force as though they were not amended by the amending Act. The Mining Amendment Act was amended in Parliament for other reasons; however, a consequential amendment to section 40 was overlooked. In addition, some of the amendments contained in section 40 should have applied to both the old and new form of exploration licences. The amendments in this Bill are designed to introduce the consequential amendment that was overlooked, and to clarify the application of some earlier amendments. I commend the Bill to the House.

Debate adjourned, on motion by Hon Mark Nevill.

House adjourned at 10.13 pm

QUESTIONS WITHOUT NOTICE

MIDLAND WORKSHOPS - CLOSURE

Impact On Westrail Advice, Statements Clarification

11. Hon JOHN HALDEN to the Minister for Transport:

I refer to the Minister's answer to the following question I asked him on 17 June 1993 -

Will he confirm that prior to his decision to seek Cabinet approval to close the Midland Workshops he received no detail on a financial assessment of the impact of that closure on Westrail?

His reply was that he had not received any such advice prior to the decision. I refer also to a similar question asked by the Leader of the Opposition to the Premier. The Premier replied -

On winning Government, we were briefed by the management of Westrail. It was made very clear that that organisation faced considerable losses and it was recommended to the Minister who then recommended to Cabinet . . .

Can the Minister reconcile his statement with that of the Premier and, if so, how?

Hon E.J. CHARLTON replied:

Yes, simply because they are as one. The advice given to the Government was in the form of a Cabinet minute which I submitted to Cabinet and that is what the Premier is referring to.

MIDLAND WORKSHOPS - CLOSURE

Current Work, Future Operations

12. Hon JOHN HALDEN to the Minister for Transport:

Can the Minister give an unqualified assurance that no work currently done at the Midland Workshops will be performed outside the State after the closure of the workshops?

Hon E.J. CHARLTON replied:

Westrail will carry out its operations on a totally commercial basis in the future and they will be based on the requirements of the rolling stock which it has to service.

WESTRAIL - WESTINGHOUSE BRAKING EQUIPMENT WORK

13. Hon JOHN HALDEN to the Minister for Transport:

Is it true that Westrail is the only company in Western Australia capable of overhauling, testing, manufacturing and modifying Westinghouse braking equipment?

Hon E.J. CHARLTON replied:

The member's question requires an opinion. A determination on Westrail's future will be based on its ongoing operation over the next 12 months. The amount of work that is currently done by Westrail and that which is done outside Westrail will be determined.

Point of Order

Hon JOHN HALDEN: The Minister said that the question requires an opinion. All it requires is a yes or no answer.

Questions without Notice Resumed

**MIDLAND WORKSHOPS - WESTINGHOUSE BRAKES, MT GOLDSWORTHY
MINING CONTRACT**

14. Hon JOHN HALDEN to the Minister for Transport:

Is it true that the Midland Workshops won a contract to handle any work on the Westinghouse brakes on Mt Goldsworthy Mining's rolling stock?

Hon E.J. CHARLTON replied:

I am not aware of that contract.

**MIDLAND WORKSHOPS - WESTINGHOUSE BRAKES, MT GOLDSWORTHY
MINING CONTRACT**

15. Hon JOHN HALDEN to the Minister for Transport:

Is the Minister aware that after winning the contract for Mt Goldsworthy Mining the company recently attempted to triple its order, but because of the Government's decision to close the Midland Workshops such a contract could not be entered into?

Hon E.J. CHARLTON replied:

I have already answered that question.

MIDLAND WORKSHOPS - CLOSURE

A Breach Of Coalition's Transport Policy

16. Hon T.G. BUTLER to the Minister for Transport:

Does the Minister agree that the decision to close the Midland Workshops was a breach of the commitment spelt out in the coalition's Transport policy?

Hon E.J. CHARLTON replied:

No.

MIDLAND WORKSHOPS - COMMISSIONER FOR RAILWAYS' CONTRACT

17. Hon JOHN HALDEN to the Minister for Transport:

(1) Is it true that the Commissioner for Railways' contract expires on 30 June?

(2) If yes, will the contract be extended?

