

Legislative Assembly

Tuesday, 8 September 1987

THE SPEAKER (Mr Barnett) took the Chair at 2.15 pm, and read prayers.

DISTINGUISHED VISITOR

Former Clerk of the House of Commons

THE SPEAKER: I welcome a very important guest today, and advise members that sitting in the Speaker's Gallery today is Sir Kenneth Bradshaw, a Clerk of the House of Commons. Welcome to our Parliament.

[Applause.]

LEGISLATIVE ASSEMBLY

Staff

THE SPEAKER: I also take the opportunity of advising members that during the parliamentary recess, Mr Peter McHugh accepted the position of Clerk Assistant with this House. He comes to us with high qualifications, having been the Second Clerk Assistant to the New South Wales Parliament.

CAPITAL PUNISHMENT

Reinstitution: Petition

MR CASH (Mt Lawley) [2.17 pm]: I have a petition couched in the following terms --

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

We, the undersigned, are in support for the return of capital punishment.

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

The petition bears 1 241 signatures, and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No 50.)

FORESTS

Hamel Nursery: Petition

MR BRADSHAW (Murray-Wellington) [2.18 pm]: I have a petition which reads as follows --

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

We, the undersigned wish to protest vigorously against the Government's proposed withdrawal from the Hamel nursery. The nursery's role as a producer of tree seedlings, in its present location, has played a vital role over the past 90 years. Future needs make it imperative that this service is continued.

We strongly urge the Government to reconsider its decision.

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

The petition bears 113 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No 51.)

VIDEO TAPES CLASSIFICATION AND CONTROL BILL

Amendment: Petition

MR TRENORDEN (Avon) [2.22 pm]: I have a petition stated in the following terms --

To the Honourable the Speaker, and members of the Legislative Assembly of the Parliament of Western Australia assembled.

We, the undersigned, request that Parliament amend the VIDEO BILL to grant the people legal standing, and power of appeal, and review, so that we can have a ban placed on those unconscionable videotapes which we find are beyond the pale, and which are severely damaging the social environment.

We request that Parliament carry out its promise to make possession of child pornography a criminal offence, and set severe penalties for the possession of child pornography, bestiality, terrorism, drug promotion, rape and incest tapes.

We request that Parliament legislate that R tapes in shops be displayed separate and away from minors.

We request that Parliament legislate to make videotapes be so labelled that parents can be warned of the contents in regard to sex, language and violence.

Because we no longer will allow the money-makers to have sole right to determine what is available, we wish to have equal input into decision-making, gain EQUAL OPPORTUNITY for concerned parents to have the power also to appeal, and to ban and remove those unconscionable videotapes which breed crime, jointly with the power to give pastoral care to our social environment, because we know that children who are carefully supervised to prevent access to such horrendous viewing, MAY STILL BECOME THE VICTIMS of those who are not.

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

The petition bears 1 751 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No 52.)

CONSERVATION AND LAND MANAGEMENT DEPARTMENT

Grimwade Establishment: Petition

MR BRADSHAW (Murray-Wellington) [2.24 pm]: I have a petition which reads as follows --

We, the residents of Grimwade and the surrounding areas hereby request the Department of Conservation and Land Management to be urged to sell or lease existing houses to residents so that the township of Grimwade be retained in its present form. Your petitioners therefore humbly pray that you give this matter earnest consideration and your petitioners as in duty bound will ever pray.

The petition bears 204 signatures and I certify that it conforms to the Standing Orders of the Legislative Assembly.

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

(See petition No 53.)

FINANCIAL ADMINISTRATION AND AUDIT ACT

Report Tabling: Extension of Time

THE SPEAKER (Mr Barnett): I have been informed of the following ministerial approval for an extension of time for the presentation of annual reports in accordance with section 62 of the Financial Administration Audit Act: The Premier, Parliamentary Superannuation Fund annual report 1986-87, and the Superannuation Board annual report 1986-87. I table the relevant correspondence.

PARLIAMENTARY LIBERAL PARTY

Deputy Leader

THE SPEAKER: I have received the following letter from Hon B.J. MacKinnon, Leader of the Opposition --

Please be advised that with immediate effect Mr R.F. Court, MLA, member for Nedlands, has been elected as Deputy Leader of the Parliamentary Liberal Party. I would be grateful if the seating plan could be amended accordingly.

Opposition Members: Hear, hear!

The SPEAKER: I am pleased to advise members that I will recognise the member for Nedlands from the seat normally occupied by the Deputy Leader of the Opposition.

INDUSTRIAL DISPUTE

North West Shelf Gas Project: Matter of Public Importance

THE SPEAKER: Members, I have to advise that, not strictly in accordance with Standing Orders, I have received the following letter. When I say it was not strictly in accordance with Standing Orders I mean that there is, strictly speaking, a time limit which applies to these matters and it did not apply to the receipt of this one. However, in the spirit in which the Standing Order was temporarily drafted, I intend to allow this matter to proceed.

I have received the following letter from the member for Kalamunda --

Dear Mr Speaker

In accordance with the relevant Sessional Orders of the Legislative Assembly, I give notice that at the commencement of the sitting of the House today September 8, 1987 I wish to move the following motion as a matter of public interest --

THAT this House --

1 Deplores the action of the union leaders who have orchestrated the strike which has stopped work on the North West Shelf gas project, which is Australia's single biggest construction job.

2 Recognises that the strike will erode financial viability of the venture and because of the delay put at risk the whole project as Japan looks to alternative more reliable sources of energy.

3 Urges the Government to take action against the unions concerned and if those actions fail, to move for deregistration of those unions.

Mr Speaker this is a matter of public interest and in my view is properly brought forward within the Sessional Orders of the House.

[Eight members rose in their places.]

The SPEAKER: As sufficient members have risen in their places in support of this motion, I intend to allow the motion to proceed, with half an hour allocated for debate on the left-hand side and half an hour on the right-hand side, after which time I will put the motion.

MR THOMPSON (Kalamunda) [2.33 pm]: First, let me apologise to you, Mr Speaker, for any delay that there was in respect of the transmission of my letter to your office.

Mr Pearce: You were licking your wounds, weren't you? You did not have time to get it in.

Mr THOMPSON: There are no wounds.

I move --

That this House -

- (a) deplores the action of the union leaders who have orchestrated the strike which has stopped work on the North - West Shelf gas project, which is Australia's single biggest construction job;
- (b) recognises that the strike will erode financial viability of the venture and because of the delay put at risk the whole project as Japan looks to alternative more reliable sources of energy, and
- (c) urges the Government to take action against the unions concerned and if those actions fail, to move for deregistration of those unions.

Mr Speaker, in the north west of this State a most exciting project is being fulfilled. The partners to an agreement ratified by this Parliament are in the process of constructing one of Australia's most exciting engineering facilities -- a facility that will enable this country, and indeed, this State, to reap the benefits of a prodigious gas resource that has been discovered off the North West Shelf.

Since 19 August there has been a strike of the construction workers on the North West Shelf gas project that is costing the company literally thousands of dollars a day; in fact, I would venture to suggest the figure is hundreds of thousands of dollars a day. While the strike has been in progress, the Government has been sitting on its hands; it has done nothing at all to bring that strike to a conclusion. In these opening few minutes of this new parliamentary session it is appropriate that this Parliament should focus its attention on the disruptive strike occurring in the North West Shelf.

We all know that project has a problem in terms of its financial viability. A courageous decision was made by the former Liberal Administration to allow the project to proceed and, because of the difficulties that were confronted, naturally the financial viability of the project is of some concern. Certainly the Japanese, who are to be the principal purchasers of our natural gas, must be very concerned about the delays occurring in that project. My fear is that what will happen in the case of that project is that we will set in motion a pattern that will be followed not only during the balance of the construction phase but also during the production phase of the project. I believe this country simply cannot afford to allow a project of the magnitude of this one to be interrupted by the sort of industrial action taking place there at this time.

I could understand it if the workers on that project were not being reasonably well recompensed for their labours. Indeed, it appears to me that the remuneration being offered to people working on that site would compare with the best of any of the recent construction projects in Australia -- in Portland, for instance. If we compare the remuneration offered to the North West Shelf gas workers, we will see that they are very adequately compensated.

What has happened is that on that project two distinct factions have emerged. There are a number of very stable and concerned workers who want to see that job recommenced and to see work on the project continue. However, there are a few hotheaded people -- principally among the people imported into this State for the project -- who are fuelling the enthusiasm of some of the union leaders in this State and who have brought about the situation in which the strike was called in the first place. It is the support of these people which has enabled the strike to continue.

The Government met with the union leaders some time ago. Indeed, three very senior Ministers of the Crown -- the Premier, the Minister for Minerals and Energy and the Minister for Labour, Productivity and Employment -- sat down with the union leaders, if one can believe the newspapers, for an hour and three quarters and discussed the matter with them. That was soon after the strike started. The three Ministers departed from that meeting and the only thing they were able to say was that they hoped there would be an early resolution to the problem.

That was days ago; and when one considers that this damaging strike is costing literally hundreds of thousands of dollars a day, that seems an inadequate response. We have often heard the Minister for Labour, Productivity and Employment cite statistics in this House which would indicate that under a Labor Administration considerably less time has been lost through industrial disputation than was the case under previous Liberal Administrations. Well, the implication of that is that Labor Governments -- and this particular Labor Government -- are able to get the cooperation of the unions or are in some way able to ensure that there is continuity of work. Here is the opportunity for this crowd to put their money where their mouth is because this is the most disruptive strike that has occurred in Western Australia for a long time. If they are the ones who are the "Mr Fixers" in industrial relations, let them trot out their expertise and get this project back on the rails.

The fact is that certain sections of the trade union movement in this State are simply out of the control of this particular Government. That is why I believe the Government should immediately intervene in this dispute, even if it were only to come out and make a public statement criticising the unions and the unionists who are responsible for the strike. I submit that there are other things the Government could do. There is plenty of opportunity for the

Government to intervene in this dispute. We have often heard that the Government is prepared to intervene in a dispute when it wants to jerk some employer into gear but the present situation is that a number of unions have decided to hold a particular project up to ransom while the Government stands idly by and lets them do so. The Government is prepared to let that project be put into jeopardy. I charge this Government with a responsibility to do something about it.

If all else fails and the Government is unable, by public criticism, to get the unions back to work, or if by taking action the Government is unable to do so under the terms of existing legislation, I suggest that in the interests of not only the people of this State but also of the nation, the Government should move to deregister any union which causes this type of disruption. This strike is extremely serious because Australia's biggest single engineering project currently under way is being held to ransom simply because some people have decided to orchestrate a strike.

No doubt there will be a call from the other side of the House for the Opposition to say what it would do under similar circumstances. Firstly, under the next Liberal Administration, it will be very unlikely that a strike like that will occur at all. One of the things the Liberal Party will do when it becomes the Government will be to enact legislation to make the holding of a secret ballot of all the union membership a requirement for any strike to occur.

Mr Parker: You've been saying that for the last 15 years that I can remember.

Mr THOMPSON: I will tell the Minister for Minerals and Energy that that will take place. He will have an opportunity in the next few weeks to do something about that because one of the Bills that I intend to introduce into this Parliament is a Bill designed to make provision for secret ballots to be held for the establishment of a strike.

There are many ordinary, decent, working Australians who are suffering dreadfully as a result of the strike which is taking place on the North West Shelf at the present time. I am sure that if those ordinary, decent, working Australians had the opportunity to cast a ballot on whether there should be a strike in the first place or whether that strike should continue in the second place, overwhelmingly those calls would be rejected. When one settles it all down, those working people up there -- the people who are being used as pawns in this game -- will be worse off than anyone else involved. Certainly the company will suffer and certainly Australia's reputation as a supplier will suffer, but those poor individual workers will have the money coming straight out of their pockets. That money is not coming into their homes; yet those workers' commitments to their families, home repayments, and whatever else they are purchasing or trying to achieve, continue and will suffer as a result of their lack of income. My concern in this matter is not only for the welfare of the nation generally but also for the welfare of the poor individual workers who will suffer so devastatingly as a result of this strike. They are losing thousands of dollars while the strike continues, and I believe that it is deplorable of this Government to sit mutely by and allow the strike to continue.

As I said earlier, there are a number of things that the Government could do. It has had an informal meeting with the union leadership, but it has done nothing to bring this dispute to a head. The company involved in this dispute with the unions over a log of claims which has been lodged made an offer in an endeavour to try to bring the strike to a resolution. That offer has now been withdrawn because it became clear to the company that the unions have no goodwill in this matter. They simply want to hold the company to ransom in order to extract benefits that go far beyond benefits other workers in Australian industry receive or would ever expect.

I believe that it is time this Government stepped in and took some decisive action to bring this disruptive strike to an early conclusion.

Mr CLARKO: I second the motion.

MR PETER DOWDING (Maylands -- Minister for Labour, Productivity and Employment) [2.49 pm]: Not only by the Opposition moving the motion in the way it has moved it, but also by its moving a motion at the time it has chosen and in the words it has used, the Opposition reinforces the irrelevancy of its opposition to the real and important processes that are occurring in this State. No-one could imagine a more inappropriate time to debate an issue like this than on the eve of a major meeting between workers and the unions involved in this dispute.

Mr Brian Burke: You may challenge the Opposition's incompetence, but I would question its sincerity because it is my view that it seeks to exacerbate the situation.

MR PETER DOWDING: I sought to give the Opposition the benefit of the doubt in that it is the Opposition's irrelevancy rather than a deliberate ploy to inflame the situation; although we have seen in the past that the Leader of the Opposition, pro tem, is wont to leap into industrial disputes --

Mr Parker: Remember when they accused me of taking too hard a line with the SEC?

MR PETER DOWDING: -- and to vacillate between, on the one hand, wanting people almost rubbed out for engaging in industrial dispute and, on the other hand, criticising the Government for being heavy-handed in negotiations.

I said at the outset that what is apparent from the debate, and from the timing of it, is that the Opposition is irrelevant to the processes. In using this sort of inflammatory language in this debate, not only does the Opposition offer no solutions but also it has inflamed the situation.

I am seeking to give the Opposition a lesson, if I may, on the risks of this sort of constant harping about deregistration. If the Opposition consistently says there is only one way to resolve industrial disputes -- through the process of deregistration -- not only do people stop listening, because it is irrelevant and boring, but also the situation becomes dangerous.

I remind members opposite that no Government has acted like the Federal Labor Government in using the process of deregistration when appropriate. We have given a clear and effective threat to people that unless the situation improves dramatically this Government would use that process. The Opposition should realise that the end result of continual calls for deregistration of unions can only be a devaluation of the currency of the complaints.

I would emphasise three points about this motion: It is confrontationalist in wording, it is inflammatory in timing, and it is superficial in terms of industrial realities.

No other Government has made more effort than this Government to ensure the success of the North West Shelf project. Whilst it is true that this project commenced under a Liberal Government, it has only been through the work of the present Government and, in particular, the present Minister for Minerals and Energy that the first stage of the project has been put on a financially viable basis leading to the successful negotiation of the second stage. It should not be lost on members opposite that it was under a Labor Government that the announcement of the commencement of the second stage was made.

Mr Court: And you nearly lost it!

MR PETER DOWDING: The member can say "nearly lost it". I do not know what contribution he makes by that interjection.

That project was approved and commenced under a Labor Government, so let us give credit where credit is due. This Government has played a major role in ensuring that the second stage got off the ground. The member should not be so niggly that he cannot recognise the achievements of the Labor Government.

In this particular industrial dispute, the employer, KJR, has not only not requested Government intervention, it has also specifically asked the Government not to intervene. The employer has stated that it is able to manage this industrial dispute.

Mr Brian Burke: Are you saying the employer has asked the Opposition to intervene?

Mr PETER DOWDING: I am sure the employer would be most embarrassed to learn that the Opposition has chosen today to get a bit of political mileage out of an issue as serious as this. KJR has been told by my office and by my Government that the employer may request assistance at any time in this matter. Indeed, we have said this to all parties: If they can see a useful role for the Government to play, we will play it.

The Opposition, by implication, is suggesting that the employer, KJR, does not have the wit to understand the importance of this project; it does not have the ability to estimate the way in which this industrial dispute can best be resolved. That implication is a vote of no confidence in the employer which, frankly, is not shared by the Government. This Government believes that the employer is able to manage the issue. We remain ready to assist the employer.

Mr Court: Why did you meet with the unions?

Mr PETER DOWDING: If the member had read the newspapers he would have seen why. We were in Karratha for a Cabinet meeting, and we paid courtesy calls on the shire, on the unions and on the major employers. Many issues were discussed, this dispute being one of them.

Mr Brian Burke: Some of the unions represented there do not have members involved.

Mr PETER DOWDING: That is right. I can assure the House that the Opposition is absolutely irrelevant to this process. The employer does not wish the assistance of the Opposition. The employer has specifically said to the Government that it understands that the Government door remains open. The employer has chosen to manage the situation alone.

The credibility of the Opposition needs to be questioned, as this motion in fact undermines both the State and the Federal industrial commissions. We have heard the former Leader of the Opposition, the member for Cottesloe, vent his spleen time and time again on the Commissioners of the Western Australian Industrial Relations Commission and the Australian Conciliation and Arbitration Commission. In particular the member for Cottesloe has led the push from the Opposition to hit at organisations which do not have a voice in this House and which do not have, because of propriety, a forum for responding to these niggly attacks.

Quite frankly, it is an extraordinary thing for an Opposition to be attacking a fundamental institution which has been set up by Statute, and which indeed was put in place during the period the Opposition was in Government. It has been suggested here that the fact that this dispute is before a Commissioner of the Western Australian Industrial Relations Commission is an irrelevancy, and that somehow or other the Government having set up a responsible forum for the settlement of an industrial dispute, should simply walk away from that forum; simply overrule it, or ignore it, or express some lack of confidence in the ability of the commissioners to properly manage these issues. That is an appalling position for an Opposition to adopt. As I suggested earlier, it indicates either its lack of understanding of the real issues or, as the Premier suggested, perhaps a desire to express some inflammatory words.

A meeting has been called for tomorrow for the unions to discuss the current state of the negotiations and a return to work. What is the Opposition's proposal to assist in this measure? A threat to deregister; a suggestion that this is an industrial dispute caused by union leaders. This reveals an extraordinary lack of understanding of or a lack of homework by the Opposition on this industrial dispute.

My researchers have reported on the events leading up to the meeting at which a decision to strike was taken, and on the events of that meeting. It should be understood that the union officials were aware of a very great level of discontent among the workers. I am informed that when the union leaders called the meeting they made a recommendation for a limited strike of 24 hours, a proposal for which they argued strongly. However, by an overwhelming vote of 1 900 to 100, that recommendation was overruled in favour of a proposal for an indefinite strike. Those figures show first of all that a reasonably large group of people at the meeting were not afraid to express a view that was not shared by the majority present. If it had been 1 900 to zero the Opposition might be able to say that a secret ballot would have sorted that out. But a large group of people were prepared to indicate that they did not support the proposal for an indefinite strike. An overwhelming majority, 1 900, supported the proposal for an indefinite strike.

The Opposition is absolutely wrong on two counts: One is that it says the union leadership led the workers out on an indefinite strike; and the second is that it says the decision was made in a forum in which people who did not agree with the proposal had no opportunity to voice their disagreement.

It might be said that all of that is irrelevant to the seriousness of any major disruption to the project, but I have raised these matters to point out how wrong the Opposition is on its "facts", how inaccurate it is about the basis of this dispute, and how dangerous it is for people like members opposite, with such superficial knowledge and understanding, to be taken seriously in the area of industrial disputation.

Another relatively small but important inadequacy in the Opposition's response is its call for the Government to deregister the relevant unions. This is a matter which involves both Federal and State unions; it involves both the Federal and the State industrial commissions. Even if the Opposition were suggesting deregistration by legislation, which one assumes this motion is all about, it cannot be achieved. That is how irrelevant the Opposition is in a serious debate about the current issues.

Mr Thompson: You are happy to see it continue for weeks.

Mr PETER DOWDING: That is indicative of an inability to grapple with a serious problem. Of course we do not wish to see this strike continue. However, we have set up a forum in which industrial disputes can be dealt with, namely the Industrial Relations Commission, and we have great faith in the commission's ability and the employer's ability to deal with this issue.

Mr Thompson interjected.

Mr PETER DOWDING: What does the member know about the timetabling of the project? We will get to the question of timetabling in a minute.

I remind the House just where the Government stands on the issue of credibility. On our election in 1983, we said that we would provide an environment in which industrial disputes could be settled by the parties to the disputes, the employers and the unions, in a proper forum. Our stance has paid off. With all the increase in industrial and resource development in this State over the last five years, the number of working days lost through industrial disputations in 1982 was nearly 280 000, while in 1987 it was 129 000. Numbers of that sort give an indication of the success of our policies.

What does the Opposition think it is signalling to the Japanese when it moves a motion of the sort before us today? Are the signals contained in this motion the sort that the employers, that Woodside or the shareholders wish to send to Japan? Are they accurate signals? Does the Opposition know exactly where this project is in terms of its critical time path? If the Opposition does know, what on earth does it think it is doing sending signals such as those contained in this motion?

Amendment to Motion

I move --

That all words after "House" be deleted with a view to inserting the following words in lieu --

- (a) deplores the efforts of the Opposition in seeking to inflame the sensitive issue of the dispute on the North-West Shelf Gas Project, particularly as it is the eve of an important meeting of unions and workers;
- (b) notes the Opposition's lack of a proper understanding of the dispute and its lack of understanding of the proper procedures to be followed where there are industrial disputes, and
- (c) deplores the Opposition's attitude in seeking to undermine the integrity of the Western Australian Industrial Relations Commission and the Australian Conciliation and Arbitration Commission and its call for Government to usurp the role of employers managing their own industrial relations.

MR PARKER (Fremantle -- Minister for Minerals and Energy) [3.08 pm]: I second the amendment moved by the Minister for Labour, Productivity and Employment. I want simply to address that aspect of the motion relating to any concern that either the Opposition has or the public might have as a result of the Opposition's motion concerning the timetabling of this project or our reliability as a supplier of this energy for the Japanese.

There is no question at all that the LNG project is of vital importance to this State and this nation. It is also a project of vital importance to its owners, to the contractors working on it, and to the ultimate clients, the Japanese. The issues of reliability of supply and so on are also of vital importance to the project and to the Japanese, in particular, and indeed a great deal of work has been done by the Government and the joint venturers to ensure that.

It needs to be said categorically that there is nothing whatever in the current strike, despite the efforts of the Opposition to portray it as such, and undesirable and unfortunate as it may be, that will have an impact on the viability or the timetabling of the project. There are areas which could have that impact and which have had that impact. One of the reasons the points made by the Minister for Labour, Productivity and Employment are correct in relation to the desires of the employers and investors in this project is that they are by no means backwards in coming forward to the Government when they feel something is happening which in any sense jeopardises the viability of the project in terms of cost or the perception of our Japanese trading partners about the project.

A very good example of that occurred about this time last year, or a little earlier, when a strike took place on the platform. It had no direct impact on the Japanese but it had a direct impact in the sense that they could easily see that if workers were prepared to take that action in relation to domestic gas supplies they may do so in relation to international supplies. As a result not only did we have the local joint venturers and people involved in the project talking to us, but also the chief executive of Chevron Overseas Petroleum flew from San Francisco and someone came from London to see the Government and seek our intervention and involvement to make sure it did not happen. We took action strongly and successfully, and the joint venturers and the Japanese were delighted with the action we took.

There was an aftermath and there is now a great deal of confidence about security of supply from the project. The Government took action when requested to do so but, as my colleague has said, that is not the case now. Not only do we not have people coming from San Francisco and London, but also we do not have people coming from Allendale Square, only a

few hundred yards down the road. In the last fortnight I have spoken to various people associated with this project on no fewer than half a dozen occasions about a range of issues, and not one has suggested that the Government should be involved in this strike. Everyone would prefer the strike not to happen, but it is not out of the ordinary in major projects of this nature, and it is not having an impact on the scheduling of the project.

The critical thing is that if any of the groups in the joint venture or the three in the coordination group, JGC, Kellogg Construction, or Raymond Engineers, said to the Government that there was a role to play, there is no doubt that we would seek to play a role in the same way as we did previously. As my colleague said, exactly the opposite is the case.

The Opposition may be falling into a trap laid for it on this issue by the unions. The important thing is that Woodside and JGC would like to see this strike played down. Obviously they would prefer it not to have happened, as we all would, but they are not concerned about the scheduling of the project. For obvious reasons I do not want to go into detail about the delay in the project when a whole range of talks which may take place --

Mr Lewis: Do you think the Japanese know about the strike?

Mr PARKER: I would be surprised if anyone at a moderately senior level in Japan knew about this.

Mr Lewis: You are as silly as your colleague!

Mr PARKER: I will back my understanding of the way in which the Japanese utilities work against that of the member for East Melville. There is no doubt at all that he has absolutely no knowledge of it. The local people here in Perth, and probably junior people associated with the project in Tokyo are aware, as they are aware of everything relating to the project.

Mr Lewis: So they do know about it.

Mr PARKER: I said "moderately senior people".

Mr MacKinnon: The Japanese are partners in the project.

Mr PARKER: I know they are.

Mr Cash: They were told about the strike. It went on the telex next day, you fool. You should know that.

Mr PARKER: I am very firmly aware of how it would be dealt with in Japan. Nobody of even moderate seniority would be aware of it. If there were some concern they would be made aware of it. If there were concern among the joint venturers they would become aware and would make us aware of their concern. That has not happened.

Let me assure this Parliament and, through the aegis of this Parliament, the State, that no damage is being done to the scheduling of this project. One of the reasons the unions are engaged in an exercise in futility with this strike -- and I believe the Opposition is, if anything, assisting them -- is that no damage is being done to the LNG project, notwithstanding that we would all prefer to see the strike settled as quickly as possible.

MRS BUCHANAN (Pilbara) [3.17 pm]: I support the amendment moved by the Minister for Labour, Productivity and Employment. It really is typical of the Opposition in its approach to this matter and, as the Minister has said, quite deplorable to lay all the blame on the union people at a time when proper negotiations are taking place. I am very concerned about the dispute; no-one likes to see strikes at all for whatever reason, and particularly not on such an important project.

However, the negotiations have not broken down, they are continuing. As the Minister has indicated, an important meeting will take place this week and matters will progress from there.

Mr Thompson: Do you expect the strike will conclude as a result of tomorrow's meeting?

Mrs BUCHANAN: I am not the guru on what will happen in this situation. My understanding is that in May, at the beginning of the dispute, the unions introduced a log of claims and negotiations have been continuing for 10 weeks. It is a protracted process and it is being entered into in the proper way. The unions have assured me they have carried out the negotiations in good faith, and I am hopeful there will be a solution fairly quickly.

The unique and special circumstances of the project -- and I think the employers have conceded this -- warrant more than the four per cent claim under the second tier arrangement. The high skills required of the work force, the remote location, and the high cost of living in Karratha, are all very good reasons why these people are justified in seeking this wage claim.

Mr Thompson: Do these conditions apply to all other workers in your area?

Mrs BUCHANAN: They are very similar to major construction projects in the rest of the country.

Mr Thompson: So it is more remote for them than for the other workers in your electorate?

Mrs BUCHANAN: What other workers is the member referring to? I am afraid my time has run out.

MR MacKINNON (Murdoch -- Leader of the Opposition) [3.20 pm]: I will sum up briefly what the Government in its arrogance is saying about this particular dispute.

Firstly, it says that it will not take any action because that is its policy on industrial relations. It will take no action and will leave it to the Industrial Relations Commission to take action. Secondly, it believes that any other action suggested by the Opposition or anyone else is either irrelevant or too difficult. The Government will not take any further action. Thirdly, and for the record it can be stated that the Government does, in fact, support the action of an indefinite strike. That comment was made by the Minister for Labour, Productivity and Employment; and the Minister for Minerals and Energy said that it was not out of the ordinary that we have a dispute which has lasted since 19 August, almost three weeks. He said also that people in Japan, despite the fact that a Japanese company is a partner in this project, really do not mind at all.

Another point made by both speakers on the Government side of the House is that this strike can go on indefinitely because it is not costing anybody anything. I remind the member for Pilbara and the Minister who used to represent those people that the people involved in this project are hurting; the people in Karratha, both the businessmen and workers, are hurting -- it has been reported almost daily in recent times that these people are hurting. They understand the result of the dispute; it is resulting in money lost to the town of Karratha.

The project developers understand what the cost is -- hundreds of thousands of dollars a day and, believe me, the Japanese and people around the world know that it is the sign of a State that does not have its act together in terms of international competitiveness.

Only the other day the Premier spoke about this State being internationally competitive. Why does international competitiveness stop as soon as it hits the wall of industrial relations? Why is it that the Government is not prepared to talk about industrial relations in the context of ensuring that Australian industry be internationally competitive? The Government then has the cheek to say that it is ensuring the continuation of this project. As Government members know, virtually a strike-free situation would have to prevail with the LNG phase of

production on this project. In addition, the Government states that it will fight tooth and nail to encourage the Sarich engine to be developed in Western Australia. I would give my eye teeth to see Ralph Sarich proceed in Western Australia in the manner in which he deserves.

Who could blame the French, the Japanese, or the Americans for operating on a management system called, "Just in Time" -- in other words, the product has to be available just in time to continue production? Who could blame them if they have fears about investing large sums of money in Australia in a major Sarich-type project? Nobody.

However, the Government stands by idly in its arrogant way and says, "It really does not matter. Our policy is not intervention." Let us consider the results of the Government's inaction so far. Of course, it is quite contrary to what the Minister for Labour, Productivity and Employment would have people believe. In each of the last three years, 1985 to 1987, the number of days lost per thousand employees has increased quite significantly.

Mr Peter Dowding: Over the 1982 levels.

Mr MacKINNON: I am saying that in the last three years it has progressively become worse under a policy of non-intervention, which is proudly professed by the Minister for Labour, Productivity and Employment. Even worse than that, I remind members of the Government's slogan during the last election campaign -- "Showing Australia How". Western Australia is showing all Australian States how to record an increase in the working days lost per 1 000 employees in 1987. Every other State reduced lost time. Western Australia is swimming against the tide and is showing Australia how to increase lost time.

The fact is that the situation is becoming worse. I suppose that next year, when considering the 1988 figures, we will be told by the Government that the figures included the stoppage at the North West Shelf gas project.

The Government is responsible for what has occurred, and the local communities in the Pilbara are suffering. As I have said previously, the cost of that project to the community must be measured in thousands of dollars every day.

Why is the Premier so proud to go on the hustings and when talking about privatisation say that the community must be internationally competitive? He said that we must talk about this subject in a rational way, but when it comes to industrial relations the Minister for Labour, Productivity and Employment and his colleagues are prepared to sit idly by, to support the action of an indefinite strike, and to allow it to continue.

As my colleague the member for Kalamunda said, how much longer do we have to wait before action is taken to resolve the dispute and at what stage will the strike be considered by the Government to be serious? Will it be after four weeks, five weeks, or perhaps six weeks?

Mr Peter Dowding: You sat back during the great iron ore strikes and let them continue for over 13 weeks.

Mr MacKINNON: The Government's only policy, apart from doing nothing, is to blame its predecessors. It is always looking backwards. We have to look forward. At least, the Premier is right in his rhetoric when he says that Western Australia must look to being internationally competitive if it wants a place in the world. We will not do that unless this Government gets its act together when it comes to industrial relations. We have the biggest project in Australia's history currently under construction in Western Australia -- a project, which rightfully, we should all be proud of. It is a project which, if the strike was not in place, would be spending \$4 million a day.

Does the Minister for Minerals and Energy claim that it is not costing the company because of its failure to continue its investments on a daily basis?

Mr Parker: It is not costing that.

Mr MacKINNON: Is the Minister saying that it is not costing the company anything?

Mr Parker: It is not costing \$4 million a day.

Mr MacKINNON: I did not say it was costing \$4 million a day. I am saying that the company is not investing \$4 million a day and it is, therefore, costing the company thousands of dollars per day. The Government's action is that it should not worry about that and that it does not care if people are losing money. The Government is indifferent to people losing money on the project and it is not concerned that the people overseas who could invest in this country, whether Japanese, European, or American, should write a large sum into their contract to cover contingencies when it comes to industrial relations.

Mr Parker: That is a dishonest thing to say and it will damage this State because it is not true. If you look at the history of the projects, including this one, most contingencies as a matter of regularity are written into every project.

Mr MacKINNON: It is probably because the Opposition was in Government for a long time and it was able to deliver. Most of the projects were constructed during the Opposition's time in Government, and this Government has been unsuccessful in obtaining major projects. In most cases, the projects have been built upon the foundation laid by the Opposition when in Government.

Mr Parker: Are you surprised that this project is substantially under budget?

Mr MacKINNON: That is a good point. The Minister says that the project is substantially under budget, and that is his excuse for doing nothing about the strike.

The strike is costing the company thousands of dollars a day and it is costing Australia in terms of its international reputation. The strike is costing the workers of the Pilbara in terms of lost income; and it is costing the businessmen lost earnings in terms of profitability of their own businesses. The strike is costing this State in terms of an industrial relations record that is now the worst in Australia. This State is leading Australia in swimming against the tide in terms of a decrease in lost time. The policy of no action by the Government has clearly failed.

There are ways and means by which the Government could take action without inflaming the situation. The Government could intervene and talk to its friends within the union movement with whom it claims to have a close relationship. It could appear in the Industrial Relations Commission, and if all that fails, it could take the ultimate action and deregister.

These people must understand, as do all Australians, and as the Premier has said in recent times, that unless we can restore Australia and its economy to international competitiveness we have no future. That includes industrial relations, and it includes a three-week strike which I do not believe will be solved tomorrow. It will go on into the future and it is costing this country dearly.

MR COWAN (Merredin -- Leader of the National Party) [3.31 pm]: The National Party supports the Liberal Party in its moving this matter of public importance. Equally we oppose the amendment moved by the Minister.

Some of the comments of the Minister, and certainly the wording of his amendment, are very hollow indeed. It seems to me that this concern about inflaming a sensitive issue is very new-found. I can remember a dispute in the Pilbara over the Robe River situation. Admittedly the dispute was created by the employer rather than the employee or the union movement. Two Ministers on the Government side of the House were so anxious to become involved that they were contradicting each other with every statement that they made. I do

not think that at any stage they sought a resolution on behalf of the unions, or attempted to go to the rescue of their union friends. All they wanted to seek was publicity or headlines.

Mr Peter Dowding: At all times we have said that the parties should get before the commission and obey its rules.

Mr COWAN: The Minister still had plenty to say. The fact remains that the Ministers completely disregarded any sensitivity which may have been felt by the commission. They were prepared to allow the issue to be inflamed in order to serve their purpose.

Mr Peter Dowding: We met privately with the employer for weeks before trying to get the commission obeyed.

Mr COWAN: That is one point. The union leadership in this State must ask itself whether the world owes Australia a living. We are talking about the largest single project in this State which, if and when it is finalised, will enhance our export earnings. The union leadership must realise that the world does not owe Australia a living. In addition it must realise that Australians do not owe unionists a living. When one considers the salary levels enjoyed by these people, one sees they are more than sufficiently remunerated. Union leaders and those supporting them show an element of greed which this country can no longer tolerate. The sooner this Government and this Parliament advise them of that, the sooner we will have a chance of establishing an industrial environment and a nation which will get itself back into the black.

Mrs Buchanan: I really think you should study the position; it will give you a much better understanding.

Mr COWAN: I understand it very well.

Amendment (deletion of words) put and a division taken with the following result --

Ayes (28)

Dr Alexander
Mrs Beggs
Mr Bertram
Mr Bryce
Mr Brian Burke
Mr Burkett
Mr Donovan
Mr Peter Dowding
Mr Evans
Dr Gallop
Mr Grill
Mrs Henderson
Mr Gordon Hill
Mr Hodge

Mr Tom Jones
Dr Lawrence
Mr Marlborough
Mr Parker
Mr Pearce
Mr Read
Mr D.L. Smith
Mr P.J. Smith
Mr Taylor
Mr Thomas
Mr Troy
Dr Watson
Mr Wilson
Mrs Buchanan (*Teller*)

Noes (20)

Mr Blaikie
Mr Bradshaw
Mr Cash
Mr Clarko
Mr Court
Mr Cowan
Mr Crane
Mr Grayden
Mr Hassell
Mr House

Mr Lewis
Mr MacKinnon
Mr Mensaros
Mr Stephens
Mr Thompson
Mr Trenorden
Mr Tubby
Mr Watt
Mr Wiese
Mr Williams (*Teller*)

Pairs

Ayes

Mr Bridge
Mr Carr
Mrs Watkins

Noes

Mr Rushton
Mr Schell
Mr Lightfoot

Amendment thus passed.

Amendment (substitution of words) put and a division taken with the following result --

Ayes (28)

Dr Alexander
Mrs Beggs
Mr Bertram
Mr Bryce
Mr Brian Burke
Mr Burkett
Mr Donovan
Mr Peter Dowding
Mr Evans
Dr Gallop
Mr Grill
Mrs Henderson
Mr Gordon Hill
Mr Hodge

Mr Tom Jones
Dr Lawrence
Mr Marlborough
Mr Parker
Mr Pearce
Mr Read
Mr D.L. Smith
Mr P.J. Smith
Mr Taylor
Mr Thomas
Mr Troy
Dr Watson
Mr Wilson
Mrs Buchanan (*Teller*)

Noes (20)

Mr Blaikie
Mr Bradshaw
Mr Cash
Mr Clarko
Mr Court
Mr Cowan
Mr Crane
Mr Grayden
Mr Hassell
Mr House

Mr Lewis
Mr MacKinnon
Mr Mensaros
Mr Stephens
Mr Thompson
Mr Trenorden
Mr Tubby
Mr Watt
Mr Wiese
Mr Williams (*Teller*)

Pairs

Ayes

Mr Bridge
Mr Carr
Mrs Watkins

Noes

Mr Rushton
Mr Schell
Mr Lightfoot

Amendment thus passed.

Motion, as amended, put and passed.

FIREARMS AMENDMENT BILL

Second Reading

Debate resumed from 11 June.

MR CASH (Mt Lawley) [3.45 pm]: The purpose of this Bill is to increase certain penalties that are presently found within the Firearms Act.

The SPEAKER: Order! Order, members! That is not acceptable behaviour.

Mr CASH: Some penalties are intended to be increased by only 25 per cent, with others being increased by up to 400 per cent. It is true, as the Minister's second reading speech states, that the penalties within the Firearms Act have not been increased since 1980, and it is fair to say that some are now outdated and need to be revised.

I do take exception to one of the comments made by the Minister in his second reading speech, when he claimed that the increase in penalties would in itself be an effective deterrent against the misuse of firearms. It seems to me that increasing the financial penalties alone will not necessarily be the remedy against the misuse of firearms. I say to the Government and the Minister that it is a pity that the Minister did not at this stage bring forward other constructive amendments to the Firearms Act which might have seen a more rational and reasonable approach to ownership and use of firearms in this State.

I remind the House that we saw only recently a very tragic set of circumstances in the Eastern States where the misuse of a number of firearms by an individual resulted in six people being killed and 18 wounded. Just prior to that tragedy a gunman started out in northern Queensland and worked his way across the top of Australia, and we saw the havoc he wreaked upon the community which left five dead, some of whom were killed in Western Australia. On top of that, there was the mass tragedy in Hungerford, England, where at least 10 people were killed by what turned out to be a crazed gunman.

Therefore I say that financial penalties alone will not be sufficient to prevent the misuse of firearms, and there is an onus on the Government to review the Firearms Act to make quite sure that the existing legislation is sufficient to prevent the kind of tragedy we have seen in recent weeks.

I note that in England, as a result of the Hungerford murders, action has been taken. In that area it is intended that some of the proposals that may be brought forward to Parliament will include a ban on the rapid fire semiautomatic weapons that can be kept at home, a limit on the amount of ammunition stored away from gun clubs, a firearms amnesty, a limit of one gun per firearms certificate, and tighter police checks on applications for firearms certificates, including possible doctors' references. There is also a suggestion that there should be a generally stricter licensing of firearms dealers.

That is the situation in England at the moment, and it is fair to say that many of the proposals about to be mounted in England should also be considered by us, not only in Western Australia but generally across Australia.

As you would know, Mr Speaker, requests have been made in recent months that there be a uniformity across Australia in respect of the ownership of guns. I have said in the past that I am not necessarily in favour of national legislation because I think the States themselves must come to grips with their own localities and the different circumstances that exist in each State. It would be quite foolish to say that the situation in Victoria, which has a very high urban population, is the same as that in Western Australia where we have a huge amount of rural land and there are different reasons for people wanting to own firearms. I believe it is incumbent on a Government to get together with the various Ministers responsible for the administration of the firearms Acts in other States, to have positive discussions on whether we can improve the current situation.

I also make it quite clear that I am not one who believes there should be a total ban on firearms. I believe that firearms have a purpose. There is a definite need for them within the community, but obviously there is also a need for a more strict licensing requirement of people who are to be in possession of firearms. It is interesting to see the English situation where a firearms amnesty is now being mooted. I note that during the last few weeks a couple of the Eastern States have proposed an amnesty which will allow people who might be in unlawful possession of firearms to surrender those firearms to the police. I was pleased

to see that the Government, although lagging by some weeks, has picked up the idea of an amnesty, and one will come into force in Western Australia on 14 September. This is a positive move in what is a very difficult problem for the community.

When there are tragedies of the sort we have seen in eastern Australia and the north of Western Australia, obviously many people come forward with all sorts of ideas about how to solve the problem. I do not claim to have all the answers to these problems. However, I believe that another look at the existing legislation would allow for some tightening of the licensing requirements.

The current legislation allows for the issuing of a number of licences for the ownership or holding of firearms, and for dealing in firearms. For instance, a firearms licence entitles the holder "to possess, carry, and lawfully use the firearm named and identified in that licence, and ammunition for that firearm". The firearm curio licence "entitles the holder to possess, but not carry or use, the firearm named and identified in that licence". A corporate licence "may be issued in the corporate or trading name of any bank, financial institution, Government department, State instrumentality or other organisation approved by the commissioner and entitles that organisation to possess the firearms named and identified in that licence, together with ammunition therefor, and authorises that organisation to permit any of its employees to possess, carry and use any such firearm or ammunition either (i) on the premises of the organisation; or (ii) in the course of his employment generally, as is in that licence specified".

Another licence is the dealers' licence "which entitles the holder to deal in firearms and ammunition on the premises named and identified in that licence, and authorises the holder or an employee or partner of the holder to carry and use any firearm and ammunition therefor for the purpose of testing it or of demonstrating it to a prospective purchaser". The repairers' licence "entitles the holder to repair firearms belonging to other persons, and to possess ammunition therefor, on the premises named and identified in that licence, and authorises the holder or an employee or partner of the holder to carry and use any such firearm or ammunition for the purpose of testing it". A manufacturers' licence "entitles the holder to manufacture firearms or ammunition of the kind specified in that licence on the premises named and identified in that licence and to sell and dispose of such firearms and ammunition at those premises in the ordinary way of business, and authorises the holder or an employee or partner of the holder to carry and use any such firearm or ammunition for the purpose of testing it or of demonstrating it to a prospective purchaser". Finally, a shooting gallery licence "entitles the holder to conduct a shooting gallery in accordance with the regulations on the premises specified in that licence".

In Western Australia it is not a case of there being one firearm licence; there are a number of different types of licences which entitle people to hold, repair or use firearms in a particular way. We need to look very carefully at the Firearms Act and tighten up where possible the holding and use of firearms by various people.

I was interested in a poll taken yesterday but published in this morning's *Sydney Morning Herald* which indicated that approximately 80 per cent of people polled believe that ordinary people should not be entitled to hold firearms. That very high percentage of people opposing the use or ownership of firearms by private people reflects concern over the recent deaths and tragedies we have seen as a result of the improper use of firearms in our country. That percentage is obviously exaggerated but it reflects the view held by the community that there is a need for people who are licensed to hold firearms to be of suitable repute and, of necessity, able to furnish a medical certificate showing that they are fit and proper to hold such a firearm.

The poll does not necessarily address any of the matters I have raised in respect of the community's concern regarding the holding of firearms. I therefore urge the Government to consider reviewing the Firearms Act to tighten control of firearm ownership in Western Australia.

The Minister earlier asked whether I supported a national law --

Mr Gordon Hill: I asked whether you supported my call for uniform gun laws.

Mr CASH: Whilst congratulating the Minister on doing something about the existing situation, I am unsure whether a national move is the right approach, because all States are different and we have to take account of the peculiarities of each State. However, I give the Minister credit for having acted hastily. It is fair to say that this Minister is probably the only Minister to recognise the need to discuss the firearms legislation at a future ministerial conference.

Mr Thomas: That was a long time coming.

Mr CASH: I give the Minister credit for the action he has taken in respect of the firearms legislation. I acknowledge that and congratulate him for doing so. I was about to say before the member for Welshpool interrupted that while the Minister and I may not see eye to eye on all problems, especially in relation to the Police Force, I will be 110 per cent behind him in his efforts to get reasonable uniformity throughout Australia in respect of firearms legislation. I think he recognises that the community is calling for a response to the unsatisfactory situation that exists, and it is fair to say that when the Minister mentions uniformity and one looks at the licensing requirements in other States one sees that they differ quite significantly.

For instance, in Victoria if one wants to get a firearms licence one has to apply to a police station and produce more than one type of identification. There is a 21-day cooling off period before the licence is granted. That contrasts with the situation in Queensland where there are no real licensing requirements. If one wants to buy a rifle one goes into a gun shop, and as long as one has the money there is no need to prove anything more than a wish to own a weapon. I remind the House that it was from Queensland that Josef Schwab originally left on his murderous trail across northern Australia which claimed a number of lives.

In South Australia there are four types of licence and various requirements as to ownership. In Tasmania anyone over the age of 16 can buy a rifle without a licence. A person can even buy a pistol in Tasmania as long as the police have checked his history and are satisfied that there is a need. In most other States pistols are only permitted to be owned by members of the armed services, the Police Force, security agents, and members of gun and pistol clubs. So there is quite a difference in requirements relating to licensing right across Australia.

I commend the Minister for recognising the anomalies that exist in firearms licensing in Australia and for his call for a more uniform licensing requirement.

The Bill is a financially administrative Bill which increases penalties by between 25 per cent and 400 per cent, and the Opposition supports it in its present form.

MR GORDON HILL (Helena -- Minister for Police and Emergency Services) [4.04 pm]: I thank the Opposition for supporting this Bill, which has been correctly described as addressing the question of penalties.

The member for Mt Lawley raised a number of matters and referred to the situation in other States and measures to be undertaken in the United Kingdom. It is worth pointing out that many of the measures under examination in the UK are currently provided in the Western Australian Act. It is recognised by the Police Force in this State and Australia-wide that we have in Western Australia the toughest firearms legislation in the nation. I make it clear that in making a call for uniform national legislation I believe the other States should increase the strength of their legislation to our level. We would not countenance any uniform national legislation which had the effect of diminishing the Western Australian legislation.

I wrote some considerable time ago to the Minister for Police in Tasmania, who is the Chairman of the Australian Police Ministers Council this year, and asked that the matter be listed on the agenda at the November meeting of the council. It has been listed. At the same time I wrote to Police Ministers in other States and sent a copy of our legislation. I have received very supportive responses from New South Wales, Victoria, and South Australia, which are all Labor States, and support from the Chief Minister of the Northern Territory. I have not received a response from Queensland or Tasmania, which States have the weakest gun laws in this country.

When I heard that Queensland was undertaking a review of its firearms legislation I not only sent a copy of our Act to the Queensland Police Minister but indicated that police officers from the firearms branch would be made available to assist the Queensland review of its legislation if desired. I have yet to receive a response from the Minister for Police in Queensland, although I am sure the matter is under consideration. In this State we have the strongest legislation in Australia, and the measures contained in this amendment to the Act will further strengthen that.

The Western Australian Act has been under review for some considerable time, and the matters to which the member for Mt Lawley referred are being examined. A Bill is to be drafted which would further strengthen the Firearms Act, but that is a considerable time away. The Commissioner of Police believes that at this stage we do not need to further strengthen the legislation.

The matters which have been raised by the Victorian Minister for Police, and some of the matters raised in the UK recently, warrant further examination and will receive that examination.

I thank the Opposition for its support of the Bill, which I believe provides a further deterrent. The provision of penalties in itself does not prevent the misuse of firearms, but it is one of the matters which has to be addressed when considering deterrents.

Question put and passed.

Bill read a second time.

In Committee, etc

Bill passed through Committee without debate, reported without amendment, and the report adopted.

Third Reading

Leave granted to proceed forthwith to the third reading.

Bill read a third time, on motion by Mr Gordon Hill (Minister for Police and Emergency Services), and transmitted to the Council.

ROAD TRAFFIC AMENDMENT BILL (No 2)

Second Reading

Debate resumed from 28 May.

MR CASH (Mt Lawley) [4.12 pm]: This Bill deals with amendments to the Road Traffic Act. The purpose of the Bill in general terms is firstly, to introduce random breath-testing; secondly, to facilitate the introduction and use of a breath analysing machine, known as the Draeger Alcotest 7110; thirdly, to remove an anomaly associated with section 64A of the Road Traffic Act in respect of the tendering of evidence for offences involving holders of

probationary licences; fourthly, to rectify another area of evidence involving the tendering of evidence against persons who refuse to undergo a breath-test; and, fifthly, to amend the definition of "moped".

At the outset I advise the House that the Opposition will oppose the first proposed amendment -- that is, the introduction of random breath-testing -- but will not oppose the other amendments to which I have referred. I want to make it very clear that the Opposition acknowledges the problem and offers support to try to reduce the current road toll in Western Australia. As members of the Opposition we are very conscious of the personal misery and trauma to families which occurs as a result of road accidents. We are certainly very conscious of the cost to the community of road accidents caused by overconsumption of alcohol or drugs. However, I am somewhat concerned at the way the Government wants to tackle the problem of accidents resulting from the excessive consumption of alcohol and drugs. At the moment we are adopting an ad hoc approach because under the existing provisions of the Road Traffic Act de facto random breath-testing is available to the police.

The first proposal to which I referred will allow the police to stop any driver at any time and require him or her to undergo a breath-test. That is not a positive way of trying to reduce the road toll in Western Australia. For any critics who might suggest that the Opposition is not concerned with the deaths and tragedy generally on the roads in Western Australia, I repeat that the Opposition members are concerned. We recognise the terrible trauma and misery that families suffer and we recognise the need to do something against those drivers who overindulge in alcohol and drugs and cause accidents on our roads.

The Opposition will work with the Government to combat the road toll in Western Australia. At this stage I acknowledge the work done by the Road Trauma Committee in Western Australia which has made some very positive comments in its attempts to reduce the road toll. I am aware that the Road Trauma Committee supports the introduction of random breath-testing as one way of reducing the unacceptable road toll. However, random breath-testing in itself will not necessarily dramatically reduce the road toll in Western Australia.

I put it to the House that it is generally accepted that three elements come into play in road accidents. The first is education; that is, the community being aware of situations that are likely to cause accidents on the road and responding to a positive educational programme to try to make them aware of some of the problems facing drivers.