Hon E.J. CHARLTON replied:

(1)-(2)

That is a decision for the Government to make.

**TEACHERS UNION - DEVOLUTION OF EDUCATION IN WESTERN AUSTRALIA
DOCUMENT**

Overreaction Prior to Discussions

18. Hon P.H. LOCKYER to the Minister for Education:

Is it a fact that the State School Teachers Union overreacted to the devolution document presented to it prior to discussing it with the Minister?

Point of Order

Hon TOM STEPHENS: When the Government was in Opposition it said a great deal about there not being a need to ask Dorothy Dixers.

The PRESIDENT: That is not a point of order.

Hon TOM STEPHENS: I understand that standing orders preclude a member from seeking a Minister's opinion and this question falls into that category.

The PRESIDENT: I will determine whether it does. The member is quite right, the standing orders do preclude the asking of questions which seek opinions. I am not sure whether I am prepared to suggest that this question asks for an opinion. I ask the member to repeat his question.

Hon P.H. LOCKYER: I do not have a copy of the question. It was along the lines of:

Did the State School Teachers Union overreact to a document with regard to the devolution of education in Western Australia prior to discussing it with the Minister and other members of the Ministry of Education?

The PRESIDENT: That question is not asking for an opinion.

Hon Tom Stephens: It is not the same question.

Questions without Notice Resumed

Hon N.F. MOORE replied:

The Teachers Union clearly overreacted to a document which was prepared by the Ministry of Education to discuss the future of devolution in Western Australian schools. I remind the House that devolution commenced in 1987 by way of the better schools report which was presented by the previous Government. That Government was very supportive of the devolution process. The continuation of the process, including the preparation of the devolution document, is being assessed by the ministry. The document was prepared by the ministry for consideration by the public. As soon as the public have had the opportunity to digest its contents, assess what it means for schools and give their views, policy decisions on whether to continue further with devolution will be made by the Government.

The Teachers Union clearly overreacted and it was unfortunate it decided to strike over a matter which is really one of seeking public comment about an education issue. I found it extraordinary that the Secretary of the Trades and Labor Council, Mr Meecham, should tell the rally at Parliament House that he was concerned that the public were not being consulted. I think it was reported in *The West Australian* - an organisation I do not always believe, but it may have been correct - that Mr Meecham indicated to the crowd that he wanted to be consulted. The devolution document is a classic example of consultation. No decisions have been made on devolution. A document has been prepared for people to look at and there will be massive consultation. After that consultation, decisions will be made. I find it extraordinary that people at that rally listening to Mr Meecham's comments were there because of the consultation process.

MIDLAND WORKSHOPS - CLOSURE

A Breach of Coalition's Transport Policy

19. Hon T.G. BUTLER to the Minister for Transport:

I have a supplementary question to my previous question and I will read it slowly so that the Minister can understand it. He obviously did not understand my previous question. The following quote is from the coalition's transport policy -

... under a Coalition Government, the Midland Workshops will be better equipped to fulfil their existing role, and will be given a most important new role that will secure their long term future.

We will establish an Institute of Heavy Engineering, it will be co-located within the Westrail Workshop at Midland.

The Institute will be part of a fully integrated training institute for the heavy engineering trades.

Re equip the Midland Workshops

Invite the private sector to participate in the further development of the Midland site and become part of a world class heavy engineering complex to service the needs of the rail, mining, agriculture and the new value adding industries.

Does the Minister agree that the decision to close the Midland Workshops is a breach of the coalition's policy commitment?

Hon E.J. CHARLTON replied:

Hon Tom Butler's initial question was all embracing and related to whether I, and the Government, would adhere to the policies contained in our transport policy document. The answer is obvious. In the future we will do what we have already done; that is, uphold the policies contained in our transport policy document and in every other policy document of this Government.

The member then referred to the heavy engineering section of the Midland Workshops. Under the decision to close the workshop, that will not take place. The area currently occupied by the Midland Workshops will have that capacity and possibility, depending on what the people of Midland want. A number of organisations and businesses, with the support even of past members of the Labor Party - who, I understand, are adopting a consulting position - are looking at the activities that take place on that site. They are very welcome to do so.