The second relates to road engineering; at the moment of all the States in Australia, the Australian Capital Territory has the lowest number of deaths per 100 000 vehicles. Although random breath-testing takes place in the Australian Capital Territory, it is also accepted that one of the reasons for the low road toll is good road engineering. It has often been said that it would be difficult to have an accident in the ACT even if a driver were drunk because of the fine road engineering and the grade separation which prevents collisions at intersections. Road engineering is a very important principle in the three E's of road safety.

The third and final element is that of enforcement. More enforcement is necessary although it could be regarded as a negative rather than a positive response. I regard education as a positive way of tackling the road toll, good road engineering as a positive way of alleviating the road toll, and enforcement as just another element but a somewhat negative one in the reduction of the road toll. In fact, one could say that enforcement is a reaction to a problem that has already occurred, whereas good, sound education and road engineering are pro-active ways of responding to the problem.

It is most important for us to understand right now the provisions in the present Act with regard to police officers calling on motorists to provide a sample of their breath for analysis to determine whether they have offended against the Road Traffic Code. Section 66 of the Road Traffic Act clearly states that --

Where a member of the Police Force has reasonable grounds to believe that --

- (a) a person was the driver or person in charge of a motor vehicle the presence of which occasioned, or of which the use was an immediate or proximate cause of personal injury or damage to property; or
- (b) a person has, while driving a motor vehicle, committed an offence against this Act of which the driving of a motor vehicle is an element; or
- (c) a person, while driving or attempting to drive a motor vehicle had alcohol, or alcohol or drugs, in his body,

the member of the Police Force may require that person to provide a sample of his breath for a preliminary test in accordance with the directions of the member of the Police Force, and for the purposes of this subsection may require that person to wait at the place at which the firstmentioned requirement was made.

The Bill goes on to explain the other authority that is vested in officers of the Police Force when they believe a driver of a car or a person in charge of a motor vehicle has transgressed the Road Traffic Act. The present Act clearly gives police officers the right to stop motorists and require them to provide a sample of their breath for analysis. That fact is not necessarily well known in the community. It is also a reason why when one goes out into the community and asks people whether they are in favour of random breath-testing, one will generally get a fairly high number of people saying they are in favour of that practice because they are unaware of the current situation under the Road Traffic Act. Under the existing provisions of the Road Traffic Act a police officer can stop a motorist at any time if he believes that person has been drinking or has drugs in his body, and require that person to undergo a breath-test. If that person's breath registers more than or equal to .08 per cent of alcohol in the blood, that person can be charged under the Act, and the penalties are set out for all to see.

It is important that the community understand that in Western Australia at the moment we have de facto random breath-testing. There is no question about that. I mention to the Minister that while we may be able to agree in respect of the Firearms Act we are not going to be able to agree in respect of random breath-testing.

The Minister set out very clearly in his second reading speech the provisions of section 66(1), which authorises a police officer to stop a person and demand a breath sample. The Minister also said in his second reading speech that the existing power is very extensive. He continued --

Indeed, it is difficult to imagine a driving incident of interest to the police which is not covered.

Those words are very important. The Minister is acknowledging that the present provisions of the Road Traffic Act are very extensive. He is also saying that it is difficult to imagine a driving incident of interest to the police which is not covered by the Act. I would ask members why it is that the Government wants to bring in mandatory random breath-testing when that authority already exists on a de facto basis in the Road Traffic Act. In fact, the Minister goes on in his second reading speech to say the police in this State have practised what may be described as a de facto form of random testing of motorists by relying on a power to stop motorists for motor vehicle licence checks and then lawfully requiring certain motorists to provide a sample of breath for preliminary analysis.

What is even more condemning of the Government is the fact that the Minister in his second reading speech went on to say that it is the view of the Commissioner of Police that this approach -- and he is referring now to the existing de facto random breath-testing that we have in Western Australia -- to the enforcement of drink driving laws is effective. So there is

an admission on the Government's part that the existing provisions of section 66 are adequate.

Mr Gordon Hill: There is a difference between adequacy and effectiveness.

Mr CASH: The Minister has suggested by way of interjection that there is a difference between adequacy and effectiveness, and I accept that by way of definition in the English language there is a difference. However, the fact remains that the Commissioner of Police believes that the existing power under section 66 of the Road Traffic Act in respect of the right of police officers to stop someone and demand a breath sample is sufficiently effective.

I believe the Government is going overboard and that in fact there is no need for the police to be given the right to stop any motorist at any time without question and demand a breath-test from that motorist. I have been able to obtain statistics from the Eastern States in regard to their experiences. Most members would be aware that the following States currently have random breath-testing available to them: New South Wales, Victoria, South Australia, Tasmania, the Northern Territory and the Australian Capital Territory. Queensland and Western Australia are the only States that do not currently have random breath-testing.

In respect of New South Wales the statistics reveal that 3.4 people are killed per 10 000 motor vehicles registered. Even though New South Wales has random breath-testing, it still has the highest road toll in Australia. I might add for the information of members that last year in New South Wales between one million and 1.25 million random breath-tests were carried out by police on drivers of motor vehicles. A huge number of people were tested, yet it is interesting that the hit rate or conviction rate was only one in 200; that is, for every 200 people stopped in New South Wales by the police demanding a breath sample from them, only one in 200 was convicted of an offence involving alcohol under the New South Wales Act. So, 199 people are inconvenienced for every person convicted. A situation develops then where those people start to go against the way the traffic police are doing their duty.

In Victoria, which is a State with random breath-testing, the statistics indicate that 2.7 people were killed on the roads per 10 000 motor vehicles registered. In Western Australia, which has an effective de facto random breath-testing situation in force at the moment, 2.6 people were killed per 10 000 motorists. The only State or Territory which is lower than Western Australia is the Australian Capital Territory, with 2.4 deaths per 10 000 motor vehicles registered. I made the point earlier that it is generally acknowledged that the good road design and engineering in the ACT is the reason it has a lesser road toll than any other State.

With the current legislation in Western Australia, the police are well equipped to stop drivers who they believe have been consuming alcohol but continue to drive a car. If one goes through the statistics and Press statements that have been released recently, one finds that the Minister has released Press statements congratulating the Police Force in Western Australia on the good job it is doing in respect of the road traffic situation, but also goes on to congratulate motorists on the responsible way in which they are taking their driving responsibilities. I concur with the Minister's comments. He is right in saying that Western Australia is a safer place than other places in which to drive a motor vehicle, much of which is due to the diligent way in which the road traffic branch of our Police Force conducts its activities.

I might say that in the Eastern States experience has shown that the "booze bus" syndrome that is part of random breath-testing tends to create animosity between the public and the Police Force, and it is an animosity which I regret is occurring. However, when the police booze bus unit stops 200 people and charges only one person out of that 200, it is pretty obvious that they inconvenience a lot of people and that resentment builds up as a result.

That is not occurring at the moment in Western Australia because the only time a police officer will stop a person and demand a breath-test under the existing legislation is when he

believes that person has been drinking. I guess it is intuition which enables the police to sort out those who have been drinking as against those who have not, and to stop those people and charge them without inconveniencing innocent motorists, as is the case in the Eastern States.

It is important that I draw the attention of the House to the fact that the Government itself has changed its position in respect of random breath-testing. I want to highlight a question asked on 27 October 1983 by the member for South Perth, Mr Grayden, of the then Minister for Police and Emergency Services, Mr Carr, which ran as follows --

(1) Is he aware that recent information released by the New South Wales Government confirms a big fall in the number of casualty patients since random breath-testing was introduced in New South Wales last year?

(2) In the light of the New South Wales experience is further consideration being given to the introduction of random breath-testing in Western Australia?

The answer given was --

(1) Yes.

In respect of the second question the answer was --

(2) No. While the NSW experience shows a big fall, this should be considered in the context of the very serious position existing in that State prior to random testing.

The latest comparative figures available to the end of September show that for the nine months, January to September, the New South Wales performance is nowhere near as good as that of Western Australia, which has maintained the best figures of all the States.

The WA figure for the nine months was 1.9 deaths per 10 thousand vehicles registered, compared with the New South Wales figure of 2.4; that is, the New South Wales position is 28.3 per cent worse than that of WA.

Here comes the crunch. The final part of Mr Carr's answer reads as follows --

Our system of testing drink-related offenders is considered better than the New South Wales random breath-testing legislation because less time and resources are used testing people who have obviously not been drinking and maximum attention is focused on the real problem.

That is an admission from the Government that it was not prepared to support random breath-testing as conducted in New South Wales because the Government believed, in October 1983, that the Western Australian legislation was superior; indeed, not only was it considered superior, but also it was suggested that it was a better use of police resources. That raises the matter of the use of the Police Force in respect of random breath-testing because if it comes into being in Western Australia the question the Government has yet to address is just how many additional police officers will be needed by the Police Department to make random breath-testing both effective and efficient. Let us face it: We have to recognise that just because something is effective does not mean it is efficient and if we are going to use our resources in the best way possible there has to be an efficient use of police resources.

In due course I want the Minister to tell me the procedure that the Commissioner of Police intends to implement if random breath-testing becomes a fact of life in Western Australia.

Mr Gordon Hill: I am surprised that you could take a position of opposition to the Bill when you don't have that knowledge.

Mr CASH: That is not really the case. While I do not have the knowledge of the way the police in Western Australia intend to administer this particular section of the legislation, the reason I do not have that knowledge is because there has been a number of conflicting statements in the newspapers.

Mr Gordon Hill: The only conflicting statements have come from the Opposition.

Mr CASH: The Minister has been quoted in the newspaper as saying that he does not believe the police will use booze buses in Western Australia.

Mr Gordon Hill: Exactly.

Mr CASH: It is at least fair to say that in the past the Minister has said that he does not direct the Police Department in the execution of its duties, and the Minister has confirmed to me that that is the case. On the other hand, however, we now have the Deputy Commissioner of Police, Mr Peters, who was in fact in charge of road traffic until recently, saying that he believes there will be a need for the booze bus procedures to be implemented in Western Australia.

Mr Gordon Hill: He has never said that.

Mr CASH: I can only say that the newspaper has recorded him as saying that. There has been a conflict between the Minister who has said on numerous occasions that he does not direct the Police Force, and a member of the Police Force who has said that he believes there will be a need for a booze bus situation. The Minister cannot have it both ways.

Mr Gordon Hill: That is not true.

Mr CASH: When the Minister says that I am unsure of the procedure that is intended to be adopted by the Police Force in Western Australia, he is correct because the Minister himself has put out statements which conflict with the Police Department as to its administration.

Mr Gordon Hill: That is not true.

Mr CASH: That is the perception in the community. There has been confusion as to the way the Minister believes the procedures will be carried and the way the Police Force will institute this procedure. Quite clearly, the legislation before the House will not prevent the police from using booze buses. Under the amendments the Minister is proposing to the existing legislation, if the police decide that they want to use booze buses, they will be quite entitled to do so because there is no provision in this legislation to say that it cannot be done. In fact I would argue the point and say to the Minister that if he intends to have random breath-testing in Western Australia, he should take note of the experience of the Eastern States, where they claim that one almost has to mount a campaign at saturation level -- and that campaign is often referred to as "a fear campaign" -- to achieve results. Unless the Minister is prepared to have the police mount that sort of campaign and use booze buses, random breath-testing will not be as effective as he believes possible.

There has been a lot of conflict with the way the Police Department intends to administer this legislation should it become law and the comments of the Minister for Police and Emergency Services and certainly the comments of other Government members.

Mr Gordon Hill: Produce the evidence.

Mr CASH: In due course the Minister will have the opportunity to stand and make his position clear. If he wants to stand in this House and change his mind again, fine. All I want

him to do is say very clearly to the House how he understands the legislation will be administered by the Police Department. I also ask him to check with the responsible person down at the Police Department to make sure his statement is not in conflict with any statement that person might be making about the administration of the legislation.

I turn now to another area of conflict that has developed as a result of the legislation before us, and I refer specifically to random breath-testing. In 1981 a committee was formed to investigate and report on road safety in Western Australia, and the report was known as the report of the interdepartmental committee investigating road safety measures. The committee was reporting to the then Minister for Police and Traffic, the member for Cottesloe. The members of the committee were R.J. Chapman, Deputy Chief Executive Officer of the Road Traffic Authority; J.B. Boulton, Executive Director of the National Safety Council; I.M. Vodanovich, Chief Probation and Parole Officer of the Probation and Parole Service; Dr R.M. Porter, Director of the Alcohol and Drug Authority; Superintendent P.D. Liddelow of the Road Traffic Authority; and C.M. Saunders, Research Officer of the Road Traffic Authority. That committee spent a considerable time researching road safety measures in Western Australia and its members made some most interesting findings. In respect of random breath-testing the committee was unanimous in its recommendation that "random breath-testing legislation is not introduced".

The committee had investigated the Victorian experience with random breath-testing and it did not agree with views expressed supporting the effectiveness and efficiency of the Victorian experiment. However, the Government itself appears to have changed its mind. Firstly we have a report from an expert committee in 1981 -- and I challenge anyone to say that the members of the committee were not expert in their dealings with this measure -- saying that it could not support and would not recommend the introduction of random breath-testing. In 1983 we had the then Minister for Police and Emergency Services, Mr Carr, claiming that Western Australia had a very good traffic record. He went on to say, "The system in Western Australia of testing drink-related offences is considered better than the New South Wales random breath-testing legislation because less time and resources are used testing people who have obviously not been drinking, and maximum attention is focused on the real problem."

Then in 1984, and I think in 1985, we had a number of statements from Government members when the road traffic toll increased, as regrettably it does throughout the year. The Government tended to make panic statements saying it would review the whole Road Traffic Act and there was talk about bringing in random breath-testing, something which obviously did not have the approval of many Government members.

Not every Government member supports this move to random breath-testing; members opposite have come to me and said that it will not work and that the implementation of the legislation will cause inconvenience to the public. They have also told me that they would not vote against the legislation. Obviously Government members have been caucused; they have their instructions which they must obey.

Mr Peter Dowding: You still talk a lot of rubbish.

Mr CASH: Perhaps the Minister for Labour, Productivity and Employment, who a few minutes ago failed so miserably in trying to explain away the debacle that now besets us up on the Burrup Peninsula, will tell me whether he supports random breath-testing.

Mr Peter Dowding: Yes.

Mr CASH: And does he think the existing legislation is effective?

Mr Peter Dowding: The existing legislation is quite effective.

Mr CASH: There we have another contradiction. The Minister supports random breath-testing on the one hand while on the other hand he has two bob each way by saying the existing legislation is effective. He agrees with my argument.

The Opposition believes that the existing legislation is sufficient and effective. More than that, that is also the view of the Commissioner of Police. The commissioner is obviously aware of what has developed in the Eastern States, where random breath-testing has become a negative situation for the police there. If we go through some of the documentation in the Eastern States we can see Press articles that clearly tell us that random breath-testing in the form presently used in the Eastern States is not working. I refer to *The Daily Mirror* of 16 December 1985 where we find, in banner headlines, "RBT campaign 'not working'". I quote as follows --

Highway patrol officers carrying out random breath-tests are ignoring minor traffic offences in order to fill a quota, according to a senior police officer.

The officer said police had been forced to "turn a blind eye" to offences such as speeding because of stringent restrictions imposed on them.

The article went on to say that the highway patrol officers in Victoria were required to conduct two hours of RBT duties a day and that every officer must test at least 60 motorists a shift; that is to say, irrespective of whether the officer believes a motorist has been drinking or has drugs in his body, he is required to test that person according to the random breath-testing requirements. That in itself is a clear indication of why RBT in the Eastern States has built up a negative response with the police there.

Earlier I quoted the Minister for Police and Emergency Services answering a question from the member for South Perth, where the Minister said we had a very good safety record in Western Australia. On 8 January 1986 in *The West Australian*, again under banner headlines, the then Minister for Police and Emergency Services, Mr Carr, said, "WA road safety was the best in Australia." That was even having regard for a bad December in 1985. He went on to say that the public supported a visible police presence to prevent dangerous driving rather than just stopping any driver in a very easy way. The good thing the Minister said was that he was prepared to commit money from the Great Plate auction towards a driver education programme. The Minister deserves to be commended for that.

Random breath-testing as an enforcement tool will never work. The existing legislation is sufficient. It is clear from the statements made by Government Ministers, including the previous Minister for Police and Emergency Services, that we have a relatively good road safety record in Western Australia.

I know that the road safety record in Western Australia could be better and we should be working towards making it better. Surely the answer is not to just change the law in respect of random breath-testing, but to educate the public in good driving skills and good road sense. On 19 March this year most members of Parliament would have received a letter from the Liquor Industry Council of WA in which it clearly stated that in its opinion education was the most effective way of tackling the road traffic issue. In fact, the Liquor Industry Council was responsible for, and funded, the very imaginative "skipper" campaign which was introduced some years ago and which has been a success. One has only to visit a hotel with a group of people to find that one or two people in the group will decide that they will be skippers for the night and they take on the responsibility for driving their friends home at the end of the evening. As skipper, they do not drink alcoholic beverages during the evening.

The Liquor Industry Council set out in its letter the statistics stated by the current Minister for Police and Emergency Services which showed that in 1987 Western Australia had again proved to be the Australian State with the best road safety record.

I make the point that education is the most effective way of reducing the unsatisfactory road toll in Western Australia. There are many examples of groups of people who are connected with the liquor industry and who have become involved in trying to educate the public. In fact, only the other day I received information from an Eastern States organisation known as the Distilled Spirits Industry Council of Australia about a new campaign that has been launched in the Eastern States. The campaign is called the "Home Safely Campaign" and it is based on a contract for life. The campaign involves parents and teenagers discussing drinking and driving and results in teenagers signing the home safely contract which is for life. By signing the contract the teenagers promise their parents that they will not drink and drive. The campaign was launched in Sydney in June this year and is supported by a number of prominent people and organisations, including the New South Wales division of the Liberal Party which has applauded the actions of the Distilled Spirits Industry Council for implementing the campaign.

I have taken the opportunity to speak to the Home Safely Campaign coordinator, Gordon Broderick, and he has agreed at some time in the future and at the convenience of the Leader of the Opposition and me, to visit Western Australia to launch a similar project in this State. Apart from its being a positive project, contracts will be drawn up between parents and their teenage children wherein the teenagers will agree not to drink and drive. It is a positive initiative taken by the Opposition which is conscious of the problems associated with the road traffic toll.

I refer briefly to a number of comments which were made in this House in 1974 when the Road Traffic Bill was before the House. The member for Collie was handling the Bill on behalf of the then Opposition and the Bill made changes to section 66 of the old Act. I do not want the member for Collie to leave the House, because he made some very positive statements during the course of that debate. He spoke about the need for traffic officers to be empowered to take breath samples from people who they believe had been drinking and who were driving.

I would like to highlight some of the comments which were made during the debate on 12 November 1974 by the now Premier. He said --

I refer to something horrible the Minister said in an off-handed fashion when referring to the possibilities of apprehension under this clause of the Bill. He said if the person who was apprehended did not have 0.08 per cent of alcohol in his bloodstream he would be "okay anyway". That kind of attitude properly went out with the dark ages -- the times when we would say it was all right to detain people and put them through various tests to prove their position, and if they passed those tests everything was all right. It is repugnant to me.

We now have a change of attitude by the Premier. The member for Boulder-Dundas, the late Mr Hartrey, by way of interjection, said --

He said the same about fingerprinting.

The now Premier then said --

If that is so, I am ashamed to be a member of this Chamber, because it is not an attitude with which I have any sympathy whatever.

What an interesting situation we had in November 1974 when the Road Traffic Bill was being debated and there was considerable discussion about members of the Police Force being able to stop drivers to administer a breath-test. What a joke it was when the now Premier said it was repugnant to him that police officers should be given those powers. Today, some 13 years later, the Premier has changed his view. If he has not changed his

view, I guess it confirms the double standards that exist in this House because he is now prepared to support random breath-testing.

I will not make further reference to random breath-testing because I know that other members of the Opposition wish to speak on this subject.

The Opposition recognises the need to reduce the road traffic toll in Western Australia. It is prepared to pledge its support to work with the Government to improve the situation. However, the Opposition does not believe that a simple amendment to section 66 of the Act to change the current situation to allow police officers to stop people who they believe have been drinking and require them to undergo a breath-test is a positive way to deal with the situation. If the Government wants to reduce the road toll in Western Australia more attention must be paid to the education process and to programmes on drinking and driving. The public must learn about the effect of alcohol on their bodies and must recognise that their driving ability is impaired after they have been drinking. As I mentioned earlier, both education and road engineering play a very important part in our efforts to reduce the road toll in Western Australia.

It could also be argued that one of the reasons the Government wants to bring in random breath-testing is so that it can abdicate its responsibility to maintain standards on the roads in Western Australia. That point can be developed by other members who follow me.

The Bill also seeks to amend the Road Traffic Act to enable a new machine called the Draeger Alcotest 7110 to be used by the police. I understand it is a self-testing machine which has been proved to work in other countries. The Opposition believes that the police should be equipped with the best resources and adequate manpower, and we will not oppose the introduction of this breath-analysing machine.

In respect to the need to amend section 64(a), in the past there has been some problem in tendering evidence regarding offences involving holders of provisional licences. While evidence could be accepted by the courts in respect of drivers charged with 0.08 offences and higher, due to an anomaly in the Act there has been difficulty in charging holders of probationary licences who, as members know, are not permitted to have more than 0.02 per cent of alcohol in their blood. The Opposition supports that amendment. This anomaly must be corrected if the Act is to be administered properly.

Another anomaly involves the tendering of evidence by people refusing to undergo breath-tests. Under existing legislation there has sometimes been a need for the director of the Government Chemical Laboratories to travel throughout the State and attend court to certify that he was the signatory to a certificate signifying that an operator was a qualified operator. We do not want that sort of thing to continue. That director should not be required to move around the State, and the proposed amendment will rectify the situation, and the Opposition supports it.

The Bill also seeks to amend the definition of moped. At the moment a moped is defined as a motorcycle with a propelling engine having a piston displacement not exceeding 50 millilitres which is also capable of being propelled as a pedal cycle and which is designed so as to be capable of a speed not exceeding 60 kilometres per hour. The Bill proposes to repeal that definition and introduce a new definition of a moped as being a motorcycle with a propelling engine having a displacement not exceeding 50 millilitres designed so as to be capable of a speed not exceeding 60 kilometres an hour, whether or not it is also capable of being propelled as a pedal cycle. I understand that the vehicle standards advisory committee has requested a change to this legislation. A number of people have suggested to the Opposition that some problems could arise as a result of not requiring a moped to have pedals, but the Opposition recognises the Australian body which has invited a change, and in view of the comments made by the Minister it is prepared to support this amendment.

The Opposition is not prepared to accept the amendments which would require or enable police officers to stop any motorist at any time to undergo a breath-test. We believe the existing legislation is adequate and can be operated efficiently and in a cost-effective manner. We will support the other amendments which I have outlined to the House. At the Committee stage I will suggest some ways to improve the education programme for motorists in Western Australia. I remind the Minister of the Edith Hart programme, which, as he and most members will be aware, involves diversionary courses for people convicted of road traffic offences involving alcohol.

DR LAWRENCE (Subiaco) [5.06 pm]: I have a number of questions to pose in relation to the introduction of random breath-testing. I want to correct some of the more absurd statements of the member for Mt Lawley. I was particularly impressed by his ability to turn statistics on their head.

I would like to look briefly at why we might be concerned to introduce an apparently firm measure like random breath-testing when there are concerns about the invasion of civil liberties. It is hypocritical of the member to suggest that he is ready to accept what he calls *de facto* random breath-testing, but he does not want to see it instituted in a clear form. By his own admission it achieves the same effect.

I would like to examine first why we should be concerned about alcohol. We should all be aware that the active ingredient, ethanol, has effects on the body which impair the driver's ability, even at very low doses. Alcohol is rapidly absorbed, and has a peak effect 30 to 45 minutes after drinking has ceased. Small quantities are eliminated unchanged in urine, breath, saliva and so on. These are the fluids which are tested for the concentration of alcohol.

The most important effect of alcohol is on the brain, particularly on the processing of information, and that is why we are concerned about this component of driving offences. Alcohol severely restricts the amount of information the brain can process. It has little effect on a person's ability to perform a single task, so if very great demands are not made, one can possibly get away with it. Performance, however, is impaired with a secondary task, such as when attention is divided. If an alcohol-affected driver concentrates, as he may do, on keeping his car positioned on the road, he can possibly attain a reasonable performance. However, the probability that that performance will be reasonable is sharply reduced if he has to take account of some other factor, such as a pedestrian or a traffic light. Alcohol affects information-processing ability. In other words it directly affects the brain's capacity. It also affects temperament. The person becomes more at ease socially and more uninhibited, which may be desirable in some circumstances. However, he becomes less concerned with the consequences of his actions.

Alcohol-affected drivers are likely to drive faster, to take more risks and to be less constrained by rules, traffic control devices and other road users. The driver becomes uninhibited. A study in New Zealand of drivers who had elevated blood alcohol concentration levels and who were involved in fatal crashes showed that 66 per cent were drowsy, 60 per cent drove at excessive speeds, 44 per cent failed to stop, and 38 per cent had crashes while overtaking. There is obviously an additional risk when alcohol is taken with other drugs, for example, Diazepam or Valium, and the soft drugs referred to earlier by the member for Mt Lawley -- cannabis in particular.

So alcohol has a fairly devastating effect on the driver's performance, and it has been clearly shown to be involved in motor vehicle accidents. Figures collected in 1985 showed that drivers killed with blood alcohol levels over 0.05 per cent accounted for something over 40 per cent of the total.

An Opposition member interjected.

Dr LAWRENCE: The member has to go and have a beer? Just as long as he does not take to the road after that!

So something between 40 per cent and 60 per cent of fatal crashes involved blood alcohol concentrations over the limit. Similar figures in other States occurred before the introduction of random breath-testing, and this is important. Whereas in Queensland and Western Australia we have maintained high percentages of fatalities and serious crashes where alcohol is involved, it has been reduced significantly in New South Wales. There is clear evidence that the risk of minor, non-fatal injury and driver-fatal crashes increases dramatically above a 0.05 to 0.08 per cent blood alcohol concentration, so anything we can do to keep down the number of drivers on the road with that level of alcohol in their blood will improve the number of fatal and serious injury crashes.

The member for Mt Lawley was being complacent when he said that Western Australia has had a fairly good record compared with other States so we should not worry about adopting measures such as those adopted in New South Wales because we start off from a better base. That is not a very convincing argument. If we can reduce the number of fatalities and the social cost to the community by measures such as random breath-testing, then we would be irresponsible not to consider them.

At this point we would do well to remind ourselves of the significance of the road toll. The member for Mt Lawley was fairly dismissive of what we are talking about in this area, but it is a very critical matter. Since the beginning of this decade over 20 000 people have been killed in road crashes in Australia. This is important because amongst the causes of death in Australia motor vehicle accidents rank fifth after heart disease, malignant diseases, stroke, and chronic lung disease. Members would appreciate that the first four are diseases of the elderly, and with the greying of Australia we can ill afford to lose younger members of the population who are being killed off in numbers by road traffic accidents. I have nothing against the older members of the community, but we do not need the disproportion that is already beginning to occur.

Apart from road crashes, suicide is the largest cause of death in Australia in the 15 to 24-year-old group. Around 300 suicides a year are recorded, whereas deaths from road crashes are nearly four times that. The community as a whole is very concerned about suicides and we should be concerned about road crashes as well, as they are the single largest cause of death for people up to 45 years, killing 950 more people than all forms of heart disease and 500 more than cancer in that age group. So anyone who suggests we do not need to take every action necessary -- education, engineering, and, in this case, enforcement -- is burying his head in the sand.

Based on current trends it could be expected that between 42 000 and 45 000 Australians will be killed in road crashes by the end of this century. A further 500 000 people will be seriously injured as a result of road crashes, given the projections from present figures. By comparison, and I think it is worth making, 39 000 Australians were killed during World War II, so there is an enormous human cost, an enormous amount of misery and debility, inflicted by road crashes.

In addition, it has a direct monetary cost to the Australian community of some \$3 billion each year. Based on 1985 estimates, each fatality costs \$300 000, representing a community cost of some \$881 million in 1985. Each serious injury costs \$52 000, representing a community cost of some \$1.5 billion in 1985, and approximately \$1 million can be attributable to the cost of minor injuries and traffic damage. So it is not something we can take complacently, and it is particularly important to recognise that something in the order of 50 per cent of those accidents involved drivers with above legal limits of alcohol in their blood.

The purpose of a random breath-test campaign is basically to reduce the number of those drink-drivers. It is a general deterrent and it is obviously aimed at deterring potential drink-

drivers from committing the offence in the first place. So when the member for Mt Lawley says that only one driver in every 200 stopped is actually charged with an offence of drink-driving, he omits to say that that ratio has steadily increased since the introduction of random breath-testing in New South Wales, indicating in fact that the procedure is working. There are fewer people on the roads breaking the law in relation to drink-driving than there were previously.

The other important thing to establish is whether or not random breath-testing has the desired effect. We can do that, but not by doing as the member for Mt Lawley did -- comparing different States -- because there are different levels of enforcement, different styles of random breath-testing, and different bases from which to begin the evaluation of random breath-testing.

Mr Stephens interjected.

Dr LAWRENCE: Well, the member for Mt Lawley says we have not.

Mr Stephens: We have random breath-testing now.

Dr LAWRENCE: If we are going to be sensible about this, it is critical to evaluate the effectiveness of random breath-testing when it is part of a general campaign. In New South Wales, by every agreement, there has been a fall in road crash fatalities since the introduction of random breath-testing, and it has been sustained. The reduction has been in the types of crashes -- 75 per cent of fatal crashes -- in serious injuries, and in tow-away crashes. In every area we look at, there has been a major decrease. The greatest reduction in crashes is known to be associated with drink-driving; that is, late night and weekend crashes have diminished.

The member for Mt Lawley has argued that as a result of this campaign New South Wales is simply coming into line with Western Australia, and maybe there is some truth in that. But if we look at other States where random breath-testing has been introduced in part, they all show the same steady and significant decline in fatal accidents and major injury crashes, so as a measure it is not to be dismissed. The Federal Office of Road Safety estimates that in New South Wales alone in a given year 133 deaths were avoided by that measure. Estimates of cost saving are in the order of hundreds of millions of dollars over three years between 1982 and 1985. The police outlay in New South Wales at the same time was \$7 million, so there is an estimated saving of \$169 million. Again, we are told this is of no great significance.

In New South Wales there has also been a sharp fall in the number of proven drink-drive offences. Again, this is a point made by the member for Mt Lawley but I think it is seriously misinterpreted. It shows that generally speaking the community is responding to the random breath-testing campaign and not getting into their cars when they are drunk. At the same time, there has been a drop in the blood alcohol levels of convicted drink-drivers; not only has there been a drop in the number of drivers on the road who are drunk, but when they are charged and convicted the actual levels are lower than they previously were. All of those statistics point to the success of the campaign -- it is very difficult to interpret them in any other way.

At the same time, and this again is a point the member for Mt Lawley has curiously misinterpreted, there has been a steady rise in the approval of random breath-testing in New South Wales. In the first survey in 1971, prior to the introduction of breath-testing, 41 per cent of those surveyed were in favour of it. In 1979, shortly after the introduction of testing, 66 per cent were in favour of random breath-testing. By 1984, well down the road in the campaign, 91.5 per cent of New South Wales residents sampled were in favour of random breath-testing. Throughout Australia, whenever surveys have been conducted, by far and away the majority of people are in favour of random breath-testing. They attribute serious fatalities to alcohol, they regard alcohol and driving as a serious matter, ranking it usually

third or fourth when asked about community concerns, and they believe random breath-testing is an effective method of dealing with the problem.

Far from the resistance that the member for Mt Lawley describes as developing after the experience of random breath-testing, the reverse is true. Citizens seem to respond to the measure and appreciate that they are being protected from the more careless and irresponsible members of the community by a campaign such as this.

In summary, random breath-testing has been introduced in some form in six out of the eight States and Territories in the last decade, admittedly with varying degrees of success. Where it has been most successful it has been high profile, accompanied by education campaigns, and it has been continual. It has not been selective, not of the booze bus style but all day, every day. The two States with high levels of random breath-testing activity are achieving by far the best results.

I believe it is a successful countermeasure for drink-driving when there is a very high risk, both actual and perceived, of drink-drivers being apprehended by police. If people believe there is a chance they will be apprehended, it is very effective. If it is an occasional, one-off campaign such as the sorts of blitzes we have seen in this State from time to time, it is less likely to have the general deterrent effect found in New South Wales where drivers are generally drinking and driving less, and when they are caught with blood alcohol levels over the limit those levels are marginally less significant.

Finally, I think that random breath-testing will have a general, beneficial effect on the level of drink-driving in this State, and if the same sorts of results are achieved here as have been achieved in other places we will see a further improvement in the already reducing levels of road fatalities and serious road crashes.

In conclusion, the Joint Standing Committee in the New South Wales Parliament, when considering road safety -- and this includes all parties -- agreed with the introductory statement that random breath-testing has been the single most effective tool in the struggle to reduce the road toll. It began as a highly controversial measure but it now has widespread public support.

MR HOUSE (Katanning-Roe) [5.21 pm]: I did not intend to structure what I have to say around statistics, but it was interesting to listen to those put forward by the member for Mt Lawley and the last Government speaker, the member for Subiaco.

In a report in *The West Australian* published in January 1986, the then Minister for Police and Emergency Services in Western Australia, Mr Carr, claimed that Western Australia's road safety record was better than anywhere else in Australia. He quoted statistics showing that Western Australia's rate of 2.8 deaths per 10 000 vehicles was equalled only by Victoria. The national average was 3.4 deaths per 10 000 vehicles.

One could quote from a host of statistics on any subject one cares to name, including random breath-testing. To develop that argument further, I quote from Dr Ray Johnson, senior lecturer in physiology at the University of Western Australia, who proved from his experiments that inexperienced drivers who drink are a far greater hazard on the road than experienced drivers who drink, but there was no evidence to suggest that experienced drinkers who drive were any hazard at all. That example proves that we can make statistics say anything we like.

I do not think this Bill is about random breath-testing, or whether we have safer roads or traffic laws. This Bill is clearly about whether we intend to have the police in Western Australia control a large part of our everyday lives. That is the crucial point.

This Bill gives the police the power to stop innocent people from going about their business, to test them for something they might not be doing. Are we going to stop every second

person in the street and test them for AIDS? That is a dangerous disease. Are we going to take their fingerprints to see whether they match those taken at the local store that was broken into last night? How far will we extend this legislation in Australia?

We have to decide whether we will allow the Police Force to run this country, or whether we will have a democratically elected Government with the people in control of that Government. Once we give this power to the police we remove it from the hands of the parliamentarians where it ought to be.

That is what this legislation is all about. It is fear legislation. We ought not to have that sort of legislation introduced into Australia. Australia ought to be a free country where those who are going about the normal course of their business can do so without being harassed. Drinking and driving is something that needs an education programme. It does not need the heavy powers and weight of this law. Those comments apply to drugs as well. We need to educate people in an attempt to control the drug problem. That is being done, and done very well. We need to do the same thing about drinking.

We have done it very successfully with smoking. A succession of Health Ministers and Governments are to be congratulated on the work and effort they have put into educating people about the dangers of smoking. Let us adopt the same approach to drinking rather than this heavy-handed approach.

Mr Brian Burke: You need a combination of a number of approaches. The way you are carrying on gives the impression that random breath-testing has been in operation in other States for many years.

Mr HOUSE: I do not believe that because other States do it, it is necessarily a good thing. Statistically it has not been proved to have been the great benefit that we seem to think it might be. To stop 200 people on the road to catch one drunk driver does not seem to me to be the way the Government should go about running the State.

Mr Taylor: It is if he happens to hit your car.

Mr HOUSE: It obviously depends on what sort of approach one takes. If one takes that approach one will have to extend this legislation to include a number of other things. We could reduce the crime figures in Western Australia by having compulsory fingerprinting. Will we do that? A very good case can be made for it.

Mr Brian Burke: Don't be absurd.

Mr HOUSE: I do not think that is being absurd at all.

When the Minister sums up this debate I would like him to address the question already put to him by the member for Mt Lawley, as to what resources the Police Force will employ on random breath-testing. It is a very important question affecting small country towns which have one, two, and three-man police stations. If we deploy resources for random breath-testing we will deplete the resources for fighting crime, and apprehending those who break and enter and use motor cars unlawfully. The Minister should indicate the number of police officers to be used in this exercise.

It is evident from reading the existing Road Traffic Act that the Police Force currently has all the resources it needs to apprehend drivers who have been drinking. Campaigns have been run over certain periods, such as Christmas and Easter, which have been successful in reducing the road toll. They educated people not to drink to excess and drive, without the heavy-handedness of a random breath-testing scheme in Western Australia.

I hope the Police Force continues to stop drivers who they suspect have been drinking to excess -- or committing other crimes -- as they do now.

[Leave granted for the member to continue his speech at a later stage of the sitting.]

Debate thus adjourned.

[Questions taken.]

Sitting suspended from 6.02 to 7.15 pm

HANSARD

Daily Production

THE SPEAKER (Mr Barnett): I wish to inform the House of changes that have been made in respect of *Hansard*. As from today, *Hansard* will no longer be keyboarded at the State Printing Division; instead it will be printed directly from text prepared in the Hansard office. This requires certain changes in the format and appearance of *Hansard* and I invite members to comment on the new format when they have an opportunity.

Under the new system a daily *Hansard* will be available at 11.30 am each day. This will be a proof issue for the information of members and should not be quoted. Members' corrections will be included in the daily *Hansard* where possible. The new system is not yet fully developed and as we progress some changes will be required to the rules regarding the correction and return of speeches.

One significant change is that the weekly *Hansard* will be the final, fully corrected version. Corrections for the weekly *Hansard* should reach the Hansard office not later than noon two days after the speech. That is, the deadline for Tuesday's corrections is noon on Thursday.

LEGISLATIVE ASSEMBLY

Daily Documents

THE SPEAKER: Members may also be interested to learn that the Notice Paper and Votes and Proceedings are now being prepared in-house. To aid this process it will be helpful if any amendments for the Notice Paper are in the hands of the Clerks as early as possible each day. Amendments received later than 6.00 pm may not be included in the next day's Notice Paper. The cooperation of members is requested for the benefit of all.

ROAD TRAFFIC AMENDMENT BILL (No 2)

Second Reading

Debate resumed from an earlier stage of the sitting.

MR HOUSE (Katanning-Roe) [7.20 pm]: The National Party has no argument with the basis of this Bill apart from the section that formalises random breath-testing. As I have already pointed out, that is the part with which we have a great deal of argument. I do not think it is good enough for the Government to say that it is legitimising something that is already taking place because I see them as two different functions altogether. This action takes the decision into the legislative area where it should be made, but then it is giving it back to the police. My argument is that those sorts of decisions should be made by the legislators; it is not up to the Police Force to decide whether people should be stopped on the roads.

We already have some sort of random breath-testing, and I think that is enough. I am very concerned that the resources of the Police Force are being retracted into the road traffic area. I really believe that over the past 10 years or so we have had an unfortunate situation in Western Australia in that the police are not as highly regarded as they were in years gone by

because of their work in the road traffic area. I would have preferred to see two separate authorities, one operating completely in the police area -- in areas such as crime and so on -- and another operating solely within the area of traffic control.

However, I accept that that is not to be for the moment, and I think that all we are doing is making the situation a great deal worse. In particular I am very concerned that in endorsing what will be a new function of the police we might distribute those Police Force resources too thinly in the area of crime, crime prevention and the solving of crimes where they very rightly ought to be directed. At the moment I do not see any point in this legislation; I do not see any point in supporting legislation that could be used solely as a revenue raiser.

I want to raise two points with the Minister before we get to the Committee stage of this Bill, so that he may have some time to consider these matters and answer them when he sums up. Clause 8 of the Bill deals with amendments to section 68 of the Act; clause 8(b)(7) reads as follows --

If the breath analysing equipment does not indicate a result in the prescribed manner at the conclusion of the analysis, the authorized person may again require the person to provide a sample of his breath for analysis or to allow a medical practitioner to take a sample of his blood for analysis under section 66(2).

How many times will we allow that to happen? How many times will it be that the police may say that a particular unit may have malfunctioned or did not work before one lets the guy go? Are the police going to keep him blowing into the unit for hours until the result given is different from the one received in the first place? I think it is a legitimate question because one could have a situation of police harassment. I am sure that the Minister would not like this to happen and perhaps this clause needs to be tidied up in the Committee stage.

I do not really have any great argument with the proposed definition of "moped", except that once again I think that the clause looks a little untidy. I wonder how one will determine whether that moped could do 60 kilometres an hour. In other words, if a moped is going down the street and a policeman sees it, how will he assess whether it is capable of doing more than 60 kilometres an hour? How will he test it to assess whether it comes under the legislation and whether a person can ride it on the roads legally? There are many farm bikes which would not be classified as mopeds but would be covered by all the qualifications that I see in this legislation, but which would not do 60 kilometres an hour. One could quite easily structure them mechanically so they would not do 60 kilometres an hour. Will they qualify? That area of the legislation looks untidy to me, and I think it still needs to be explained. I have looked back through the original Road Traffic Act and it seems to me that one would be allowed to ride mopeds on the footpath. If that is the case and if one looks at that particular section in the Road Traffic Act -- it is in a fairly early part of the Act under section 5 -- one could perhaps have a situation where that bike was legally doing 60 kilometres an hour on the footpath.

Finally I wish to raise a question with the Minister about a matter which has concerned me for some time. I have raised it with him privately and it is in respect of helmets. This would be an ideal time to introduce legislation requiring all people riding bicycles to wear helmets. Why is a moped doing 60 kilometres an hour any different from a motorcycle on the roads? We have legislation requiring people to wear helmets when they ride motorbikes but it looks to me that if this machine is to be classified as a motor vehicle, we might have the situation where one could ride it without a helmet. Apart from my belief that the wearing of helmets should be made compulsory for bike riders, I would like to see that same compulsion extended to the people who will be riding these mopeds. I think 60 kilometres an hour is plenty fast enough to be riding a moped.

The National Party will oppose clause 6 of the Bill in the Committee stage.

MR TRENORDEN (Avon) [7.26 pm]: I wish to add my contribution to this debate, mainly in the area of random breath-testing.

Drink driving has been put forward as the major cause of death on the roads. The National Party does not agree with that belief and I do not agree with it. The consumption of alcohol is seen as the cause of all horror on the roads, which is just not true. Roads and road surfaces are the major cause of road deaths. I have just spent a few weeks in Europe and in England; in England they have motorways called M1, M2, M3 and M4. As I drove along the motorways, vehicles were passing me; the motorways have a speed limit of 70 miles an hour yet vehicles were passing me doing up to 100 miles an hour. They were able to do so safely because of the superior quality of the motorways. The interesting thing about it is that the construction of those roads is really first class. They are splendid roads which are well signposted and they leave the roads in Australia well behind them in terms of quality.

Mr Troy: What is the level of their road networks compared to Australia?

Mr TRENORDEN: What has that to do with the price of eggs? Is the Minister saying they have more money to spend on fewer roads? The Minister and his Government have reduced the money that is being spent on roads in this State.

Mr Troy: That is rubbish.

Mr TRENORDEN: The Federal Government has reduced the amount of money spent on road funding and the Minister himself has reduced road funding in Western Australia; that will cause more road fatalities in this State, without question.

Mr Troy: Absolute rubbish.

Mr TRENORDEN: People in England are travelling on roads which are superior to Australian roads.

Mr P.J. Smith interjected.

Mr TRENORDEN: I agree that we have larger areas to cover but a major road like the Great Eastern Highway, for example, could be improved. The Great Eastern Highway is a disgrace as a major entry road into Perth and the main artery road from the Eastern States, which carries tonnes of road truck cargo.

Mr Troy interjected.

Mr TRENORDEN: There are many bad sections of the highway which the Minister and I have discussed in the past. The Minister mentions "a study", but studies will not solve the problem. The solution to the problem is funding and better planning.

The "M" systems will not allow motorists on and off the main artery roads. However, motorists may enter the Great Eastern Highway at any time, and this puts at least as many people at risk from drunken drivers -- not that I support drunken drivers.

Mr Troy: From where did you get those figures? You are wrong on the first count.

Mr TRENORDEN: The Minister looks me in the eye and tells me I am wrong. Will he also look me in the eye and tell me that road funding in Western Australia has not decreased?

Mr Troy: Has the member carried out an analysis of expenditure on roads within Australia, or does he just take the figures from the top of his head?

Mr TRENORDEN: Has the Minister?

Mr Troy: Yes.

An Opposition member: The Minister wouldn't have; his staff would.

Mr TRENORDEN: The whole point is that road funding in Western Australia is decreasing and it is a serious problem for motorists as well as pedestrians and anyone else who uses the roads. Lack of road funding in this State will cause deaths, there is no question about that.

Mr Troy: What level of increase in road funding would the member suggest?

Mr TRENORDEN: I suggest that all revenue taken from petrol excise should go towards road funding. My leader interjects, and I agree, \$44 million would be an excellent sum. The fatality rates in this State, as in some other States, are higher than in those which do not have random breathalyser tests. The higher rate is due to weather conditions, road construction, and distances driven, as well as alcohol. Drink driving makes a great contribution to the road toll but it is not the only factor to be considered..

Substantial road blitzes have taken place in some States and the road toll has decreased, but as soon as the blitzes cease operating, the fatalities immediately increase. The statistics prove this. It is a fact, if there is a roadblock in the vicinity of metropolitan or country hotels, very quickly the word spreads and the roadblock loses its effectiveness.

I am opposed to this legislation for another reason. On a personal basis, recently I had a telephone call from a pensioner in the town of Northam. She said she had just phoned the police because someone was trying to break into her house. The police said they would call at her house within two hours but they could not guarantee that. She was terrified. There was only one policeman left at the Northam Police Station to maintain the emergency system. The pensioner asked me what should she do. I went around to her premises and I was pleased to find no-one attempting to break in, but she was a very terrified lady. The situation was serious, with all police personnel attached to the Northam Police Station out on the roads trying to catch drunken drivers. I am not opposed to that; I am opposed to the increase in manpower attached to one sector of police duties. The situation is ludicrous.

In New South Wales, five people in 1 000 are being picked up for random breath testing at roadblocks. In Western Australia, two of those 1 000 people would have been involved in an assault on another person; one in 4 000 will have been involved in sexually assaulting someone; five -- the same number picked up for drunken driving -- in 1 000 would have been involved in breaking and entering; five would have been involved in breaking and entering of non-domestic dwellings; three would have been involved in fraud; three in motor vehicle theft; 15 in theft of another type; five in property damage.

All these people would have been stopped by the police -- but would they have been caught? Of course not; five drunken drivers out of 1 000 would have been picked up but, as I have outlined, there are another 30 people on their way to carry out some sort of crime in the community who know exactly where the police are. Criminals have no need to worry whether they run into police on duty in shopping centres, around the suburbs or hotels because the majority of the Police Force is out on the road concentrating on one particular type of offender, which is an absolute waste of police personnel.

The current laws and current actions are enough to control the situation. The action may be popular with the general public but it does not change the fact that the crime rate is rising at an alarming rate in this State, as it is around the country. The Police Force should be out apprehending criminals committing the more serious crimes. The explosion of the crime rate in those areas I mentioned is more than alarming and has become the No 1 issue in Western Australia.

A television poll held recently on capital punishment was indicative of the feeling in the general community in that an overwhelming number of people were in favour of capital

punishment. Unless something is done in the short term to arrest the increasing crime rate, harsh reaction by the public could occur in the long term. The Government's solution to the problem is to take the police away from general duties and send them out on the roads to catch the ever-decreasing number of drink drivers --

Mr Gordon Hill: You are a joke!

Mr TRENORDEN: The Minister would be the greatest joke of all time. He is a person who is administering the most fragmented Police Force ever.

Mr Gordon Hill: I am not responsible and the Government is not responsible for the deployment of police officers.

Mr TRENORDEN: The Minister always interests me because he says he is never responsible for police matters.

Mr Gordon Hill: The member has no understanding of police matters in this State.

Mr TRENORDEN: The Minister has no confidence in the Commissioner of Police, so perhaps we are equal.

Education is the only way to change attitudes. It is noticeable how effective the campaign against smoking has been. The concept of appointing a "skipper" within drinking groups at hotels is another educational programme that has worked very well, with the road death statistics decreasing due to those measures. However, I do not agree with extreme measures such as taking police officers away from general duties, and protecting people on the street, and placing them in one particular area. It is absolute folly.

MR WATT (Albany) [7.40 pm]: As has been clearly outlined by previous speakers, the Bill we are debating covers three areas and, like other speakers, I wish to concern myself only with that part which relates to the establishment through legislation of a legitimate random breath-testing procedure in Western Australia. For me the argument really is not whether we should have random breath-testing because it has been clearly established that we already have it and have had it for some time. It has been described as random breath-testing on a de facto basis or as being available under another form without the need for this legislation.

What bothers me most, and what I think the argument is about -- having said that it is not about whether we need random breath-testing -- is the competition for police manpower resources and where best they should be utilised and deployed. For that reason I intend to oppose that particular part of the Bill. That may come as a surprise to some people who are aware of my somewhat wowserish tendencies and the fact that I vehemently oppose drinking and driving. Having said that, I do not believe my opposition to this Bill places me in a position of conflict. I will support that view.

The present system of so-called de facto random breath-testing is based on what I can best describe as driver performance rather than pot luck. Someone commented earlier by way of interjection -- it may have been the member for Stirling -- that the police can find just about any reason to stop a particular person.

Mr Stephens: I did. They make up the reasons. That is the sad part of it.

Mr WATT: They may well do so, but the majority of the reasons are quite legitimate. One may argue about the legitimacy --

Mr Stephens: I have heard only three and two were not correct. On my statistics the majority were not legitimate.

Mr WATT: We will all look forward to the member for Stirling's speech, but I would like to develop my argument. People may argue about the legitimacy of stopping someone if one headlight is not burning and, suspecting that the driver had the smell of alcohol on his breath, deciding to test him for a blood alcohol level above the legal limit. I think that is legitimate. We all have an obligation not only to drive properly, but also to maintain our vehicles properly. In many cases it is the lack of maintenance of vehicles which contributes to road accidents, with the combination of other factors such as speed. It is a competition for the best use of manpower resources within the Police Force rather than the legitimacy of random breath-testing as such.

Recently I toured some of the police stations in the lower great southern with my upper House colleague, and although I had been a supporter of the need for an increased number of policemen and their more effective use it brought home to me more than before how serious the problem was. There is no doubt that a serious need exists for a greater police presence in many areas other than traffic. Of the police stations we visited the deployment of men in the traffic area was probably better than the other areas, certainly general duties, CIB, or drug squad work. That is where the real argument lies.

On the question of random breath-testing itself it interests me that there has been an about-face by a number of people, including Ministers. It is true we have had a change of Minister, but the question asked of the former Minister for Police and Emergency Services, the member for Geraldton, and the answers read to this House were an honest answer to the question at the time, and nothing has changed. I am sure it was an answer based on the consultation he would surely have had with senior police officers including those at commissioned officer level, and I would be interested to know what has changed their attitude to this matter.