Hon Tom Butler should look forward to having something positive happen on that site rather than seeing the continuation of an operation that loses \$18m to \$20m a year. If the member thinks that is good for the State, he obviously has a different perspective than do I of what is good for Western Australia. The heavy engineering section is not limited to Midland's rail operations. We want to see the private sector, which will be involved as well as the rest of Westrail's operations, given that opportunity. The apprenticeships currently being served at the Midland Workshops will continue as part of Westrail's operations.

It is time the Opposition stopped being negative about the future of Western Australia -

Hon John Halden: You are closing down the workshops, yet you call us negative.

Hon E.J. CHARLTON: There is a fundamental difference between what the Opposition believes is good for Westrail and Western Australia and what we believe. The Opposition's idea of progress involves taking Western Australia and Westrail from an efficient operation to a totally negative, debt ridden operation. That has happened.

Point of Order

Hon T.G. BUTLER: Is the Minister answering the question or making a policy speech? Mr President, I was going to ask you whether I could ask the question again when he sits down.

The PRESIDENT: There are two reasons why the member cannot ask his question again. One is that a member cannot ask the same question twice; but, more importantly, it is up to the Minister to determine whether he is answering the question. I do not have any control over what he says.

I have been concerned for a long time about question time in this place, and members have heard me speak about it before. I suppose now is as good a time as any to voice one or two of my concerns. It is not the President's role to frame members' questions for them, nor is it his responsibility to ensure that the answers members seek are forthcoming from Ministers. Many members have been here for a long time and have already been able to observe and understand that frequently one must be a bit of a magician in order to relate the answers to the questions. However, that is nothing new; that did not start today. Just because we are not able to understand a Minister's answer, it does not mean the answer is not correct. Similarly, the questions sometimes take a bit of understanding.

Let us all understand what question time is all about. It is an occasion when members are entitled to seek information. In the spirit of this House of Parliament all members should bear that in mind - both the members asking the questions and the members answering them. I do not go along with what are sometimes referred to as Dorothy Dix questions, and I have never gone

along with them in the 16 years I have been sitting in this Chair. It does not make it any easier because I have been listening to them for 16 years. I would not have considered the question referred to today as a Dorothy Dix question to be such a question, because when I asked the honourable member to repeat it he could hardly remember what the question was.

Hon Mark Nevill: It was a ploy.

The PRESIDENT: It was not a ploy. He was asking a question on a matter about which he wanted some information. Normally one would not ask him to repeat it. If members want to ask a Dorothy Dix question they should at least do it properly. They should write the question down and have the answer printed.

In all the years I have been here, members could not have picked a worse day than today to make me say the sorts of things I am saying now. As I have said to several members, I am so sick that if I were in hospital they would draw the screens around me and allow only relatives in to see me. Therefore I would prefer not to have to chastise members today. In any case, there is no point of order.

Questions without Notice Resumed

Hon E.J. CHARLTON: It seems that in answering the initial question I kept too much to the point and was too brief in my response, so this time I thought I should go into a little more detail; but obviously that is not acceptable. I was about to conclude my remarks by saying that Westrail is going forward. It will be able to direct its resources in such a way as to better carry out its job and also to train people who are currently employed, as well as those in the new operations. In relation to the skills training aspect, which I have publicly acknowledged at Midland - I do not know whether the member was there - that is absolutely right. That component of the policy has not been adhered to and will not be adhered to in those terms. But all other aspects of the Westrail's transport policy will be adhered to in increasing proportions. I hope members opposite will support Westrail's moves to improve its operations.

NINGALOO MARINE PARK - EXMOUTH, MINISTERIAL VISIT

Dates

20. Hon GRAHAM EDWARDS to the Minister for Mines:

Does he recall the answer he gave to the question I asked last Thursday about his visit to Exmouth, in which he said he would be visiting Exmouth shortly with Hon Phil Lockyer? Has a date been set for that visit; and if so, during that visit will the Minister meet the shire council and hold a public meeting to enable the residents of Exmouth to express their concerns about possible drilling at Ningaloo and changes to the marine park boundary?