It may be the fact that at the end of the day the road toll, about which everybody is concerned, rests heavily on the shoulders of the commissioned officers in the Police Force, and particularly those with responsibility for traffic. Therefore, anything they do or even are seen to be doing which can be interpreted as making a positive contribution to reducing the road toll, they would obviously want to do, so if the road toll takes a turn for the worse at least they will be able to say, "We did everything possible." Even if that were to happen in a situation where they had not introduced random breath-testing there may be members of the public who would say they should have done this or that, such as introducing random breath-testing. I suspect that might be the justification for the about-face they have done and the introduction of this legislation.

One of the problems has been a decline in some way in the training of policemen to detect the telltale signs which indicate when a driver has been drinking. I recall one police patrolman we had in Albany a few years ago who seemed to have, if I can use the term loosely, a nose for sniffing out drink-drivers. I will not mention his name because I do not want to embarrass him; he is still in the Police Force. He could go out on any evening and pick up one or two "DDs", as they call them. While he was in town there was a gradual trend towards fewer people drinking to excess and going out and driving their motor cars because this fellow had quite a reputation.

I have had a fair bit to do with some police traffic patrolmen over the years and some admitted that they were mystified as to how this fellow picked up drink-drivers. I talked to him and he said it was by observing their actions and driving habits and techniques, and various things they did. He obviously had it worked out. It was no coincidence because only the drivers of the cars he stopped were vulnerable. It is an important part of training for patrolmen to pick out those who have been drinking rather than this wholesale booze bus approach of camping on the side of the road and pulling up hundreds of thousands of people to find a few -- the random or pot luck method of detection.

Much has been made of the alleged success of random breath-testing in New South Wales. My understanding is that while there was an initial decline in the road toll in that State after

the introduction of random breath-testing the level of convictions began to decline fairly seriously. The following question must be asked: At what price was that initial success, which tapered off to be not so successful, gained? That was the basis on which the former Minister for Police and Emergency Services gave an honest answer to this House a couple of years ago.

Victoria also has random breath-testing and reports which I have read have suggested that results of that experience have been fairly inconclusive. If members read the statistics they will find that Victoria has not been very successful in this area.

It is particularly interesting to read the statistics which show the number of road deaths per 10 000 motor vehicles for the year ended December 1986. Western Australia was one of two States which did not have random breath-testing at that time. The second lowest figure was for the Australian Capital Territory, and one cannot call that a State. The statistics show that Western Australia had 2.6 deaths per 10 000 registered motor vehicles and had the lowest statistics of the mainland States. The other State that did not have random breath-testing at that time was Queensland, but I think that since then Queensland has introduced a form of random breath-testing. However, for the period I have mentioned the statistics for Queensland were marginally lower than those of Western Australia. Certainly, they were lower than New South Wales and Victoria, both of which had random breath-testing in place.

The argument must be seen to be in relation to police manpower. I am sure that every member of Parliament has received representations from the Police Union expressing its concern about the shortage of police manpower in this State. I have mentioned two examples of the shortage of police manpower in the lower great southern.

One area which is obviously of concern to many people is the availability of police manpower for drug detection work. I was amazed, and indeed alarmed, to hear of a situation which occurred in the Albany region. Only last weekend I received a telephone call from a fellow who rents a house in Albany. His case is typical of many about which I have heard. His tenants were cultivating drugs and when he detected this activity he asked the police to undertake a mopping up operation. Unfortunately, the police did not have the time to carry out an investigation.

We have all heard about examples of police being aware of the existence of marijuana crops, but not having the manpower to arrest the culprits.

Mr Gordon Hill: Would you be prepared to provide those details to the Commissioner of Police so he can have the matter investigated?

Mr WATT: I would be.

Mr Gordon Hill: I suggest you do that.

Mr WATT: I am sure that the shadow Minister for Police and Emergency Services has done that. However, I will communicate with him and if he has not done so, I will provide the commissioner with the details. The offence certainly was not on a small scale. This is not the place, for reasons the Minister would understand, to deal with the matter.

Mr Gordon Hill: No, it is not.

Mr WATT: I certainly did not say, and I would not want to say, that it is neglect of duty on the part of the police officers. I simply gave an explanation to advise the House of an instance that when the police had requested assistance they were told that they would be given assistance, but that it would have to be when policemen were available.

Mr Gordon Hill: If you provide the information to the Commissioner of Police he will determine whether any action should have been taken.

Mr WATT: I will consult with the shadow Minister for Police and Emergency Services and if he has not spoken with the commissioner, action will be taken to advise him accordingly.

The argument I am trying to make is about the effective and meaningful use of trained police officers who are available. We have all seen policemen sitting in their offices ping-pong away at their typewriters and using only two fingers at a time. They appear to have myriad statements to type and, in my opinion, they should not be doing that. What they should be doing is law enforcement work for which they are trained.

While I acknowledge that the Minister for Police and Emergency Services has made statements of intent regarding easing some policemen out of that role by employing additional public servants, such action must be taken more quickly. There are far too many policemen sitting in their offices ping-pong out lengthy reports. The very fact that a competent typist would type the reports in a quarter of the time that a policeman would type them, would be a considerable saving.

It has long been regarded as one of the basic tenets of both British and Australian justice that a person is innocent until proved guilty. The member for Katanning-Roe commented on this in his speech and I strongly support his remarks. The situation which would prevail with random breath-testing contravenes that basic tenet. It means that we are all guilty and will have to prove our innocence at a roadside check. I have nothing to hide and I certainly have not driven a vehicle when I would have shown a 0.08 reading. The likelihood of that happening would be remote in the extreme. There are people who, like me, take the strongest possible objection to the possibility of being pulled up and subjected to this particular treatment.

Apart from anything else, this type of action is time consuming; it is not a matter of whether a person has anything to hide. It is a matter of one's civil rights. Everyone has the right to go about his normal business without facing the possibility of being stopped in a queue of traffic to be subjected to a random breath-test. It comes back to freedom, which we value so much.

It would be a good thing if those police officers who were employed to do office duties were freed of those duties. Conversely, if the random breath-testing scheme is introduced into this State more police officers will be taken out of the normal police work and employed in the traffic section for the purpose of random breath-testing. As a result, the drug detection work about which I spoke would suffer even more.

The member for Avon quoted a number of statistics about the percentage of people breaking various laws. The information he gave was interesting and he said that the number of people involved in breaking and entering offences is increasing. He said also that the number of assaults and bashings in the city and suburbs was increasing and that the number of sexual assaults was increasing also. This, of course, is causing concern to people in the suburbs. They are beginning to feel insecure in their own homes because of the lack of police presence in their neighbourhood. This argument comes down to the availability of more police and the better deployment of policemen. Policemen should not be sent on a wild goose chase to pick up people who may be over the drink driving limit.

I have tried to be positive in the remarks I have made. I do support the de facto random breath-testing as it exists at the moment. It is an adequate measure for the problem. In a perfect world and if a sufficient number of police were available, I would support random breath-testing. However, this world, with its economic climate, is far from perfect and I cannot support the Bill for that reason.

The other part of my solution to this problem lies in increased education. That has to come in a variety of areas. When I was apprehended for speeding a couple of years ago, it was such a minor misdemeanour -- I was driving only a few kilometres an hour above the speed limit -- that the police, who did not know me, gave me the option of attending a lecture. I

welcomed this option. My son had recently gained his driving licence, as had other teenage mates of his, and I rounded them up and we attended the lecture together. They valued the experience and particularly appreciated the section relating to drink-driving. They were amazed to learn of the effect alcohol had on their bodies which they had not understood until it was clearly demonstrated. A great deal more can be done through the education process.

Some years ago when I was involved with the Public Accounts Committee, I took part in an inquiry into student driver education schemes. I will quote a recommendation from page 8 of the report made by the committee with respect to student driver education schemes --

- 4.5 In the Committee's view the effectiveness of the SDE scheme is greatly diminished where participants of the scheme have not had the benefits of a comprehensive road safety programme. The Committee concludes that there would much merit in universal implementation of the National Safety Council's comprehensive K to 10 road safety programme in schools and recommends accordingly.

We included in that report a copy of the National Safety Council's road safety division driver education programme. I recommend that the Minister for Police and Emergency Services liaise with the Minister for Education on the possibility of this programme being included in the education syllabus. The programme starts from year 1 and goes through to year 10 -- as the name K-10 suggests -- and the road safety instruction each year is at a level appropriate to that age group.

Page 14 of the Public Accounts Committee's report covers the ninth year of the programme, for students approximately 14 years of age, and includes instruction on --

The effects of alcohol and drugs (including smoking) on driving. Alcohol -- alcoholic beverages, effects on the brain and body, blood alcohol levels. Drugs and medicines (prescribed drugs) -- effects on the brain, effects when combined with alcohol. (Diagrams illustrating the absorption of alcohol into the bloodstream and the effects. Discussions designed to present the problems of alcohol and drugs in a motorised society).

That section associated with the whole driver education programme need take only a small amount of time in the education syllabus, and it can be helpful in a number of other areas -- that is, in mathematics, the effects of centrifugal force on a motor vehicle going round a bend at various speeds could be included in the syllabus to demonstrate to young people what is happening. A number of other areas could be included which relate to this overall education approach to the driver problem but in particular the drink-driving aspect.

I offer that as a positive approach to this very serious problem of the road toll, a problem which I do not put down in any way at all. I cannot believe or accept that legalising random breath-testing and drawing even more police officers away from the important work they have to do at the moment, which is not being done, is the answer to this problem. Therefore, I will oppose that part of the Bill.

MR LEWIS (East Melville) [8.05 pm]: I direct my remarks principally to the random breath-testing provisions incorporated within the legislation before us. I too am of the opinion that adequate powers already exist, and I direct the Minister's attention to a report of the interdepartmental committee investigating road safety measures in 1981.

The members of that committee were from a broad cross-section, advising the Government of the day; and they made very strong recommendations that random breath-testing legislation not be introduced. They made those recommendations because they believed that the current legislation was strong enough to achieve the desired effect and it was unnecessary to extend it so that roadblocks could be set up and the public inconvenienced.

It is also important to note that in his second reading speech the Minister made a similar comment when he said --

The existing power is very extensive. Indeed, it is difficult to imagine a driving incident of interest to police which is not covered.

One wonders, therefore, why the Government finds it necessary to introduce this legislation to give power to the police to stop motorists at will in roadblock fashion with booze buses. I accept that the Minister said that it will not happen, but we all know that promises made in this Chamber by Government members of both persuasions over many years have continually been broken. It is glib and easy to say that booze buses will not happen; but we know jolly well that down the line they will, exactly as has happened in New South Wales.

It is interesting to note the attitude of the Commissioner of Police. I suggest the Minister for Police and Emergency Services alluded to that in his second reading speech when he said --

It is the view of the Commissioner of Police that this approach to enforcement of drink-driving laws is effective.

One wonders, therefore, why it is necessary to put this proposed law in place. I put it down to the attitude of Labor Governments in this country and their ideology of wanting to impose a totalitarian state on the people of Australia. These Governments need to control the people of Australia; their whole ideology is pitched towards compelling people to join unions, to carry identity cards, to be forcibly stopped at compulsory roadblocks, and all manner of things.

It is very interesting to note the actions of this Labor Government which professes to be a socialist Government. If one wants to reflect on the nature of a socialist Government, one should consider what happens in the totalitarian States in Eastern Europe. In those places people need identity cards, they must obey all the laws, and unions are prohibited. It is ironic that in the true socialist States all the things this Labor Government wants to put in place are paramount to taking away one's civil liberties.

It is ironic that the Labor Party, which is supposed to be the supporter of civil liberties for the small people in this country, is taking away those liberties. This legislation is another step down that road. The Minister has given no sound reason for introducing random breath-testing. All the statistics in the world cannot show that random breath-testing will lower the fatalities on our roads in any way.

It is interesting to note the figures in New South Wales in 1983. There were 2.4 fatalities per year for every 10 000 motor vehicles registered. In Western Australia in 1983 there were 1.9 fatalities for every 10 000 motor vehicles registered. That was before random breath-testing was introduced in New South Wales. Three years later there were 3.4 fatalities for every 10 000 motor vehicles registered in New South Wales, representing an increase of 42 per cent, but in Western Australia there were 2.6 fatalities for every 10 000 motor vehicles registered, an increase of 36 per cent.

With random breath-testing in New South Wales, fatalities increased by 42 per cent, and in Western Australia, where there was no random breath-testing, fatalities were lower than in New South Wales by six percentage points. It is fallacious to say that random breath-testing has any long-term effect on lowering fatalities on the roads, as is clearly indicated by the Western Australian figures.

Like other members on this side of the House, I am very concerned that today we have a breakdown of law and order in our community and our Police Force is taxed to the limit endeavouring to curb this ever-increasing problem. At the same time we are trying to put in place legislation which will take police officers away from their duties of trying to curb the law and order problem and putting that manpower into roadblocks to conduct random breath-

testing. Senior members of the Police Force have stated that they believe it will cause operational problems due to the shortage of competent police officers who will be involved in the implementation of this legislation.

In his second reading speech the Minister has suggested that there will be little inconvenience to motorists. The operative part of the legislation, which is on page 3 of the Bill -- section 66 amended -- provides that a person shall be required to wait at a place at which the first-mentioned requirement was made. This legislation will give the police power to make people queue up on roadways to await their turn to be tested. That is the thrust of this legislation.

Take people like me, who run to the clock and usually gauge how long it will take to get from one place to another. How inconvenienced would I be, or indeed any member of the public who intends to be at a certain place for an important meeting, but is stopped, delayed for a quarter of an hour, 20 minutes, 10 minutes or whatever in a queue? The person has committed no offence, or does not appear to have committed an offence, but because the legislation says that the police can stop a person and make him wait his turn in a queue to be tested, that impacts upon a person's ability to traverse the byways of this State without hindrance when he has not committed an offence. It is an infringement of one's personal liberties. It is an infringement of the civil liberties of all persons to stop them at random without any indication that they may have committed an offence and make them wait their turn and delay their ordinary business at the pleasure of the Police Force.

When the Liberal Party returns to Government it will put into Bills such as this clear provision for the economic and social downside --

Mr Peter Dowding interjected.

Mr LEWIS: The Minister had better listen.

Several members interjected.

Mr LEWIS: The member for Scarborough had better listen because he is usually deaf.

Mr Burkett: No, I am not, Alf.

Mr LEWIS: I do not have pink feathers.

Mr Burkett: Come on, Alf, you are doing a top job.

Mr LEWIS: The member is the galah of the Chamber.

Several members interjected.

Mr LEWIS: When the unnecessary interjections are over I would like to state that we in the Liberal Party see ourselves as being in the business of reducing the amount of legislation that the citizens of Western Australia have to suffer, and which is growing by the day. The unfortunate thing about it is that every day more and more legislation and more and more regulations are put in place.

I look forward to the day when this Parliament sits down and considers how much unnecessary regulation is out there; how many unnecessary laws and Statutes are out there. We will reduce the amount of unnecessary legislation and regulation that the citizens of Western Australia have to put up with. This is another classic example of an unnecessary piece of legislation, specifically this part referring to random breath-testing. When we are returned to Government we will ensure that accompanying every Bill presented to this Parliament will be an impact statement spelling out why it is required, and the economic impact of the legislation on business, commerce and civil liberties.

It has been suggested that this legislation will enhance road safety. The RAC of Victoria has publicly said that there is no evidence that random breath-testing has reduced or had any long-term effect on reducing fatalities on Victorian roads. In fact the hit rate has gone up. Prior to random breath-testing in New South Wales, of 118 000 drivers tested prior to 1983, in one year 27 500 were charged. In 1983, after the implementation of random breath-testing, of 1.3 million people stopped and tested only 17 253 were charged. That is a manifestation of a waste of police resources for a lesser yield and a worse hit rate and of how random breath-testing does not work. They are the facts, and so much for the statistics that the member for Subiaco espoused some time ago.

Mr Peter Dowding: Would you like more police available to check your own vehicle?

Mr LEWIS: That is a really pathetic point to make in a rather serious debate, coming from someone who pretends to be the future leader and future Premier of this State.

Mr Peter Dowding interjected.

Mr LEWIS: It is no good the Minister being crude and rude, as he usually is, and it really debases his whole posture to carry on like that.

Mr Lightfoot: The Minister got his girlfriend a job for \$32 000 a year. The camp oven is still warm from the last one, and now he has got her stirring this one.

The SPEAKER: Order! I do not know about the Minister being able to tolerate this, but I can tell the member for Murchison-Eyre that I am not going to tolerate this sort of performance in this Parliament. I will let this one go, but I am not going to see this Parliament degraded in the way that other Parliaments have been, and I will take very serious action very quickly if that sort of performance occurs again in this place, and that is a promise.

Mr LEWIS: With due respect, I have no objection to fielding interjections based on the substance of the debate, but the Minister was personal to me and it is fair and reasonable that if someone wants to be personal, he should expect to get a personal comment back. I have made a personal comment to the Minister, and the member for Murchison-Eyre did the same thing. With the utmost respect, Mr Speaker, I cannot agree with the suggestion. If someone wants to be personal and wants to field these comments, they should cop what comes back from this side of the House.

The SPEAKER: I am not asking for the member's opinion, and if he cannot address himself to the Bill before the House, I will ask him to sit down. I do not appreciate that sort of comment. I find it totally unnecessary and distasteful. The member should address himself to the Bill, or else sit down.

Mr LEWIS: Going back to the Bill, it is interesting to note that the director of the Australian Institute of Criminology, Professor Harding, states unequivocally that there are no statistics to prove that random breath-testing alone has cut the road toll in New South Wales or Victoria. In the United States, where the road toll is 30 per cent less than in New South Wales, there is no random breath-testing. This gets back to what other members on this side of the House have stated, that one of the contributing factors to deaths on our roads -- and I say this with due deference to the Minister for Transport -- is the engineering design and construction of our roads.

Mr Troy: In what proportion to the other factors?

Mr LEWIS: I am making a categorical statement that on American roads there are 30 per cent less fatalities than in New South Wales. Those are the statistics.

Mr Troy: Per what -- vehicles?

Mr LEWIS: Per 10 000 vehicles.

Mr Troy: Per kilometre vehicle? The member really does not know what he is talking about.

Mr LEWIS: The Minister should not show his ignorance. He does not know what I know.

Mr Troy: You do not have a clue.

Mr LEWIS: The facts are that when one is considering fatalities on roads, one must consider that it is not only alcohol which is a contributing factor; there are many factors contributing to deaths on roads. While I am sure all members on this side of the House believe that alcohol is a contributing factor, it is not the only factor, and random breath-testing in New South Wales, for example, has not manifestly caused a drop in the fatalities on those roads.

It is interesting to note that the Minister for Police and Emergency Services announced in a statement in February that Western Australia had again proved to be the State with the best safety record. The State's 227 road deaths last year represented 2.6 deaths for 10 000 vehicles. This was lower than any other State in Australia. The national average was 3.1. It was significantly lower than both New South Wales and Victoria, where random breath-testing is the norm. So for people to say random breath-testing can categorically reduce the fatalities on our roads is absolutely fallacious.

In conclusion, I object to the Bill that proposes random breath-testing for the following reasons. The most important one, which should be paramount in everyone's mind in this Chamber, is that it is an infringement of one's civil liberties. I also object on the basis of the social and economic impact of random breath-testing. I object on the basis that the officers of the Police Force as it is presently constituted, with its inadequacy of numbers, should be better employed in trying to curb the burgeoning problem we have with law and order and not be used on the major highways of our State, causing people to be delayed and making them wait their turn to blow into a bag or be tested to see whether they have been drinking alcohol. I also object because there is no statistical evidence, and no-one in this Chamber this evening has produced evidence to the effect, that random breath-testing will have any effect on the fatalities on our roads.

MR CRANE (Moore) [8.30 pm]: I wish to make some comments in the general debate on this Bill, mainly along the lines of those who have spoken previously, and from my own experiences on the road. As one who has driven possibly over a million miles in this State, I have seen much of what goes on; and I do cover vast distances. I usually do about 50 000 to 60 000 kilometres a year now -- I am slowing down.

That part of the legislation which causes me the greatest concern is, funnily enough, I suppose, the part which seems to be tripping up most of the members on this side of the House -- that is, random breath-testing. I would be the first to agree that we must be sure that the road toll is kept to an absolute minimum, and even below that. We must do whatever we can to keep it low. We in this Parliament have a responsibility to pass legislation which will be effective. I do not believe we have been given a mandate to pass legislation merely for the sake of passing the time. Unfortunately it seems to be a fact that much legislation which goes through Parliament is not as effective as it was intended to be, and I believe this legislation, particularly the part pertaining to random breath-tests, is in that category.

Much has been said tonight, and suggestions made, about ways in which the road toll could be reduced, and I want to elaborate further on some of the comments which have been made and to add my own points of view on those comments. But before doing so, let me say that every law we pass in this Parliament takes away a little bit more of the freedom of the individual. It does not matter what it is, it takes that freedom away. Sometimes it is necessary to do so, but sometimes it cannot be shown that it is necessary. I believe it has not been adequately shown to be necessary in the case of this legislation -- the statistics on random breath-testing do not support it. The statistics say that initially there may be a shock

result, with people suddenly feeling they may be picked up, and for a little while perhaps the statistics go down, but the evidence suggests that that is very short-lived. It is not long before the statistics are up again, as has been pointed out tonight with reference to the New South Wales exercise relative to the Western Australian situation and the American situation.

States which do have random breath-testing do not have the associated results it is supposed to bring. For this reason I believe it would be a waste of effort and a very expensive resource which we do not have enough of, and I refer to the police personnel. We have to be sure that our Police Force is deployed in such a way as to be the most effective force for the purpose for which it was formed; that is, not only looking after traffic matters and apprehending traffic offenders, but also apprehending law breakers. One of the statistics which unfortunately is going up -- and I will not quote it; there is no need to because we all know it is true -- relates to the crime rate. We continually hear remarks from the police officers themselves, from the Police Union, from the commissioner, and from most of the public, to the effect that we need more police officers. That would suggest that those we have do not have sufficient time to do all the tasks for which they were recruited into the force.

If we then introduce random breath-testing we will deplete those resources even further, and the soaring crime rate and all the other things which are causing us a great deal of concern will escalate even further. For that reason the introduction of random breath-testing would be a useless exercise. It would not be effective and the results in other States have clearly indicated that.

Earlier tonight the member for Albany mentioned an education programme. I well remember the deliberations by the Public Accounts Committee because I was on the committee at the time it furnished that report. The member for Albany was quite right; that was a recommendation which ought to have been picked up and run with. It took us a certain amount of time to arrive at those conclusions. We were not just filling in time but were trying to do something honestly and sincerely, and I do not believe the true worth of our report has yet been recognised. Therefore it ought to be taken up as one measure.

It is one thing for us to get up in this place and condemn the Government and the suggestions it has made. Unfortunately that is done far too often, and I am not here to condemn the present Government or its philosophy. I do not know, but I would certainly hope that it is not the Government's philosophy to emulate the Third Reich, as it were, and for the police to act as the Waffen SS. I am sure it is not. I know too many of the members opposite and they are too good a bunch of blokes, so I will not accept that. But unfortunately the actions which this legislation would suggest are necessary, were they carried out in this Parliament, would lead to those sorts of things, and we do not want that. We certainly want to control the road toll; but whatever we do must be effective and it has been adequately shown that this will be ineffective and costly in manpower resources. Therefore it would be bad legislation.

If it is bad legislation and we do not agree with it, I think it is our responsibility to make suggestions which could work, and I have already referred to the suggestion made by the member for Albany. I would like to tell the House of a sergeant of police who was transferred from Moora last year, Sergeant Chris Morter. He was the sergeant of the traffic branch at Moora. Of his own volition he used to go around to all the schools in his area and give lectures on road safety. He gave prizes to the children for their bike riding and accident awareness, and at the end of every year when I went to the schools to give my citizenship prizes, on many occasions Sergeant Morter would be there also, talking to the schools when they were assembled and giving out his prizes. By doing that he was not only building up a very good, sensible, and friendly relationship with the students but also teaching them something worthwhile.

I believe Sergeant Morter should be commended for his actions. I hope the commissioner is aware of what he was doing. Perhaps I should write to the commissioner and tell him so, because it is that kind of police officer who should be commended for the positive steps they are taking, often in their own time, to make people aware of the importance of road safety, good manners on the road, and being conscious of the needs of other people.

I mentioned earlier that I have driven a long way on the roads, and I have come to the conclusion that one of the greatest causes of accidents on the roads is sheer bad manners on the part of some drivers, selfishness, and no consideration for others. How many times have country members, when driving the highways of the State, seen motorists tearing along at a helluva bat, passing on the double lines on the top of a hill? All of the members who represent country electorates must have seen this time and time again. These are the motorists who need to be apprehended; the police should not be casting out a net to catch people who have not committed a crime.

It was mentioned tonight that in this country we are innocent until proved guilty; that is a part of our democracy of which we are all very proud, and we have great reason to be proud of it. However, this legislation tends to suggest that some people might be guilty anyway, so the police are going to catch a lot of people they know are not guilty because that is what this legislation amounts to when people are apprehended using random breath-testing. At the same time in this apprehension we are creating a road hazard because when there is an accumulation of traffic banking up, with drivers waiting to come in and be tested, the roads are blocked up and a hazard is created. This is a consideration which has not been mentioned tonight but I am concerned about it.

It has been mentioned that our roads are badly designed and we should do something about that, but I would not necessarily take up the cudgels in support of that attitude. While there are some roads which need improvement in their alignment, I would suggest that the Main Roads Department has done a pretty good job over the past few years. I would also say that there are many roads which need to be better signposted in respect of the sensible speed limits which should apply on those roads, but if one were to drive on the Geraldton Highway, I am quite sure that one could do so from Perth to Geraldton doing 10 or 20 kilometres in excess of the speed limits on the corners where it is suggested one slows down. This suggests to me that maybe the alignment is not too bad after all. I believe the MRD generally speaking does a pretty good job and I believe that those roads are fairly safe, as long as the indicated speed limits are adhered to, at least fairly closely. I have been there and I have done that so I speak from experience. That does not suggest that I travel at 20 kilometres over the speed limit because I do not, but there have been times when perhaps I have gone round a little faster than was appropriate.

I will not support that contention. Not only would this cost the State a tremendous amount of money but also it is a fact that random breath-testing can be done now. The police have the authority to apprehend motorists if they have reason to feel that something may not be correct. The tail light may be flashing; there might be an intermittent connection. There are a lot of reasons the police can use to pull one up legitimately if they feel one needed to be spoken to. I do not disagree with that; as a matter of fact I support it. It was mentioned by the member for Albany earlier that one policeman in Albany seemed to have a sixth sense in apprehending those people he felt were under the influence of alcohol, and he was usually right. This is so and it comes back to the point which I made earlier -- that is, training. Training should be given not only to the public but also to the police officers themselves.

I cannot support this part of the legislation and I hope I have been reasonable in my argument against it. I am strongly in support of the police when it comes to their carrying out their duties but I point out that there are so many other areas in which we could help them much more. The Parole Board is not mentioned in this legislation but that is one area that could be looked at. How often do the police spend their valuable time apprehending miscreants only to find that after they have been in gaol a short while they are released and carry out the same crimes again? That is a drain on our police manpower and it would help the police a great deal if something were done in this area.

It has been suggested that the death penalty ought to be brought back to help the police. The House knows where I stand on that matter and I will not elaborate on it. Members know that I have always supported capital punishment in certain areas such as rape, premeditated murder and so on; I do not want to push my own barrow tonight, but if the legislation came

before Parliament for that purpose, I would support it. However, this is not the time to bring this matter up.

Mr Gordon Hill: You want to amend the penalties under the Road Traffic Act to include capital punishment?

Mr CRANE: Not under the Road Traffic Act.

Mr Gordon Hill: What relationship has that to this Bill?

Mr CRANE: I was referring to the police; I understand that the police have something to do with road traffic. It was only in passing to make the point of easing the pressures on the police that I raised that point and if the Minister were to go through my comments, he would find that I made that point clear in the first place.

In speaking of the police, there are many things that concern me and one of them is that over the last 18 months or so I have noticed many police officers wearing firearms. I did not know we had passed that through this House; I know there has been comment in the newspapers that we did not want the police in Western Australia to be armed. It must have slipped through under our belts somehow or other. I was in England a fortnight ago and I did not see one bobby wearing firearms. However, perhaps we have less respect for the law than people in England do. I imagine that somehow or other the wearing of firearms by police got through and just as in the breeding area like begets like, so in the law enforcement area violence sometimes encourages violence, and firearms could sometimes encourage firearms. I wonder whether the blatant wearing of firearms as I have seen them -- and do not tell me no-one else has seen them -- being worn in Perth could cause serious problems. However, I ask that question while I am on my own time. We have a lot of important things to do in this place and a lot of responsible things to do. Whatever we do, let us be responsible in our actions and let us be responsible through the front door and not the back door. This Parliament is a forum where we should make important decisions which affect everyone's everyday life. They affect their safety and I do not believe it should be done in any other way. That is why I have raised this matter. It was an opportunity to do so.

I cannot support random breath-testing for the reasons I have given. It has been adequately shown that it does not work and therefore why should we waste our time in Parliament passing legislation which will be ineffective? We have a responsibility to our constituents and to the people of this State to pass good legislation or to amend bad legislation. That is what we should spend our time doing. This will not work and therefore, for the reasons I have stated, I cannot support this part of the legislation.

MR D.L. SMITH (Mitchell) [8.48 pm]: I support the Bill. If I have any reservations about random breath-testing, it is in respect of the civil liberties aspect. I have some concern about the fact that in the future, as in the past, it will not be possible to jump into the car in one's bathers and shoot off to the beach or the local shop for fear that one might be stopped along the way. That kind of concern is one that I would have expected the Opposition to raise and I thought for a while that the member for East Melville was going to go along those lines because he kept mentioning philosophical matters in relation to Eastern Bloc countries and the like; not mentioning that he was a recent visitor to South Africa with the member for Mt Lawley and the member for Murchison-Eyre. I presume that that visit implies that he has some respect for the laws that apply in that country.

The reason members of the the Opposition have not raised civil liberty issues in general is that they took that civil liberty away when they allowed breath-testing along the lines presently allowed for in the legislation, namely, wherever there is a suspicion that an offence has been committed, or when there is a requirement for vehicle or licence inspection. They introduced those particular aspects and I congratulate them for doing so, because there are occasions in Western society when we have to address ourselves to the question of balancing the value of a civil liberty we hold dear, and the community value that comes from tarnishing that civil liberty to some extent.

We all know that although we may talk in generic terms about the incidence and effects of crimes, the greatest and most serious social evil, the one that causes more deaths, injuries, and expense to the State in terms of the health system, is the motor vehicle. When the legislation was put forward allowing breath-testing in those circumstances, we allowed it to proceed because we recognised the value of those tests in terms of reducing the toll.

The problem with the current legislation is that policemen are required to go through the fiction of stopping someone for one of those three reasons, and not to check whether one has been drinking. Any legislation which requires fiction on the part of the police in carrying out their duties is dangerous for the civil liberties of the community and the activities of the policemen themselves. The end result of this legislation is to replace that fiction with a clear right on the part of the police to stop people.

The only substantial reasons the Opposition has proposed as to why it opposes it, other than civil liberties are, firstly, its ineffectiveness and, secondly, its employing police resources which should be utilised in some other area. On the question of effectiveness, members opposite play the usual trick of citing statistics since its introduction in one or two States and saying that in the year before introduction, or the year after, there was no immediate impact on the death toll. It is easy to play with statistics in that way, but instead of looking at other States I ask them to look at our own experience.

Every time we have changed road traffic legislation in this State, whether it relates to the wearing of seat belts or the kind of testing provided for by the previous Government, some people in this place and out in the community have opposed it on the basis of a civil liberties argument, and of its being ineffective. The truth is, however, that there is a clear decline in the fatality and injury rate as a result of progressive changes made to road traffic legislation in the last 10 years. All the Governments involved in those changes should be congratulated.

The clear, simple fact is that alcohol does affect one's driving. Any member who has consumed too much, or who has seen tests that have been conducted with varying levels of alcohol consumption, know that it has an immediate impact on one's capacity to drive a motor vehicle. The principal thing we should be doing is discouraging people from driving when they have been drinking. It can be done in a number of ways. One certain way of doing it is for people to know that if they have been drinking there is a reasonable chance they will be stopped, quite properly, by a police officer and "breathalysed", which would indicate that they were over the limit and unable to control that vehicle. That is what this legislation does.

On the question of effectiveness there is the argument that the police would be better utilised elsewhere. It should be remembered that the police who will be utilised in this work would be assigned to road traffic duties anyway, and the work they would be doing if they were not doing this work would be other road traffic duties. In that sense they would not be utilised against the other forms of crime said to be worrying some members opposite.

More importantly, the motor vehicle is not only a means of transport for law-abiding people. It is a means of transport for those who do commit offences -- breaking and entering, carrying drugs -- and if potential offenders are aware of the real possibility that on the way back from a break-in or a drug deal, they might be quite legitimately stopped by a police officer, they might be less likely to carry out this kind of activity. There will be a positive incentive not to drink alcohol and drive, and not to be involved in crimes which involve driving vehicles to and from the scenes of crimes.

One only has to look at tonight's paper: 251st day of the year, 141 deaths. One can talk about homicides, rapes and violent robberies, but 141 people this year were killed on our roads, which is a 20 per cent reduction from last year. This is one means of trying to reduce that statistic. Whatever Professor Harding or other people might say about New South Wales, everyone associated with the control of the road trauma situation in Western Australia -- whether it is a road trauma group, the police, ambulance drivers, or medicos --

tells us that this legislation will do just that. If it has the secondary benefit of discouraging people from using their motor vehicles in the course of crimes, that will be a beneficial effect as well.

On that basis, and because it is not really changing the status quo but avoids the police having to use fictions, I support the Bill.

MR GORDON HILL (Helena -- Minister for Police and Emergency Services) [8.56 pm]: I thank the members of the Government who have made a contribution to the debate tonight, which has been greater and more meaningful than that made by the Opposition. That is self-evident and does not need me to say so.

There has been a tremendous amount of speculation surrounding this Bill as to the possible deployment of resources within the Police Department. The member for Albany, for example, refers to "competition" within the Police Force for resources allocated towards crime prevention or road traffic matters. The member for Albany, as did other members, referred to the way in which police officers are being deployed.

The member for Avon made a similar remark, and when I interjected to determine exactly what he was talking about, because I did not think he knew himself, he, by answering my interjection, proved exactly that -- that he did not know what he was talking about. As I have told the member for Avon and other members of this House on many occasions, the way in which police officers are deployed in this State is a matter for the Commissioner of Police. The speculation about the way in which they are to be deployed, as far as this Bill is concerned, and the deployment of resources in the Police Force, does not do the members opposite any credit, because there is no basis for their argument in opposition to this Bill if they are only talking about this issue.

There is one other theme which runs through all the speeches that have been presented tonight, which is the principal argument for opposition to the Bill. That reason is that the system currently caters for random breath-testing. That is the only reason that has been stated. It is a constant theme in all of the speeches made tonight in opposition to this clause of the Bill.

The Opposition spokesman on police matters, the member for Mt Lawley, did not outline any reasons for opposing the Bill other than that. No member opposite indicated any reason for opposing this aspect of the Bill other than claiming that it is already catered for. As a Government we have constantly said there is no place for complacency in the attack against the road toll, and this is one of the measures which the Government has in mind to help further reduce the road toll.

The Opposition has acknowledged tonight the tremendous work done by the Police Force, in particular the traffic branch, in keeping the road toll to a minimum. We have a very proud record in this State as far as the road toll is concerned. The reason we have had such success in the last 12 months when there were 2.6 deaths per 10 000 vehicles -- a far better result than any other State -- is largely because the Government has provided the Police Force with the resources it needs in this area and because of the way police officers are being deployed to tackle the road toll.

The Deputy Commissioner of Police, Frank Peters, who was Assistant Commissioner Traffic during the last 12 months, recently provided me with a report which members opposite will find quite interesting. He refers in the report to the fact that in June 1986 the police traffic branch commenced a long-term and intensive traffic law enforcement campaign to deter motorists from drinking and driving. The campaign strategy was based on police roadblocks or checks, as members will be aware. Motorists were stopped at random for licence and vehicle roadworthiness checks.

In the first 12 months of the campaign 97 601 motorists were stopped during 11 236 man-hours of road checks. Therefore, approximately one in six Perth metropolitan motorists were stopped at a road check in the 1986-87 financial year. In terms of frequency, a motorist was stopped every seven minutes. A total of 14 024 preliminary alcohol tests were conducted on motorists stopped in the road checks, and of those 1 977 were charged with drink-driving related offences; that is two per cent of all motorists stopped in that 12-month period.

During the early weeks of the campaign between four per cent and eight per cent of all motorists stopped were charged with drink-driving related offences. In the last few weeks of the campaign the proportion had fallen to between one per cent and two per cent.

Mr Trenorden: What time of the day were they stopped?

Mr GORDON HILL: I will come to that in a moment.

That was largely because of a very high profile campaign of road checks and licence and roadworthiness checks, and using that excuse, if one likes, to check whether people had been consuming alcohol and driving. Members can see clearly that the drop in the number of people charged over the period -- there was a considerable decline -- meant there was some sort of deterrent.

The member for Mt Lawley claimed there was no deterrent as a result of this particular provision in the Road Traffic Act and the change in the emphasis here would not mean an additional deterrent. Members can see from the results that there certainly would be a deterrent. The member for Albany commented on the probability of being caught and charged with drink-driving in Albany because of the actions of a certain police officer who was good at his duties and he said this had led to a drop in the number of people charged with the offence and a change in the behaviour of people in the town. It quite clearly indicated there was some deterrent value and that scrutiny of drivers, when people could see there was a probability of being caught --

Mr Watt: You are making a different point from the one I made. They are still capable of being caught under the existing arrangement without our having to set up random breath-testing.

Mr GORDON HILL: Random breath-testing enhances the probability of being caught, and I will come to that in a moment.

It is true that the Act provides for de facto random breath-testing. As I indicated in my second reading speech, the Government believes this ought to be formalised, and formalisation of the system will enhance the likelihood of being detected because it will free up additional police man-hours to undertake further work in this area.

The member for Mt Lawley referred to the situation in the Eastern States, as did other speakers. Such comparisons are inappropriate because the system operating in the Eastern States is quite different from that which will apply in Western Australia. I indicated previously in answer to a question in Parliament from the member for Cottesloe that the system applying in the Eastern States would not be adopted here. The police do not want it, and neither does the Government.

I refer to my answer to question 68 on 30 April 1987 in which I said --

The police have been concerned about the inefficient use of resources that would apply if a system of random breath-testing, similar to that in the Eastern States, were to apply in Western Australia. It is not the Government's intention to allow that to happen, and nor would the police want it.

I indicated that publicly in this House. A couple of months later the Leader of the Opposition made a couple of points at a Press conference which are worthy of comment. He was reported in *The West Australian* of 4 June 1987 as saying there was no evidence to prove that random breath-testing reduced road accidents. That is the first point I would take issue with, as has the member for Subiaco, and I will give some evidence in a moment. The other two points made were these: The Leader of the Opposition said there was not adequate manpower in the Western Australian Police Force to cope with random breath-testing in the form proposed by the Government. I ask the Leader of the Opposition, and I give him the opportunity to answer by way of interjection, what is his understanding of the form proposed by the Government, because the member for Mt Lawley would like to know. He said tonight he does not know how it will operate, but although he is ignorant he will oppose the legislation.

Mr Cash: Utter confusion.

Mr GORDON HILL: We have a new Leader of the Opposition! The member for Mt Lawley might think he is an aspiring Leader of the Opposition -- he is far from it; he could not get the numbers for the position of Deputy Leader of the Opposition.

The Leader of the Opposition fails to answer the question, and he has not bothered to find out what I meant in my second reading speech when I said that the Government would not introduce a system similar to that which exists in the Eastern States. Before making his public announcement that the Opposition would oppose random breath-testing in the form proposed by the Government, he did not bother to find out what that form was.

In the *The West Australian* on 4 June 1987 the Leader of the Opposition was quoted as saying --

The introduction of "booze buses" -- as breath-testing units are known in the Eastern States -- would result in officers being diverted from other critical duties.

The Leader of the Opposition is misinformed on this whole issue. He simply does not know what he is talking about and neither does the member for Mt Lawley who is now attempting to fill the shoes of the Leader of the Opposition in this House.

The day prior to the Leader of the Opposition's Press conference he was interviewed on Radio 6KY news.

Several members interjected.

Mr GORDON HILL: Members opposite have made their speeches, and I ask them to let me make my speech in my own time and in the way I wish to make it. They do not have to defend the Leader of the Opposition; he is capable of doing that.

In that interview the Leader of the Opposition said --

And the system that we have now, rather than being predictable as random will be, we've got booze buses around the country side, people will obviously have early radar systems built in somehow or other, be it by two-way radio or flashing of lights, etc.

It is a load of gobbledegook and the Leader of the Opposition equals Premier Joh for clarity of expression. I ask the Leader of the Opposition what he meant by his comment.

Mr Cash: Go back to the nightclub and have a bit of fun.

Mr GORDON HILL: There is no comment from the Leader of the Opposition because he did not know what he was talking about regarding this issue. It is all very well for the

member for Mt Lawley to defend his friend, the Leader of the Opposition, but he is failing abysmally.

As a result of the division expressed by the Opposition and because of the misrepresentation of the police view expressed by the member for Mt Lawley when he said that there was a conflict of view between the Commissioner of Police and myself on this issue, I feel that I must, for the benefit of the Opposition, read to the House a memo I received from the commissioner relating to this issue.

Mr Cash: We hear that the Commissioner of Police is not speaking to you. Is it true that he now writes to you?

Mr GORDON HILL: The memo I received from the commissioner was in relation to the Press statement made by the Leader of the Opposition and which was published in *The West Australian* in June. The memo reads as follows --

On Thursday, June 4, 1987, an article appeared in *The West Australian* newspaper wherein the Hon. Leader of the Opposition, Mr MacKinnon, was quoted as saying:

- (a) that there is no evidence to prove that random breath-testing reduces road accidents
- (b) there was not adequate manpower in the Western Australian Police Force to cope with random breath testing in the form proposed by the Government
- (c) the introduction of 'booze buses' - as breath testing units are known in the Eastern States - would result in officers being diverted from other critical duties.

The statements are misleading and I consider it necessary to briefly clarify the position.

Studies conducted by the Federal Office of Road Safety and published in July 1986 under the title *Road Crash Statistics Australia*, show clearly that random breath testing in New South Wales resulted in an estimated saving of 133 deaths and 364 serious accidents per year since its introduction. Estimates based on these figures, and costings of \$300,000 per fatality and \$52,000 per serious injury (FORS, 1985), suggests a minimum saving of \$177 million over the three years since 1982 in that State.

The introduction of random breath testing in the manner proposed will formalise and simplify the present operational policy based on road blocks for drivers licence checks.

I am quoting from a memo written to me by the Commissioner of Police. It continues --

It is not, and has never been, the intention of this department to use 'booze buses' as it is recognised that this type of policing is labour intensive and could mean taking Police from other duties.

The present strategy of stopping motorists near liquor outlets and parties will continue. However, these road blocks will be set up specifically for random breath testing.

Rather than being labour intensive, the legislation would permit an increase in police efficiency and effectiveness by permitting all police officers, at any time, to stop a vehicle for the specific purpose of scrutinising the driver's state of sobriety.

The point which appears to have been missed by the article is that measures which maximise the exposure of drivers to close observation by patrolmen should act as a deterrent to drink-driving. It is not necessary that, neither is it intended, to require that every motorist stopped undergo a breath test.

It is clear that in the view of the Commissioner of Police the statement by the Leader of the Opposition was contradictory to the view expressed by the member for Mt Lawley and by other members on the other side of the House and also by the Leader of the Opposition when he came out in opposition to random breath-testing and to this legislation in June this year.

The commissioner has set out quite clearly the Police Department's view in relation to random breath-testing and precisely how it will operate. He has shown that it will be more efficient and effective and will certainly free-up police man hours in order to undertake other work or to closely scrutinise this area of drink driving.

Mr Watt: Apart from writing to you, who else did the commissioner write to?

Mr GORDON HILL: What is the point the member for Albany is trying to make?

Mr Watt: You said that the commissioner set it out. Apart from writing to you, where else did he set it out?

Mr Brian Burke: Are you doubting his view?

Mr Watt: That is not the point.

Mr GORDON HILL: I do not understand the member for Albany's point. The commissioner has set it out clearly. Perhaps the member for Albany needs to do a comprehension course.

Mr Watt: You resort to personal abuse and sarcasm every time. You are quoting from a memo written by the commissioner and sent to you. How am I supposed to know that if he writes to you only? Where else did he make that statement?

Mr GORDON HILL: To satisfy the question raised by the member for Albany, I will make the memo sent to me by the commissioner available to members of the Opposition and I will also send it to members of the Opposition in the Legislative Council to allow them to become fully aware of the commissioner's view before they consider this Bill. I will do more than that; I will offer members of the Opposition in the Legislative Council the opportunity of a briefing by the Police Department on this Bill.

I made that offer to members of the National Party. They chose not to take advantage of it but nevertheless opposed the legislation. I made that offer to the National Party after the members of the Liberal Party said they would oppose the legislation even though they were not fully informed on it, as the member for Mt Lawley has admitted tonight. I felt that members of the National Party would not want to be in a position of opposing legislation without being fully informed. I made that offer twice to the Leader of the National Party and it was not taken up. Nevertheless, the Opposition chose to oppose the Bill. I make that offer again tonight. If members opposite want to be briefed on this legislation by the police, I will arrange it. I will also invite the members of the Legislative Council to attend a briefing on this legislation by the police.

Mr Cash: You stated quite clearly on page 3 of the second reading speech that it was the view of the Commissioner of Police that the current approach to enforcement of drink-driving laws is effective. You are talking about existing legislation. How many times do you want to twist and turn?

Mr GORDON HILL: As the member for Mt Lawley correctly indicated, I said that in my second reading speech on this Bill. There is no doubt at all that the Act we are seeking to amend is, in fact, effective. However, we are talking about a system that will be even more effective.

The Bill before the Parliament at the moment further enhances efficiency and is more effective within the section of the Road Traffic Act it is amending. Otherwise, why the hell would we be amending it? The existing Road Traffic Act is effective. The Commissioner of Police has spelled out in his memo to me, which I have read to the Parliament, how the Bill will enhance the efficiency and effectiveness of this Act which clarifies the situation and the way random breath-testing will operate.

The member for Mt Lawley referred to a previous view expressed by the Government, the police and, on behalf of the Government, the former Minister for Police and Emergency Services, the present Minister for Local Government. The Government has changed its attitude on this whole issue; there is nothing wrong with that; Governments are entitled to change their minds on particular measures. It has changed its mind because the advice from the Commissioner of Police is quite different since the department has changed its attitude towards random breath-testing. It has done so because of new technology which has been made available to the police in the form of the Draeger breath analysing machine.

The Minister for Health has indicated that community attitudes have also changed. The Government recognises these changes of attitude. The new Draeger equipment will save considerable police man-hours during the time it operates. It provides a print-out, it is error-free and, because of its system of operation, there is no need to carry out verification procedures. Procedures that would normally take 15 to 20 minutes to carry out can now be done in a couple of minutes. That is why booze buses will not be needed because on-the-spot verification of the preliminary test will not be required. The Draeger equipment is central to the whole question of efficiency and the way in which the police are able to operate random breath-testing. The verification procedure is an integral part of the test. Let us put this matter to rest. There is no need for the booze buses and, as I have indicated, resources will be better utilised, it will be more efficient, police man-hours will be freed to some considerable extent, and there will not be the waste of resources referred to by members opposite.

The contributions by other members opposite hardly warrant comment. Certainly the member for Moore gave us some interesting anecdotes but they were of little value and I fail to see how they contributed to the debate. That could be said of speeches from other members opposite.

A couple of comments made by the member for Katanning Roe are worthy of comment. He referred to section 68(7) of the Act in relation to the number of tests that individuals can undergo. I understand that it is intended that only one test be carried out or that it would be used on only one occasion for retesting. However, before this Bill goes to the Legislative Council I will refer that point to the department and the Commissioner of Police for further clarification.

In relation to the question of mopeds being ridden on footpaths, they are a type of motor cycle and as such are classified as a motor vehicle and not a pushbike. Therefore, they cannot legally be ridden on a footpath. It is illegal to ride motor cycles or motor vehicles on footpaths. That is quite clear in the existing Act but I will get further clarification, if the member wishes.

With regard to helmets, this issue is dealt with in the regulations. I said earlier that mopeds are a class of motor cycle and, as it is necessary for motorcyclists to wear helmets, moped riders would also be required to wear helmets. In addition, a vehicle licence will be required.

The points raised by the Opposition have been adequately covered.

There has been a great deal of speculation about the way in which police officers are deployed. There has been a great deal of misunderstanding about the system of random breath-testing as it is to operate in this State, even though I have made that quite clear on a number of occasions, both in this Parliament and through the media.

The system in this State will be quite different from that which operates in the Eastern States. We regard the Eastern States' system as being an inefficient use of resources, and so too does the Commissioner of Police. That has been confirmed tonight in a note by the Commissioner of Police which I read to the House in relation to comments made by the Leader of the Opposition.

I shall make that information available to members of the Opposition in the Legislative Council so that they may be better informed about the intentions of this Bill before considering their actions on it. I offer them an opportunity of a briefing from a senior police officer on the matter. I hope members of the Opposition in the Legislative Council will take up that opportunity, even though the Opposition in the Assembly failed to do so --

Mr Cash: Absolute rubbish! You did not ask the Liberal Party at all.

Mr GORDON HILL: The National Party.

Mr Cash: Do not try to suggest that you asked the Liberal Party when you know that that is not the truth.

Mr GORDON HILL: That is right; I did not.

Mr Cash: Do not start quoting untruths. You will gain yourself a reputation like someone else.

Mr GORDON HILL: Let me clarify what I said earlier in the Chamber.

Mr Cash: You are trying to confuse people again.

Mr GORDON HILL: That is what the member is doing. I explained earlier why I did not offer it to the Liberal Party but I offered it to the National Party. The Liberal Party, in its ignorance, had already chosen to vote against this Bill.

Madam Deputy Speaker, I commend this Bill to the House.

Question put and passed.

Bill read a second time.

House adjourned at 9.32 pm

QUESTIONS ON NOTICE

LOCAL GOVERNMENT: NEDLANDS CITY COUNCIL

Swanbourne Rubbish Tip: Land Contract

1466. Mr LIGHTFOOT, to the Treasurer:

- (1) Was \$4 million of State Superannuation Board funds placed on deposit with Brockley Investments Ltd?
- (2) If so, what was the purpose of depositing the money with Brockley Investments Ltd when greater returns are available from other sources with greater security?
- (3) Who are the directors of Brockley Investment Ltd?

Mr BRIAN BURKE replied:

The question is identical to that asked by the member on 28 May 1987. He is referred to that answer.

HEALTH: NURSES

Pullman Inquiry: Recommendations

1467. Mr BRADSHAW, to the Minister for Health:

- (1) Does the Government intend to implement the recommendations of the Pullman inquiry into nurse education?
- (2) If so, which recommendations will be implemented?