Hon GEORGE CASH replied:

A number of dates are under consideration for my visit to Exmouth, but none has yet been ascertained that is convenient to both Hon Phil Lockyer and me. I hope the visit will be within a few weeks, in early July. The agenda for the meeting will be determined when I have discussions with interested parties in the Exmouth area.

NINGALOO MARINE PARK - EXMOUTH, MINISTERIAL VISIT

Dates

21. Hon GRAHAM EDWARDS to the Minister for Mines:

As a supplementary question, can he advise whether the local authority has been consulted regarding those alternative dates?

Hon GEORGE CASH replied:

In trying to ascertain a convenient date, obviously a number of parties must be consulted. One of them will be the local authority.

MIDLAND WORKSHOPS - EMPLOYEES, ALTERNATIVE JOB OFFERS

22. Hon P.R. LIGHTFOOT to the Minister for Transport:

Have alternative job offers been made to the employees of the Midland Workshops?

Hon E.J. CHARLTON replied:

In excess of 200 positions have been identified within Westrail, for which the priority for appointment will be given to the current Midland Workshops employees. Also, a task force has been established to coordinate that operation to enable those employees to take advantage of these opportunities.

JEMIELITA, ZYLVAN, DR - PRACTICE RESUMPTION

23. Hon SAM PIANTADOSI to the Minister for Health:

- (1) Will he confirm that Dr Zylvan Jemielita was given his clearance to start practice again on 17 June 1993 having served his 12 months' suspension?
- (2) Is Dr Jemielita able to fully service his patients, including hospital privileges?
- (3) If no to (2), when will he be granted hospital privileges?
- (4) Which doctor currently has hospital rights over Dr Jemielita's patients?
- (5) Do Dr Jemielita's patients have the right to select the doctor to serve them during hospitalisation?
- (6) Can the Minister confirm that the Manjimup Regional Hospital Board sat recently regarding Dr Jemielita's hospital privileges?
- (7) Is the Minister aware that the Health Department intervened, and all documentation relating to Dr Jemielita's hospital privileges are now in the hands of the Health Department?
- (8) Can the Minister confirm that the Health Department has taken over the hospitalisation rights of doctors servicing the Manjimup Regional Hospital?
- (9) Is the Minister aware of any changes regarding the granting of hospital rights to country doctors since 1 November 1987?

Hon PETER FOSS replied:

(1)-(9)

My information predates the relevant dates, but I will give the member the best information I can. I will take the rest of the question on notice.

I understand that Dr Jemielita was due to conclude his 12 months' suspension on 17 June this year, and therefore would be able to resume his practice at that time. I understand the granting of the hospital privilege was done by the Warren District Hospital Board of Management but on the advice of the south west health region's clinical appointment committee. I understand that the recommendations of the committee to the board of management was for certain additional documentation and requirements which needed to be provided or met before further consideration could be given to the matter. I do not know the decision of the Warren District Hospital Board of Management of 17 June, but assuming that the board accepted the committee's recommendation, I assume it would have made the same recommendation. If that were the case, it would be a matter of Dr Jemielita's meeting those requirements.

I will follow up the matter at the Health Department and find out what happened on 17 June, and I will provide the member with a further answer at a later stage.

MIDLAND WORKSHOPS - CLOSURE

Net Savings

24. Hon JOHN HALDEN to the Minister for Transport:

What annual savings does the Minister expect to accrue from the decision to

close the Midland Workshops, having subtracted the costs paid to private enterprise for doing the same work?

Hon E.J. CHARLTON replied:

The net saving will be approximately \$18m. That takes into account the cost of work done outside Midland and other work conducted by other sections of Westrail.

MEDICARE - FEDERAL FINANCIAL ARRANGEMENTS, COMPLETION

25. Hon P.H. LOCKYER to the Minister for Health:

Can he inform the House whether he has completed the financial arrangements with the Federal Government regarding Medicare in this State, and will he provide details to the House?

Hon PETER FOSS replied:

The State has reached an agreement with the Commonwealth, and the matter has been accepted by Cabinet for signature. However, this has a foot-note that the final situation of State health financing will depend very much on how the State fares with Commonwealth grants at the Premiers' Conference.

The capital provided by the Commonwealth to the hospital system is only 32 per cent of the hospital budget. Currently \$349m is provided by the Commonwealth through the Medicare agreement. We have been able to secure extra money for the next five years, which is pursuant to the terms of this agreement.

The situation is complex and involves a complex funding formula. We have a base grant calculated on the weight of population, along with a base provision grant - known as pool A - which is based on levels of public provision in 1990-91. As members would know, Western Australia has one of the highest public provisions in Australia; only the Northern Territory is higher. The annual adjustment grant - known as pool B - is based on increases in public provision in the grant year relative to the 1990-91 base year. Penalties are payable at \$400 per bed day for any reductions to public provision relative to the base year. Medical benefits adjustment is based on redistribution of funds from States with higher per capita MBS payments to those with low per capita payments. Again, Western Australia has one of the lowest MBS payments because many patients use outpatient and emergency wards in hospitals rather than going to their doctors. Also, an incentives package funding is based on the per capita share of new incentives money.

The concern expressed to the Commonwealth was that the formula which was supposed to reward us for having one of the highest provisions in Australia actually penalised us. As the Medicare agreement was originally structured we would have lost \$16m a year, we had the possibility of incurring further penalties and we may not have participated in the \$190m pool B distribution.

A number of changes were negotiated with the Commonwealth. Firstly, the Commonwealth's attention was drawn to the fact that we had increased our efficiency due to short stay surgery. Our bed days had reduced as patients were enabled to pass more quickly through hospitals. We increased our true public provision but the measure used by the Commonwealth had the effect of making it seem that we were reducing our public hospital provision. We negotiated some changes.

Point of Order

Hon TOM STEPHENS: I sense in this answer, Mr President, a defiance of the Chair.

You spoke earlier of Dorothy Dix questions and concise answers. This answer is a rerun of a ministerial statement made to the media earlier today; if members wanted to hear this answer, they could have listened to the radio this morning.

The PRESIDENT: I am not unsympathetic to the point of order. I draw Ministers'

attention to Standing Order No 138(c). Opportunities are available for Ministers to make statements. However, the example of the previous Government in this House is not one which Ministers should follow. As I sat in the Chair over recent years I was able to see the art of using up question time perfected to the degree that question time became a farce.

If somebody else does something that is wrong it cannot be fixed by doing something wrong oneself. I agree with Hon Tom Stephens, who obviously has had a change of mind during the recess. However, if members think that by carrying on like this they will upset me they are in for a pretty sad time, because they will not upset me. It is fundamentally wrong for Ministers to answer questions in the way that the Minister for Health is doing, but the Minister for Health is doing nothing different from what Ministers in the previous Government did. Neither of the approaches is acceptable to me as a Presiding Officer. I would like to think that we can put behind us some of those practices and start again. Let us all read chapter XI of the standing orders. If everybody conforms to those, not only would more questions be asked, but members would be better informed than they are now. Is the Minister for Health finished?

Hon Peter Foss: I have been asked a question and I was answering it. I defy anybody to answer what the Medicare agreement is all about in less time.

The PRESIDENT: Order! I am not sure the member asked that.

Hon PETER FOSS: I am quite happy to make a ministerial statement at some other time, but I was asked a question and I am answering it. If the questioner has had enough, fine.

The PRESIDENT: The Minister must be prepared to give an answer that conforms to Standing Order No 138.

Hon PETER FOSS: I am.

The PRESIDENT: Your understanding of the word "concise" is different from mine.

Hon PETER FOSS: If any member can explain the financial dealings of the Medicare agreement in a form any more concise he is welcome to do so, but I do not think he can.