Mr TAYLOR replied:

- (1) The Government has implemented the recommendations of the Pullman inquiry into nurse education which affect the education of the registered general nurse.
- (2) Other recommendations in this report concern the education of --
 - (i) mental health nurses;
 - (ii) enrolled nurses.

A working party was set up and reported in 1986 about mental health education. This group contained mental health nurses and a representative of the Psychiatric Nurses Association. Its major recommendations have been implemented.

Discussions have been held concerning a pilot course for enrolled nurses at TAFE, and provision has been made in the TAFE budget submission to conduct such a programme.

HOSPITALS

Running Costs

1468. Mr BRADSHAW, to the Minister for Health:

- (1) What was the cost of running the public hospitals in Western Australia for 1986-87?

- (2) What is the Federal grant under the Commonwealth-State hospitals' agreement for 1986-87?
- (3) What is the percentage and the absolute number of private patients treated in 1986-87 in the public hospitals in Western Australia?
- (4) How much money was paid by the private health funds for private patients in public hospitals in Western Australia for 1986-87?

Mr TAYLOR replied:

- (1) \$555 939 000.
- (2) In 1986-87, identified health grant payment made by the Commonwealth amounted to \$198 584 000.
- (3) Returns from public hospitals indicate that approximately 25 per cent of the total number of patients discharged in 1986-87 were private patients. Absolute figures for 1986-87 are not yet available.
- (4) Information on payments made by individual private health funds, for private patients in public hospitals, is not available. In 1986-87, patient fees collected in public hospitals amounted to \$52 177 000. Motor Vehicle Insurance Trust and workers' compensation patients' fees are also included in that amount.

HEALTH: TOBACCO SMOKING

Death Rate

1469. Mr BERTRAM, to the Minister for Health:

What is the present annual death rate of Western Australians as a direct consequence of having smoked cigarettes?

Mr TAYLOR replied:

The most recent and immediately available statistic is that in 1984 an estimated 1 822 Western Australians died as a result of cigarette smoking. This figure has been published in the *Medical Journal of Australia* (Vol. 146, page 117, 1987) and corresponds to a death rate from smoking of 132 deaths per 100 000 population each year. On this basis, it is projected that from 1987 to the year 2000, if present trends continue, 37 000 Western Australians will have died as a result of their smoking.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Residential Land Sale

1471. Mr MENSAROS, to the Premier and Treasurer:

- (1) When was the first decision taken by the Government to utilise for private residential purposes part of the land upon which the Claremont mental hospital complex is situated?
- (2) Which Government agencies have handled land development since the decision was made?

- (3) What is the present status of this developmental project and what are the detailed plans for its progress?
- (4) Taking into account the Government's present mood for privatisation, has it not considered commissioning - through proper tendering process - private land developers to handle this project, so that the speed of its progress should be comparable with that of the Bond Corporation's development on the other side of Stephenson Avenue in Bold Park?

Mr BRIAN BURKE replied:

See reply to question 1472.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Residential Land Sale

1473. Mr MENSAROS, to the Minister for Health:

- (1) When was the first decision taken by the Government to utilise for private residential purposes part of the land upon which the Claremont mental hospital complex is situated?
- (2) Which Government agencies have handled land development since the decision was made?
- (3) What is the present status of this developmental project and what are the detailed plans for its progress?
- (4) Taking into account the Government's present mood for privatisation, has it not considered commissioning - through proper tendering process - private land developers to handle this project, so that the speed of its progress should be comparable with that of the Bond Corporation's development on the other side of Stephenson Avenue in Bold Park?

Mr TAYLOR replied:

This question has been incorrectly addressed. It has been referred to the Minister for Lands.

LOCAL GOVERNMENT: NEDLANDS CITY COUNCIL

Swanbourne Rubbish Tip: Land Contract

1474. Mr MENSAROS, to the Minister for Planning:

- (1) Is it a fact that there is a binding contract between Landbank on behalf of the State Government represented by the Minister for Health and the City of Nedlands to grant part of the land being the rubbish tip in Swanbourne to the City of Nedlands for recreational purposes?
- (2) If so, when will the Government execute this grant?

Mr PEARCE replied:

See reply to question 1475.

LOCAL GOVERNMENT: NEDLANDS CITY COUNCIL*Swanbourne Rubbish Tip: Land Contract*

1475. Mr MENSAROS, to the Minister for Lands:

- (1) Is it a fact that there is a binding contract between Landbank on behalf of the State Government represented by the Minister for Health and the City of Nedlands to grant part of the land being the rubbish tip in Swanbourne to the City of Nedlands for recreational purposes?
- (2) If so, when will the Government execute this grant?

Mr WILSON replied:

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

LOCAL GOVERNMENT: NEDLANDS CITY COUNCIL*Swanbourne Rubbish Tip: Land Contract*

1476. Mr MENSAROS, to the Minister for Health:

- (1) Is it a fact that there is a binding contract between Landbank on behalf of the State Government, represented by him, and the City of Nedlands, to grant part of the land being the rubbish tip in Swanbourne to the City of Nedlands for recreational purposes?
- (2) If so, when will the Government execute this grant?

Mr TAYLOR replied:

This question has been incorrectly addressed. It has been referred to the Minister for Lands.

LOCAL GOVERNMENT: NEDLANDS CITY COUNCIL*Swanbourne Rubbish Tip: Land Contract*

1477. Mr MENSAROS, to the Treasurer:

- (1) Is it a fact that there is a binding contract between Landbank on behalf of the State Government represented by the Minister for Health and the City of Nedlands to grant part of the land being the rubbish tip in Swanbourne to the City of Nedlands for recreational purposes?
- (2) If so, when will the Government execute this grant?

Mr BRIAN BURKE replied:

See reply to question 1475.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Maintenance

1478. Mr MENSAROS, to the Minister for Lands:

Has it been decided who will provide funds for the maintenance of the buildings at the Claremont mental hospital complex which are not to be demolished?

Mr WILSON replied:

Yes.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Maintenance

1479. Mr MENSAROS, to the Minister for Health:

Has it been decided who will provide funds for the maintenance of the buildings at the Claremont mental hospital complex which are not to be demolished?

Mr TAYLOR replied:

This question has been incorrectly addressed. It has been referred to the Minister for Lands.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Maintenance

1480. Mr MENSAROS, to the Minister representing the Minister for Sport and Recreation:

Has it been decided who will provide funds for the maintenance of the buildings at the Claremont mental hospital complex which are not to be demolished?

Mr WILSON replied:

See reply to question 1478.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Maintenance

1481. Mr MENSAROS, to the Treasurer:

Has it been decided who will provide funds for the maintenance of the buildings at the Claremont mental hospital complex which are not to be demolished?

Mr BRIAN BURKE replied:

See reply to question 1478.

GOVERNMENT BUILDINGS

Claremont Mental Hospital Complex: Maintenance

1482. Mr MENSAROS, to the Minister for Planning:

Has it been decided who will provide funds for the maintenance of the buildings at the Claremont mental hospital complex which are not to be demolished?

Mr PEARCE replied:

See reply to question 1478

SMALL BUSINESS

Act: Review

1486. Mr LEWIS, to the Minister for Small Business:

- (1) Since section 25 of the Small Business Development Corporation Act 1983 requires the Minister to review the operation of the Act by December 1988, has he initiated any action to review the operation of the Act?
- (2) Has he considered, to this time, the effectiveness of the operations of the Small Business Development Corporation?
- (3) Has he considered, to this time, the need for the continuation of the functions of the Small Business Development Corporation?
- (4) If no to questions (1) to (3), could he state --
 - (a) when such a statutory review will be made;
 - (b) what department, authority, or body will undertake the review?

Mr TROY replied:

(1) to (3) Yes.

(4) Not applicable.

HOUSING: RENTAL

"Time Reached" Date

1488. Mr LEWIS, to the Minister for Housing:

What is the current "time reached" date for allocation of rental residential tenancies in the following categories, in the aggregate of all areas --

- (a) bed sitting units;
- (b) one-bedroom units;
- (c) two-bedroom units;
- (d) two-bedroom town houses-duplexes;

- (e) three-bedroom town houses-duplexes;
- (f) two-bedroom detached houses;
- (g) three-bedroom detached houses,
- (h) other categories?

Mr WILSON replied:

As the answer to the question is detailed, I will respond to the member in writing.

HOUSING: RENTAL

Maintenance

1489. Mr LEWIS, to the Minister for Housing:

- (1) What was the total cost for maintenance of Homeswest residential rental housing inventory in the following financial years --
 - (a) 1984-85;
 - (b) 1985-86;
 - (c) 1986-87?
- (2) What is the projected maintenance cost for the above rental housing inventory in the financial year 1987-88?

Mr WILSON replied:

- (1) (a)\$20.4 million;
(b)\$21.1 million;
(c)\$20.6 million.
- (2) \$20.9 million.

HOUSING: RENTAL

Applications: Waiting List

1490. Mr LEWIS, to the Minister for Housing:

What is the official number of applications on the Homeswest waiting lists for rental accommodation as at -

- (a) 30 June 1984;
- (b) 30 June 1985;
- (c) 30 June 1986;
- (d) 30 June 1987?

Mr WILSON replied:

- (a) 10 326;
- (b) 8 543;
- (c) 11 190;
- (d) 13 485.

The figure of 11 190 as at June 1986 includes 2 035 applicants who were dual listed for purchase and rental assistance; and at 30 June 1987, the figure of 13 485 included 4 423 who were dual listed.

HOUSING: RENTAL

Tenancies

1491. Mr LEWIS, to the Minister for Housing:

- (1) How many tenancies exist, in the aggregate, on the Homeswest inventory of residences to let, as at 30 June 1987?
- (2) What is the breakdown of the residential tenancies in the categories metropolitan region and country region --
 - (a) bed-sitting units;
 - (b) one-bedroom flats;
 - (c) two-bedroom flats;
 - (d) two-bedroom town houses;
 - (e) three-bedroom town houses;
 - (f) two-bedroom detached houses;
 - (g) three-bedroom detached houses;
 - (h) other categories?
- (3) What is the written down or book value of all Homeswest residential tenancies?

Mr WILSON replied:

- (1) 32 335.
- (2) MetropolitanCountry
 - (a) 1 075 185
 - (b) 1 513 431
 - (c) 1 964 105
 - (d) 469 548
 - (e) 1 762 134
 - (f) 2 084 1 073

(g) 7 1366 355

(h) 4 8642 637

(3) \$564 957 845.

HEALTH

Orthodontist: Bunbury Dental Clinic

1493. Mr BRADSHAW, to the Minister for Health:

- (1) Has a permanent orthodontist been appointed to the Bunbury Dental Clinic?
- (2) If so, when does he commence duties?
- (3) If not, what steps are being taken to obtain the services of a permanent orthodontist at the dental clinic in Bunbury?

Mr TAYLOR replied:

- (1) No.
- (2) Not applicable.
- (3) Advertisements have been placed; two applicants interviewed; neither willing to take up a full-time position. Other options are being explored in order to secure a full-time service.

FORESTS

Karri: Dieback

1494. Mr BRADSHAW, to the Minister for Conservation and Land Management:

- (1) Has any evidence been found to support the existence of dieback in the karri forests?
- (2) If so, to what extent does this exist?

Mr HODGE replied:

- (1) Dieback, as a symptom of disease caused by the fungus *Phytophthora cinnamomi*, does not occur in karri forest. However, the fungus itself may be present but due to the absence of any symptoms or impact its presence is not easily recognised.
- (2) Dieback-affected jarrah-marri forest and shrub communities cover about six per cent of the southern forest. It can be inferred that the fungus would be present in karri forest areas down slope or downstream from existing infected areas. The total karri area thus inferred to be infected would be small.

HEALTH ACT

Amendment: Draft Building Code

1495. Mr BRADSHAW, to the Minister for Health:

- (1) Does he intend to amend the Health Act or regulations with recommendations from the Australia Uniform Building Regulations Coordinating Council through the draft building code of Australia?
- (2) If so, when?

Mr TAYLOR replied:

- (1) It is not intended to amend the Health Act or regulations until the Building Code of Australia is adopted.
- (2) See answer (1).

HOSPITALS

Elective Surgery: Waiting Lists

1496. Mr BRADSHAW, to the Minister for Health:

- (1) Will the State Government match the Federal Government offer to reduce waiting lists for elective surgery in Western Australia?
- (2) If yes, how much money will be available?
- (3) How will this money be spent?
- (4) What effect is this expected to achieve in reducing the number of patients waiting for elective surgery?

Mr TAYLOR replied:

- (1) The Health Department is currently negotiating with the Commonwealth Government concerning financial assistance available to reduce waiting lists.
- (2) to (4) See (1).

EDUCATION: PRIMARY SCHOOL

Leeman: Pesticides

1497. Mr BRADSHAW, to the Minister for Education:

- (1) Was the Leeman Primary School sprayed this year with a pesticide?
- (2) Did any children or staff suffer any ill effects after the spraying took place?
- (3) If so, was an investigation carried out to ascertain if the spray had caused the illness?

Mr PEARCE replied:

- (1) Yes.

- (2) Correspondence received from the Reynolds family indicated that in their opinion, their daughter had suffered side effects as a result of exposure to residual pesticide vapours.
- (3) Yes. On receipt of the said correspondence, the coordinator of the department's occupational health and safety unit liaised with the Principal of Leeman Primary School. The principal indicated that other than the Reynolds daughter, no other staff or students had reported an illness that could be directly associated with the spraying of pesticides.

On the basis of the association, there appeared to be little value in pursuing the investigation further. The principal did, however, undertake to revise his school's policy to ensure that spraying occurred on the Friday of a long weekend or during school holidays.

HOSPITAL

King Edward Memorial: Food Quality

1498. Mr BRADSHAW, to the Minister for Health:

- (1) Has he received a complaint or complaints regarding the quality of the food at King Edward Memorial Hospital?
- (2) Has he investigated this or these complaints?
- (3) If so, what was the result of the investigation?

Mr TAYLOR replied:

- (1) Yes, one. The author also sent copies of the complaint to the administrator and the catering manager at King Edward Memorial Hospital for Women.
- (2) Yes.
- (3) The hospital food services supervisors discussed with the complainant the particular aspects of the meal that were not to her liking. Part of the cause appeared to be the hospital's method of cooking vegetables and not adding salt to food during preparation, both for health reasons. The hospital, within the constraints of catering on the scale it does, did attempt to incorporate the complainant's suggestions in her own meals.

EDUCATION: TEACHERS

Electoral Candidates: Leave

1499. Mr COWAN, to the Minister for Education:

- (1) Is a teacher who nominates for a State or Federal election required to take leave for the duration of the election campaign?
- (2) If yes, is that leave necessarily leave without pay?
- (3) Does the leave requirement apply where the election campaign occurs in part or in whole during a school holiday period?
- (4) Does a teacher have to seek the approval of either the school principal or the Education Department to nominate for a State or Federal election?

- (5) Where the teacher is not elected to Parliament, is he or she automatically given continued employment in the same position or at the same level as before the election?
- (6) Is there any restraint whatsoever on a teacher nominating for election to or serving in local government?

Mr PEARCE replied:

- (1), (2) and (5) The following instructions appear in the Education Department's "Teachers' Handbook and Administrative Instructions", section 24.09. These instructions are implemented irrespective of the Government in power.

State Election.

1. A teacher or other employee who nominates as a candidate for election as a member of either House of Parliament of the State shall apply for leave which shall commence no later than the date on which nominations for candidates close and which shall terminate no earlier than the date on which the election is conducted.
2. The Director-General shall approve leave for the teacher or other employee and the leave shall be deducted from accrued annual leave or long service leave or be granted without pay.
3. A teacher or other employee who is not elected at a Parliamentary election shall resume duty with the Department on the working day next following the date on which the approved leave expires.
4. A teacher or other employee who is elected at a Parliamentary election shall resign from his or her position with effect from a date which is no later than the close of business on the working day next preceding the date on which the teacher or employee becomes entitled to receive the salary payable as a Member of Parliament.

Commonwealth Election.

1. In accordance with Section 44 of THE COMMONWEALTH OF AUSTRALIA CONSTITUTION ACT, a teacher or other employee who intends to nominate as a candidate for election as a member of either House of Parliament of the Commonwealth shall resign from his or her position before nomination.
2. Where the Minister is satisfied that a person who was a teacher or other employee
 - (a) resigned pursuant to subparagraph (1) herein,
 - (b) was a candidate at the election, and
 - (c) was not elected at the election,the Minister may, on application by that person within one week of the declaration of the result of the election, reappoint that person.
3. A person reappointed pursuant to subparagraph (2) herein shall be appointed on the same classification and at the same salary level that

was paid immediately before the resignation took effect and shall be deemed to have continued in employment on leave without pay during the period from the day on which the resignation took effect, to and including the day immediately preceding the day the person was reappointed.

- (3) Yes.
- (4) No.
- (6) The Minister for Industrial Relations has approved the granting of leave with pay to all Government employees who are elected to local councils to attend normal council meetings held during working hours. These meetings are usually held once or twice per month.

EDUCATION

Tertiary Administration Fees: Levels

1500. Mr COWAN, to the Minister for Education:

- (1) Has he made representation to the Federal Government over the level and application of tertiary fees for 1988 and beyond?
- (2) What action has he taken to ensure that fees for 1988 are applied on the basis of the amount of study undertaken -- that is, half-time students pay half the fee of full-time students?

Mr PEARCE replied:

(1) and (2) I have made personal representation to the new Minister for Employment, Education and Training, Hon John Dawkins, MHR.

FORESTS: WOODCHIPPING

Licence: Obligations

1501. Mr STEPHENS, to the Minister for Conservation and Land Management:

- (1) Does the current woodchip licence agreement with the Western Australian Chip and Pulp Company oblige the company to establish or conduct a feasibility study into the establishment of a pulp mill?
- (2) (a) If yes, to what extent has the obligation been met;
- (b) what action, if any, has the Government taken to ensure compliance?
- (3) Is it the Government's intention to include a requirement for the establishment of a pulp mill in the renewed woodchip licence agreement?

Mr HODGE replied:

This question has been addressed incorrectly to the Minister for Conservation and Land Management. It has been directed to the Minister for Industry and Technology, and he will answer the question in writing.

CONSERVATION AND LAND MANAGEMENT DEPARTMENT*Avon Descent: Involvement*

1502. Mr TRENORDEN, to the Minister for Conservation and Land Management:

- (1) Is the Department of Conservation and Land Management involved in the running of the Avon Descent?
- (2) If yes, at whose request?
- (3) What role does it play?

Mr HODGE replied:

- (1) The department is not involved in the administration of the Avon Descent race. It is, however, involved in the management of competitors, support crews, and spectators in the Avon Valley and Walyunga National Parks.
- (2) This is unavoidable as the race traverses the two parks.
- (3) The department liaises with other agencies involved in the race organisation to coordinate management of people and vehicles in the national parks.

LOCAL GOVERNMENT ACT*Adult Franchise: Amendments*

1503. Mr COWAN, to the Minister for Local Government:

- (1) Does he intend to introduce any amendments to the Local Government Act to deal with any of the problems with the current adult franchise as have occurred in the Wiluna Shire?
- (2) If yes, what are the proposed changes and when will they be introduced?

Mr CARR replied:

- (1) The introduction of adult franchise in local government has allowed, for the first time, the election of a Wiluna Shire Council which is representative of the whole population. The Government is very pleased with the way the new council has been operating.
- (2) See (1).

LOCAL GOVERNMENT*Wiluna Shire Council: Division*

1504. Mr COWAN, to the Minister for Local Government:

Is it his intention to divide the Wiluna Shire?

Mr CARR replied:

The processes for the division of a shire are set out in a number of sections of the Local Government Act. Should a properly presented petition for the division of the Shire of Wiluna be received, the Minister for Local Government will consider

referring it to the Local Government Boundaries Commission for an analysis of the relevant issues.

MINISTER FOR POLICE AND EMERGENCY SERVICES

Crime Levels: Comments

1505. Mr CASH, to the Minister for Police and Emergency Services:

- (1) Was he correctly reported in *The West Australian* on 8 August 1987 when he said "I don't think we will see a decrease in crime levels."?
- (2) If yes, on what basis does he make such a statement?

Mr GORDON HILL replied:

- (1) I was correctly reported in saying that "I don't think we will see a decrease in crime levels. There will always be increases as the city grows ...".
- (2) The reason for my view is that the recent history of major cities throughout the western world supports the view that as cities grow rapidly, crime increases; and I am surprised that the member, as Opposition spokesman on law matters, is apparently not aware of that experience.

CRIME RATE

Increase

1506. Mr CASH, to the Minister for Police and Emergency Services:

Can he advance the reasons for the rise in the crime rate in Western Australia in the past three years?

Mr GORDON HILL replied:

It is my view that the level and pattern of crime is substantially related to the size, growth rate, and structure of the development of Western Australia's economy and society. Our experience is generally the same as that of other similar regions throughout the Western World.

However, the efforts of the Government in resourcing the Police Force and other agencies has, in my view, resulted in those agencies being in a better position to deal with the issue than would have been the case if the Government had maintained the apparent policy of the previous Liberal Government of neglect in the area of law, order, and social welfare.

TRANSPORT: TRUCKS

Warning Signs: Regulations

1507. Mr CASH, to the Minister for Police and Emergency Services:

- (1) When were regulations gazetted requiring certain trucks to be fitted with red-yellow visual turn warning signs?
- (2) What was the justification for such a regulation?
- (3) How many accidents have been caused in the past 12 months by the turning trucks?

- (4) What is the estimated number of vehicles which will have to be fitted with such signs, and can he estimate the cost involved in having the community implement the regulation?

Mr GORDON HILL replied:

It appears from his question that the member is referring to the requirement that certain trucks be fitted with reflectorised rear marker plates directed to minimising rear-end collisions into those trucks regardless of whether those trucks are turning and, on that basis, the following is provided --

- (1) *Government Gazette* of 29 May 1987, effective 28 days from gazettal.
- (2) Compliance with national standard in relation to road safety.
- (3) Information on trucks involved in collisions while in the process of turning is not readily available.
- (4) It is estimated that 29 700 vehicles will be required to have the plates fitted.

MINISTER FOR POLICE AND EMERGENCY SERVICES

Letter

1508. Mr CASH, to the Minister for Police and Emergency Services:

- (1) To whom was his letter dated 8 July 1987 addressed?
- (2) How were the letters distributed?
- (3) How many letters were distributed, and how much did it cost to prepare and distribute the letters?
- (4) On how many occasions since becoming Minister has he found the need to write to all members of the Police Force?
- (5) Will he outline the circumstances of previous missives to the Police Force?
- (6) What was the cost of preparing and distributing his previous missives to the Police Force?
- (7) Did he receive any anonymous derogatory replies to any of his letters to the members of the Police Force?

Mr GORDON HILL replied:

- (1) The member's question 1509 discloses that he is aware of the answer to this question, and he should desist from wasting public funds by asking a question on a matter already within his knowledge.
- (2) Distribution of the letters was to all police officers by the internal mailing system, and to members of Parliament by mail.
- (3) The precise number of letters actually distributed was not recorded, and the cost of preparation and distribution is estimated to be nominal.
- (4) I have never found it necessary to write to all members of the force. However, I have found it convenient to do so in the past. I intend to maintain this positive initiative in communication.

- (5) No.
- (6) The matters referred to were not costed on the basis that any associated expense would be nominal.
- (7) No. However, I received a small, insignificant number of expressions of dissent from some of the views which I expressed. Expressions of dissent were greatly outweighed by positive expressions of agreement and support at all levels of rank within the Police Force.

I note that the member has not expressed any dissent.

MINISTER FOR POLICE AND EMERGENCY SERVICES

Letter

1509. Mr CASH, to the Minister for Police and Emergency Services:

In his letter to police officers dated 8 July 1987 he wrote on page 3 the following -

In trying to work out the cause of the difficulty, and acknowledging that there is fault on both sides . . .

Can he advise what faults he conceded he was either responsible for or was a party to?

Mr GORDON HILL replied:

As set out in my letter, I am of the view that a decision by the WA Police Union of Workers to become actively involved in politics has implications for the relationship between that union and the Government. It is also my opinion that the member and some of his few supporters within the Police Force have sought to use the union and others as a voice of dissent, for their own selfish ends.

In acknowledging that fault exists on both sides, including me, I simply recognise that any relationship can be enhanced by greater effort directed towards that end. So far as specific fault is concerned, I have perhaps been too lenient in dealing with the member -- in particular with his lack of positive policy, together with his preoccupation with negativism and the politics of division.

MINISTER FOR POLICE AND EMERGENCY SERVICES

Letter

1510. Mr CASH, to the Minister for Police and Emergency Services:

- (1) In his letter to police officers dated 8 July 1987 he wrote on page 3 the following --

In general terms, I'll be trying to ensure that:

The maximum number of extra officers is provided additional to those already promised.

How many extra officers were promised by his Government in each of the following financial years -

- (a) 1983-84;

- (b) 1984-85;
 - (c) 1985-86;
 - (d) 1986-87;
 - (e) 1987-88?
- (2) How many additional officers were actually recruited in each of the following financial years -
- (a) 1983-84;
 - (b) 1984-85;
 - (c) 1985-86,
 - (d) 1986-87?

Mr GORDON HILL replied:

(1) and (2) The Government, in seeking to redress the neglect of the previous Liberal Government in the matter of adequately resourcing the Western Australia Police Force, promised to recruit 300 additional police officers in its first term of office and a further 300 additional police officers in its second term.

The initial commitment was adhered to and the Government is substantially ahead of schedule in meeting its second commitment.

MINISTER FOR POLICE AND EMERGENCY SERVICES

Letter

1511. Mr CASH, to the Minister for Police and Emergency Services:

- (1) In his letter to police officers dated 8 July 1987 he wrote on page 3 the following --

In general terms, I'll be trying to ensure that:

Public servants are employed wherever possible to release the maximum number of officers for policing duties.