The PRESIDENT: The Minister may be right, but I ask him and his colleagues to bear in mind that if we want to carry on like this then question time will become a bigger farce than it was in the previous session. I have a great regard for question time in a Westminster Parliament. It is probably one of the most important parts of a day's sitting in the Parliament. If we collectively allow it to degenerate into a contest between two groups of people, one wanting to see who can ask the trickiest question, the other wanting to see who can take the longest time to answer, we will have to give serious consideration to asking the Standing Orders Committee to examine whether we should continue with question time. We are all at fault. I am not blaming the Minister for Health, the member who asked the question, or the member who raised the point of order; I am blaming all of us. We should stop and look at the conduct of question time. We have a time limit on question time, which is something abhorrent to me, but it was introduced for some reason - probably it was becoming a circus and nobody could put up with more than 30 minutes of it. I do not know whether the Leader of the House intends to put the same restrictions on question time as the previous Government -

Hon Tom Stephens: I would hope not!

The PRESIDENT: I am serious. If we genuinely want answers to questions the best way to do that is for us to get on with it. Is the Minister for Health finished?

Hon PETER FOSS: I am certainly not trying to take a maximum amount of time. I am trying to take the minimum amount of time for a very large and complex issue. I am happy to make a ministerial statement, if that is considered to be

the appropriate way of dealing with the matter. I am happy to deal with it at some other stage, but not inadequately.

Questions without Notice Resumed

**PUBLIC SERVANTS - STATE-FEDERAL, BAN ON CONTACT BETWEEN
Reason**

26. Hon TOM STEPHENS to the Parliamentary Secretary:

What are the reasons for the State Government's imposing a ban on contact between State public servants and Commonwealth servants and has that ban now been lifted?

Hon R.G. PIKE replied:

Hon Tom Stephens would be aware that the function of a Parliamentary Secretary is to act solely in a representative capacity for the Ministers he represents - in my case the Premier and the Attorney General.

Hon Tom Stephens: You don't know what your responsibilities are because you couldn't answer the question last Thursday.

Hon R.G. PIKE: I informed the House about that matter. My responsibilities are to represent the Premier on Federal Affairs, and the Attorney General on Parliamentary Affairs.

The PRESIDENT: Order! That is not the question the honourable member asked today; that is the question he asked last week. If the Parliamentary Secretary believes that it is a question relating to an area involving his representative capacity, it is out of order because members cannot ask a question without notice of a member in the member's representative capacity. All Hon Bob Pike has to do is to tell me quickly if that is the case, and we can get on with the next question.

Hon R.G. PIKE: The answer to the question is, yes. The President is correct, and that is what I was in the process of saying.

PARLIAMENTARY SECRETARY - RESPONSIBILITIES

27. Hon TOM STEPHENS to the Leader of the House:

What are the responsibilities of the Parliamentary Secretary in this Chamber?

Hon GEORGE CASH replied:

As I recall, a similar question was asked last Thursday in this House and the questioner was invited to put the question on notice. I am surprised that Hon Tom Stephens, as a former Parliamentary Secretary, does not understand the responsibilities and duties involved.

PARLIAMENTARY SECRETARY - RESPONSIBILITIES

28. Hon TOM STEPHENS to the Leader of the House:

I am not asking the Leader of the House about my former responsibilities as a Parliamentary Secretary, because I know what they were. I am asking the Leader of the House to tell me the responsibilities of the current Parliamentary Secretary so the Opposition will know what it can ask of that Parliamentary Secretary.

Hon GEORGE CASH replied:

In general terms the responsibilities of the Parliamentary Secretary in answering questions without notice relate to Bills that the Parliamentary Secretary is handling that are currently before the House, and in his representative capacity such questions that have already been placed on notice or of which notice has been given.

The PRESIDENT: I will not keep on about this, but I am fast becoming sick and tired of it. Members know that once a question is put on notice in this place they cannot ask the same question again. The Leader of the Opposition

placed on notice that question on Thursday; it therefore cannot be asked again. That is the first thing members need to know. The business of a contest to see who can trick the other side denigrates the decorum of this place. If that is the way members want to behave they can get someone else to sit in this seat.

Hon Tom Stephens interjected.

The PRESIDENT: Members of the Opposition know that that is a standard that has been set in this place.

Hon George Cash: It should start with Hon Tom Stephens because he is a disgrace.

The PRESIDENT: I will be looking to Hon Tom Stephens to help me maintain the standards.