What action has he taken to initiate the action that he proposed?

- (2) How many additional officers have been released for policing duties as a result of his initiatives?
- (3) In which areas have public servants been employed to enable police officers to be released for policing duties?
- (4) How many additional positions will be filled by public servants in lieu of police officers during 1987-88?
- (5) Has he or the Commissioner maintained an active liaison with the Police Union on this matter and does the Police Union agree with the action taken to date?
- (6) If no, why not?

Mr GORDON HILL replied:

- (1) The police executive and the Government have been working together to ensure optimum use of police staff in an ongoing process involving identification of positions occupied by police officers.
- (2) Thirty police officers have been redeployed to operational areas.
- (3) Non-operational areas.
- (4) As the reviews are ongoing, the number cannot be quantified at this time.
- (5) Active liaison has been maintained with the Police Union on this matter. Following initial arbitration, negotiation with the Police Union has been satisfactory.
- (6) Not applicable.

COMMUNICATIONS: TELECOM

Trade Practices: Competing Companies

1514. Mr COURT, to the Minister for Communications:

Has the Government conducted any studies into the effect of Telecom trade practices upon competing private companies in Western Australia?

Mr BRYCE replied:

This State Government is very concerned about the adverse impact some of Telecom's practices may have on businesses and the community of Western Australia. We have actively represented the concerns of business to Telecom; to the Federal Minister for Communications -- now Transport and Communications; and to the Prices Surveillance Authority. Businesses in the Rockingham area have benefited from this action, and local traders are now more accessible to the greater metropolitan area.

All businesses, but particularly small business interests, were strongly represented by this Government at the recent public inquiry held by the Prices Surveillance Authority, and a supplementary submission has also been provided.

Through my Office of Communications, we have actively pursued complaints from individual private companies who consider themselves to be disadvantaged in their dealings with Telecom.

MINERAL: IRON ORE

Channar: Employment

1517. Mr COURT, to the Minister for Minerals and Energy:

How many additional people will be employed in the Pilbara for the -

- (a) construction;
- (b) operation,

of the new Channar iron ore joint venture?

Mr PARKER replied:

As the joint venturers have not yet submitted formal development proposals for the Channar project, firm work force numbers are not yet available. However, the joint venturers estimate that for the Channar project the construction work force will peak at about 500 people and the production work force will initially be about 150 people in 1990.

PORTS AND HARBOURS

Waterfront Committee: Meetings

1519. Mr COURT, to the Minister for Transport:

- (1) How many times has the Government's new waterfront committee met?
- (2) Who are the members of the committee?
- (3) Are any of the members paid for their services to this committee?
- (4) If yes to (3), how much?

Mr TROY replied:

- (1) I assume that the question refers to the Western Australian port operations task force, which has met twice to date, on 5 August and 3 September 1987.
- (2) The members of the task force are --
Hon Des Dans;
Mr Jack Sumich;
Mr Colin Stewart;
Mr Tony Carter;
Mr Orm Richardson;
Mr Bill Wood;
Mr Vic Slater;
Mr Richard Purkiss;
Mr John Watson;
Mr John Peraldini.
- (3) No.
- (4) Not applicable.

WA DEVELOPMENT CORPORATION

Land Sale: State Engineering Works

1521. Mr COURT, to the Minister for Works and Services:

- (1) Has the State Engineering Works or the Government agreed to the Western Australian Development Corporation handling the sale of the SEW property at North Fremantle?
- (2) If yes, will the land be transferred to the Western Australian Development Corporation, and at what price?
- (3) Have any agreements been made for this land to be sold to the private sector?

Mr PETER DOWDING replied:

- (1) The Government has asked the Western Australian Development Corporation to act as management agents.
- (2) The land will be vested in the Western Australian Development Corporation to maximise the return to the State.
- (3) No.

WA DEVELOPMENT CORPORATION

Management Services: State Engineering Works

1522. Mr COURT, to the Minister for Works and Services:

- (1) What fees have been paid to the Western Australian Development Corporation for management services to the State Engineering Works?
- (2) When will these services be terminated?

Mr PETER DOWDING replied:

- (1) \$131 250.
- (2) No final date has been set.

STATE ENGINEERING WORKS

Equipment Sale: Leases

1523. Mr COURT, to the Minister for Works and Services:

- (1) How many of the items offered for sale by tender at the State Engineering Works are on lease?
- (2) What is the cost to the Government of paying out these leases?

Mr PETER DOWDING replied:

- (1) In 1980 the then Government agreed to the SEW entering into a leverage-lease arrangement to raise \$1.52 million. This debt was secured over plant and equipment, four items of which are offered for sale.
- (2) The balance owing on the leverage-lease is \$1 225 283.62.

TECHNOLOGY AND INDUSTRY DEVELOPMENT AUTHORITY

State Engineering Works Assets

1524. Mr COURT, to the Minister for Industry and Technology:

- (1) Has the Technology and Industry Development Authority completed its investigations of the tenderers for the State Engineering Works assets?
- (2) If yes, what recommendations have been made to the Government?

Mr BRYCE replied:

- (1) and (2) The Technology and Industry Development Authority is providing input to the Minister for Works and Services specifically on the industrial development implications of the sale of the State Engineering Works.

STATE ENGINEERING WORKS

Equipment Sales

1525. Mr COURT, to the Minister for Works and Services:

What are the complications holding up the sale of the State Engineering Works assets of plant, equipment, and technology?

Mr PETER DOWDING replied:

A proper evaluation of all tender offers is being undertaken to ensure that Western Australia secures the maximum benefit.

HEALTH

Kamien Committee: Report

1527. Mr SCHELL, to the Minister for Health:

- (1) Is it his intention to make the report of the Kamien committee publicly available?
- (2) When will the committee report?
- (3) Will the Government subject the report to any further process of review before making a decision on its recommendations?

Mr PETER DOWDING replied:

- (1) Yes.
- (2) Later this year.
- (3) A decision will be taken after the report is received.

QUESTIONS WITHOUT NOTICE

TEACHERS CREDIT SOCIETY

Problems: Treasurer's Awareness

239. Mr MacKINNON, to the Treasurer:

(1) Was the Treasurer first aware of the problems facing the Teachers Credit Society in July 1987 as he stated in a report in *The West Australian* and *The Australian Financial Review* of 18 August; or was the Treasurer first aware of the problems in April 1987 when the new Registrar of Cooperative and Financial Institutions, Mr Metaxas, says that he was first aware, as reported in *The West Australian* newspaper of 19 August; or was the Treasurer first aware of the problems in December 1986 when the R & I Bank "first alerted the Government to its concerns" about the Teachers Credit Society, as reported in *The West Australian* on 24 August and in the Treasurer's own media statement of 22 August, and as reported in the *Sunday Times* of 23 August?

(2) If none of the above, when was the Treasurer first aware that there were problems in the Teachers Credit Society?

Mr BRIAN BURKE replied:

(1) and (2) To the best of my recollection, it was about July when I became aware of the problems affecting the Teachers Credit Society, which problems led to the decision by the R & I Bank to take over the society and, in the first place, the problems which led to the R & I Bank being appointed the administrator of the society.

I suppose it is also of some interest to point out to the Leader of the Opposition that when people say the Government has been informed it does not necessarily mean that the Minister who is responsible for a particular entity or area of Government has been informed. I suppose it is possible to say that the point when the Government is informed might be when the registrar is informed. I am not sure, because I am not sure who the R & I Bank conveyed that matter to, as stated by the Leader of the Opposition.

ELECTORAL

Vote-rigging Procedures

240. Mr THOMAS, to the Premier:

(1) In view of the Government's strenuous efforts to achieve electoral reform and its limited successes, despite the intransigence of the conservative parties, is he aware that a major organisation in this State is still engaging in vote-rigging procedures?

(2) Does the Government support this practice?

Mr BRIAN BURKE replied:

(1) and (2) The Government does not support the practice, but its persistence explains the attitudes of the Opposition, because the vote-rigging practice to which the question referred is actually going on in the Opposition. We can understand as a result of the way in which the Opposition indulges in that sort of thing that it does not want it stopped.

I am told that the East Victoria Park branch of the Liberal Party met last night to elect a new president. Liberal MLC Phillip Pandal brought 28 new members into the branch last night, and at least 26 of those he brought along are reliably reported to have been members of other Liberal Party branches.

I am told Mr Pandal urged the meeting, obviously being already sure of 28 votes, to vote for one David Cole to be the new branch president. Mr Pandal told the meeting that Mr Keith Simpson wanted Cole as president, and they should all support him. He said Mr Simpson was being undermined and he doubted that Mr Simpson could continue without supporters as branch presidents.

A number of long-standing East Victoria Park branch members objected to Mr Pandal's approach and to what they saw as branch stacking. Among the most vocal was Mr Robert van Straalen. Those upset with what was happening unsuccessfully proposed a resolution calling for the maintenance of the spirit of the constitutional decisions made at the party's recent State Conference, namely, no more branch stacking and no more dual memberships.

Mr Pental became angry and told them that the constitutional changes made at the conference did not yet apply. He advised those protesting to shut up and vote for David Cole. Mr Pental told the meeting that the Liberal Party was fighting for its political survival and if Keith Simpson did not win the party would be out of office for another 10 years. I do not think that is a condition precedent.

Mr MacKinnon: Keith Simpson was elected unopposed, you fool.

Mr BRIAN BURKE: Do not call me a fool.

Mr MacKinnon: I will call you what I like.

Mr BRIAN BURKE: I suppose the Leader of the Opposition can, but it reflects badly on him to call me a fool.

Mr MacKinnon: It does not reflect on me.

Mr BRIAN BURKE: The secretary at last night's meeting was controversial Liberal Party figure, Peter Bacich. According to a report broadcast on 6PR today, the branch president until last night was former Liberal MHR, Richard Cleaver. Today, in the face of these concerning developments --

Point of Order

Mr MacKINNON: I have two points of order at the beginning of this session. Firstly, in terms of Standing Orders, the Premier in answering questions is supposed to have some sort of relationship by way of ministerial responsibility to the question asked. I fail to see how activities of any branch of the Liberal Party are the Premier's responsibility. Secondly, the Premier has spoken for at least four minutes, and I seek your guidance as to what will be considered in this session as extensive answers to parliamentary questions without notice.

The SPEAKER: In answer to the first part of the point of order, the Premier has global responsibility for matters of importance in Western Australia. In that respect I think it is appropriate for him to be asked that question.

In respect of the second matter, when you rose to your feet five minutes of question time had transpired. Whether two and a half minutes had applied to the first question and two and a half minutes to the second question, I do not know. Let us say that is the case. I do not think two and a half minutes on average for a question and an answer is excessive.

Questions without Notice Resumed

Mr BRIAN BURKE: I will conclude by simply saying that today Mr Simpson strangely enough said he was not going to investigate that matter to which I have just referred.

Already about the corridors of this place the member for Cottesloe and the new Deputy Leader of the Opposition are being touted as the duumvirate to take over when the poor, hapless Leader of the Opposition finishes his spell. I do not know whether that will happen, but I do know that the affairs of this State are being severely prejudiced by an Opposition which cannot run its own affairs.

TEACHERS CREDIT SOCIETY

Problems: Treasurer's Awareness

241. Mr MacKINNON, to the Treasurer:

Perhaps the Treasurer has some better knowledge of his own Press statements.

(1) Does he recall a Press statement of 22 August in his own name in which he said that concern about the society's operations had first been raised last December when there had been doubts about its ability to reach statutory liquidity requirements?

(2) Does he still stand by the fact that firstly he was not aware of the Teachers Credit Society's difficulties until July this year?

(3) If so, why was it in his own Press statement of 22 August that he admitted that concern about the society's operations had first been raised in December and had led at that time to the R & I Bank, for whom I understand he is ministerially responsible, extending credit to the society at that time to assist it with its difficulties?

Mr BRIAN BURKE replied:

(1) to (3) I do not know whether the Leader of the Opposition wants to be taken seriously, but let me repeat to him what he just said; that is, in a Press release I indicated concern was first expressed about the Teachers Credit Society in December. That is what he read out to me.

Mr MacKinnon: From your Press statement.

Mr BRIAN BURKE: That is right. The statement does not say I was told in December, does it?

Mr MacKinnon: It was your statement, and I am asking you whether you were advised at the time.

Mr BRIAN BURKE: I answered the question. The Leader of the Opposition is trying to follow up in a stumbling fashion his first question. I am trying to tell him that he is not even at grips with the questions he is asking.

I do not have a copy of the statement in front of me, but I do not think I said that I was told in December. Perhaps the Leader of the Opposition should read the statement again. Strangely enough, to the best of my recollection, I was not the Minister responsible for the credit unions' or building societies' legislation in December.

Mr MacKinnon: Are you saying that the Minister did not do his job properly?

Mr BRIAN BURKE: No, I am not saying that the Minister did not do his job properly, nor am I saying that he has yellow hair or is 12 feet tall.

Mr MacKinnon: Who were the concerns expressed to?

Mr BRIAN BURKE: As I understand it from the Leader of the Opposition's previous comments, the concerns were expressed by the R & I Bank to the Teachers Credit Society, and perhaps to the registrar.

Mr MacKinnon: How could concerns be expressed by the R & I Bank to the Teachers Credit Society? You said there were concerns about the society's

operations. Now you are saying that the R & I Bank expressed concern to the Teachers Credit Society. Who are you referring to in this statement?

Mr BRIAN BURKE: What is wrong with the bankers to the Teachers Credit Society, if they choose, expressing concern to the society?

Mr MacKinnon: Who was expressing concerns about the society's operations?

Mr BRIAN BURKE: I said that concerns were expressed.

Mr MacKinnon: How did you know that concerns were expressed by the R & I Bank?

Mr BRIAN BURKE: Because it has been published 10 times. I did not say that I had not learned at any time that the R & I Bank had expressed some concern.

Mr MacKinnon: You did know before July.

Mr BRIAN BURKE: When I issued the statement I was aware of the concerns that had been expressed, as I am now.

Mr MacKinnon: By whom and to whom?

Mr BRIAN BURKE: As I have tried to indicate, the concerns were expressed, according to your statement, by the R & I Bank to Teachers Credit Society.

Mr MacKinnon: It is not my statement, it is yours -- Premier's Press statement No 87/179.

Mr BRIAN BURKE: I have tried to explain the situation; it is up to the Leader of the Opposition whether or not he wants to understand. If the R & I Bank chooses to express its concern, that is a matter for the R & I Bank. To whom it expresses its concern is also a matter for its own decision but, even according to the quotations the Leader of the Opposition has --

Mr MacKinnon: Why would the R & I Bank be concerned about Teachers Credit Society's inability to meet statutory liquidity requirements? It is not the bank's job to worry about the statutory liquidity requirements, so why express concern in your Press statement about that fact?

Mr BRIAN BURKE: I suppose because the R & I Bank were bankers to Teachers Credit Society.

Mr MacKinnon: They have no role in worrying about statutory liquidity requirements; that is the Government's job.

Mr BRIAN BURKE: In that case I do not know why. Perhaps we should pillory the R & I Bank for expressing concern when it should not have done so. I am still trying to say that I do not think I said in that statement that the concern was expressed to me. I have said that four times.

Mr MacKinnon: Who was expressing concern and who in Government knew about it? It obviously was not the R & I Bank.

Mr BRIAN BURKE: As I said before, when we talk about the Government being informed, that could mean that the registrar was informed. I do not know.

Mr MacKinnon: Who are you talking about? It is your statement.

Mr BRIAN BURKE: I am saying that concern was expressed about the Teachers Credit Society in December by the bank.

Mr MacKinnon: You are saying that the bank was worried about their statutory liquidity requirements which the bank has no responsibility for or interest in.

Mr BRIAN BURKE: The bank has a great deal of responsibility as the society's bankers.

Mr MacKinnon: Of course it does in terms of its own financial package, but not about statutory liquidity requirements.

The SPEAKER: Order! Having just returned after a recess, it is difficult for me to say that it is becoming the standard practice of the Leader of the Opposition to interject in the manner he is now doing. However, irrespective of that recess, that is a fact and I take exception to the way he is handling his question and the answer, especially in view of the point of order he recently took.

Mr BRIAN BURKE: With due deference to the difficulty the Leader of the Opposition has in grasping these things, I am trying to explain to him his fundamental error in trying to attribute knowledge to me on the basis of a statement that does not support that attribution. If the Leader of the Opposition refuses to see it, I cannot be responsible for his inability or lack of clear-sightedness in the matter.

ELECTORAL

By-elections: Arrangements

242. Mr P.J. SMITH, to the Minister for Parliamentary and Electoral Reform:

Will he confirm whether the by-elections for the South West Province and the districts of Gascoyne and Darling Range will be held on the same day and whether all the necessary arrangements are in place for those by-elections?

Mr BRYCE replied:

All three by-elections will be held on 24 October, and all the necessary arrangements are in place. The rolls for the South West Province closed on 14 August, and the rolls for Gascoyne and Darling Range will close on 17 September. Nominations for all three seats now close together on 2 October, polling day will be 24 October, and the writs will be returned on 6 November.

In addition, I am in a position to report to the House that all the major political parties are carefully putting in place all of the basic functions. I want to refer to one in particular, described by the Leader of the Opposition as "operation doorknock", which would normally have gone unnoticed by members of the Government, and probably the citizenry of Bunbury, but for the rather unfortunate way in which this operation has progressed.

Last Friday, 4 September, the Leader of the Opposition said that "operation doorknock" was one of the largest exercises in personal politics ever undertaken in Western Australia. That comment followed the statement that more than 20 Liberal Party members would converge on the south west town of Bunbury and doorknock on that day.

As a small aside, I point out to the Leader of the Opposition that that is small cheese indeed. It is nothing for the Australian Labor Party to amass more than 100 doorknockers at any one time led by more than 30 or 40 members of Parliament. It ill

behoves the Leader of the Opposition to talk about it as one of the largest exercises in personal politics.

The Leader of the Opposition's further comment caused even more concern. He went on to say that he had always believed in talking to people on a one-to-one basis rather than rely solely on slick television advertising because that was the only way to properly understand the concerns and aspirations of the community. We should tell the people of Bunbury, if they are not aware of it now, that the Leader of the Opposition could not make a slick television advertisement if he tried.

Several members interjected.

Mr BRYCE: Everybody knows that that quaint little community is my home town and my intelligence sources have never been seriously questioned. The Leader of the Opposition, having made that sort of statement, then had the temerity -- this comes hot on the heels of the Premier's concern about branch rigging and vote stacking within the Liberal Party --

Several members interjected.

The SPEAKER: Order!

Mr BRYCE: Let me tell members how the Leader of the Opposition talks to people on a one-to-one basis. He arranged for a television crew to be present when he knocked on one only door in Bunbury. He did not actually knock on the door, which belongs to the president of the Liberal Party branch in Bunbury. The Leader of the Opposition believes in one-to-one communication to elicit data from the people to get feedback. That is how he gets his feedback. He says he will not have a bar of slick television advertising but he arranged for a slick television --

Mr MacKinnon: How do you know how many doors I knocked on?

Mr BRYCE: How many doors did you knock on?

Mr MacKinnon: I was there for the whole day, actually, so the Minister had better get his sources in Bunbury to tell him the truth.

Mr BRYCE: It is one thing for the Leader of the Opposition to mislead his backbench troops, who were knocking on doors around the district, thinking their leader was with them. It is another thing for him to hoodwink the people of Bunbury, who saw the news that evening and believed the Leader of the Opposition was door knocking in their town.

TEACHERS CREDIT SOCIETY

Ministerial Authority

243. Mr COURT, to the Minister for Housing:

When the Minister was the Minister responsible for credit unions, why when the Government became aware of problems confronting the Teachers Credit Society in December 1986, as the Premier stated on 22, 23, and 24 August 1987, did the Minister not use his authority under section 158 of the Credit Union Act, which states --

The Minister, where it appears to him to be in the interests of members or creditors of a credit union or in the public interest to do so, by instrument in writing may appoint a person as an inspector to

investigate the affairs of a credit union and to report on the investigation in such manner as the Minister directs.

Mr WILSON replied:

I have full confidence in the Premier, who is responsible for administering the Act, to answer any questions on this matter.

Point of Order

Mr COURT: Can I direct that question to the Premier, if he is to answer the question?

The SPEAKER: I do not know that it is a point of order.

Questions without Notice Resumed

TEACHERS CREDIT SOCIETY

Ministerial Authority

244. Mr COURT, to the Treasurer:

My question is the same.

Mr BRIAN BURKE replied:

The question requires a delayed answer, and if the member gives me some notice I will do my best to answer the question. I cannot provide the details without having them before me, and unfortunately I do not have them with me tonight. Can I say, however, that it really is time for the Opposition to say what it would have done in respect of the Teachers Credit Society. Would the Opposition seriously have let the Teachers Credit Society go to the wall? What the Opposition is doing now is trying to deliberately set out to --

Several members interjected.

The SPEAKER: Order! Members know that my attitude to interjections is that they add a lot of flavour to the debate, and I am happy for them to continue, but I am not going to allow interjections from any side of the House which prohibit the person on his feet from making a speech. If members must interject, please do it at appropriate times rather than incessantly.

Mr BRIAN BURKE: The Opposition is deliberately setting out to undermine public confidence in the financial institutions of this State. All Opposition members bear the responsibility -- being led by and shared by the Leader of the Opposition and his new deputy -- for trying to create a run on building societies and credit unions in this State. If the Opposition was serious about its concern for the financial services sector, it would be trying to be constructive and positive in its assessment of the unfortunate circumstances that threatened the life savings of 30 000 Western Australians.

Mr MacKinnon: We would have taken some action in December.

Mr BRIAN BURKE: If the Opposition would have taken action in December, it stamps itself in two ways. Firstly, it would have taken action when it was not advised to take action.

Mr MacKinnon: Your own statement says in December that the Teachers Credit Society was having an inability to meet statutory liquidity requirements. It is your Government's responsibility to administer the Statute.

Mr BRIAN BURKE: I understand it was in the previous July that an exemption was given to two or three societies.

Mr Court: Who gave that exemption?

Mr BRIAN BURKE: The registrar. Is the member saying now we should go into United Credit Society?

Mr MacKinnon: It is your statement that says there was concern at that time. Why was there concern; who was concerned; and what was the Government doing about it? It is the Government's Statute.

Mr BRIAN BURKE: Is the Opposition saying we should step now into the United Credit Society and the Fremantle Credit Society, both of which were given exemptions for the same reasons as the Teachers Credit Society was given an exemption, and cause -- although we did not in the case of Teachers Credit Society -- their businesses to be subordinated to the R & I Bank? Clearly the Opposition is not saying that.

Several members interjected.

Mr BRIAN BURKE: The Opposition is at least saying that if it judges difficulty in meeting liquidity requirements as being the reason for action, then it would have acted in December, but it should have acted in the previous July because that is when the exemption was given -- quite normally -- by the registrar.

Mr Court: That is probably a good question for us to ask.

Mr BRIAN BURKE: What the Opposition should be saying is that it would not have waited until December to act but it would have acted in July, because it is saying that the action that it was advocating should be taken in December was available to it as a legitimate course of action, on the basis that it thinks action should be taken, as a result of developments in July.

Let us be absolutely clear that the Opposition is quite determined, regardless of the interests of the financial services sector and of the people who have their life savings in credit societies or building societies, to undermine the confidence of the public in the financial services sector. After all this criticism and shouting, the Opposition has still not said that the Government did the wrong thing.

Mr MacKinnon: Yes, you did.

Several members interjected.

The SPEAKER: Order! I would appreciate the cooperation of Opposition members in seeking to obtain a two and a half minute interjection-free period.

Mr BRIAN BURKE: The Opposition has still not said the Government was wrong to cause the saving or retrieving of the situation of the Teachers Credit Society, so the Opposition stands condemned by its own inability to say the Government did the wrong thing. The Opposition then says the Government did the right thing but it did it too late; it should have done it in December when there was some awareness of the problem. Although the problems were different and although we were not advised to take any action to cause the subordination of the Teachers Credit Society business,

and although none of that advice was forthcoming, the Government should have acted because there was a difficulty with --

Mr MacKinnon: You bluster.

Mr BRIAN BURKE: My bluster is necessary to get over the interjections.

Mr Clarko: The Treasurer said on television he was going to get the rest of Western Australia to pay \$7 million.

Mr BRIAN BURKE: So the Government did the right thing but it did it too late, and on the basis on which the Opposition says we should have done it in December, the Opposition should be saying the action should have been taken in July. The truth of the situation is that with a great deal of alacrity and intelligence, the Government properly advised, saving the State's financial services sector from a very serious collapse.

I do not care how shallowly smart or superficially appealing the Opposition finds it politically to have the member for Nedlands saying all sorts of things about which he knows very little. The truth is that in this matter the Government is deserving of a great deal of praise for saving the life savings of thousands of ordinary former and present teachers who rely upon the financial services sector, in this case the State's biggest credit society, as their saving institution.

Mr Court: You put them at risk; that's what happened.

Mr BRIAN BURKE: Members opposite can interject, they can bark, they can bite, they can say whatever they like, but what they cannot do --

Mr Clarko: You put 1.5 million Western Australians behind \$7 million or more.

Mr BRIAN BURKE: All right, if members opposite want to say that the wrong thing has been done, they can say it.

Mr Clarko: You are responsible; you are steering the ship. You ran the ship on the rocks.

Mr BRIAN BURKE: In all of those circumstances the State Government is very proud of the way in which its officers and I, precisely because I am responsible, were able to act quickly to avert a very serious situation. And it does so in the face of an ill-informed and mediocre Opposition that would see nothing delight it greater than a major collapse through which it thought it could wring some advantage.
