



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
SECOND SESSION
1998

LEGISLATIVE COUNCIL

Tuesday, 8 September 1998

Legislative Council

Tuesday, 8 September 1998

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

BALLAJURA COMMUNITY COLLEGE MASTER PLAN

Petition

Hon Derrick Tomlinson presented a petition, by delivery to the Clerk, from one person calling on the State Government to honour the commitment made in 1996 by the Education Department to the Ballajura community to fund stage 4 of the Ballajura Community College master plan.

[See paper No 138.]

ANIMAL WELFARE ADVISORY COMMITTEE

Petition

Hon Norm Kelly presented a petition, by delivery to the Clerk, from three people requesting that the Legislative Council urge the Cabinet to accept the recommendations of the Animal Welfare Advisory Committee that it be an offence to import exotic animals into Western Australia as part of a circus troop.

[See paper No 139.]

ATTENTION HYPERACTIVITY DISORDER

Petition

Hon Ray Halligan presented the following petition bearing the signatures of 29 persons -

To the Honourable the President and Members of the Legislative Council of the Parliament of Western Australia in Parliament assembled.

We the undersigned humbly request the Legislative Council to:

1. In line with the World Health Organisation, National Health and Medical Research Councils and Commonwealth Government Policies, acknowledge the existence of Attention Hyperactivity Disorder (including ADD and Associated Learning Disabilities) as affecting an unknown but significant number of children, youth and adults in Western Australia.
2. Ascertain the services and facilities available to those disadvantaged in this way within the Ministries of Health, Education, Disabilities, Youth, Children and Family Services, Justice and Employment and Training.
3. Encourage a program of public and professional education and awareness to allow the facilitation of early identification and appropriate remediation for sufferers of this neurobiological disorder.
4. Encourage the establishment of a professional advisory board to advise Government on the appropriate remediation and protocols within Government agencies.

Your petitioners, therefore humbly pray that the Legislative Council will consider the matters we have raised and make recommendations to the Government and your petitioners as in duty bound, will ever pray.

[See paper No 140.]

WEAPONS DRAFT REGULATIONS 1998

Hon Peter Foss (Attorney General) tabled the Weapons Draft Regulations 1998, and on his motion it was resolved -

That the draft regulations be printed.

[See paper No 135.]

STANDING COMMITTEE ON PUBLIC ADMINISTRATION

Government Domestic Air Travel and Associated Reservations Contract - Report

Hon Kim Chance presented the report of the Standing Committee on Public Administration in relation to the Government domestic air travel and associated reservations contract, and on his motion it was resolved -

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

[See paper No 141.]

WORKSAFE WESTERN AUSTRALIA

Report by the Commissioner for Public Sector Standards - Urgency Motion

THE PRESIDENT (Hon George Cash): I have received the following letter addressed to me and dated 8 September 1998 -

Dear Mr President

At today's sitting, it is my intention to move under SO 72 that the House at its rising adjourn until 9am on 25th December 1999 for the purpose of discussing recent policies of WorkSafe and the findings contained in a report by the Commissioner for Public Sector Standards and related WorkSafe matters.

Yours sincerely

Ljiljanna Ravlich MLC
Member for East Metropolitan Region

In order to discuss this matter, it will be necessary for at least four members to indicate their support by rising in their places.

[At least four members rose in their places.]

HON LJILJANNA RAVLICH (East Metropolitan) [3.39 pm]: I move -

That the House at its rising adjourn until 9.00 am on 25 December 1999.

Since coming to this place one of the areas about which I have often spoken is workers' safety. I was extremely disappointed not long after I came to this place when an incident led to WorkSafe WA Commissioner Bartholomaeus banning WorkSafe from responding to union complaints relating to safety issues. In response to that ban I wrote to the Commissioner for Public Sector Standards expressing my view that there had been a breach of at least section 9 of the Public Sector Management Act. I have waited a long time for this very damning report. It signals that this Government should have a good look at itself. Certainly some ministers, in particular Minister Kierath, and the Premier as the minister responsible for public sector management, should be called to account over a number of issues. The key finding of the report is that Commissioner Bartholomaeus breached section 9 of the Public Sector Management Act.

Hon Peter Foss: Where does it say that?

Hon LJILJANNA RAVLICH: In the report.

Hon Peter Foss: Read it out.

Hon Tom Helm: He is not the boss of you.

Hon LJILJANNA RAVLICH: No; he is not the boss of me.

Several members interjected.

Hon LJILJANNA RAVLICH: Clearly section 9 of the Public Sector Management Act has been breached.

The PRESIDENT: Order! In this debate members have limited time; members should not interject.

Hon LJILJANNA RAVLICH: The Western Australian public sector code of ethics and WorkSafe code of conduct have also been breached. This raises serious questions about the ability of this senior public servant to maintain office. He is unfit for office. The minister and the Premier knew full well of Commissioner Bartholomaeus' actions but they did nothing about them. They knew a strong possibility existed that he was acting outside the law; yet they were prepared to put the lives of thousands of Western Australian workers at risk. That is exactly what happened.

Their actions show that the Premier and his former industrial relations minister were not only ignoring their legislation but also were prepared to condone the actions of a senior public servant who "took the law into his own hands". That is a direct quote from the report by the Public Sector Standards Commissioner. The Premier, as the minister responsible for public sector management, and Minister Kierath, as the responsible industrial relations minister, condoned the actions of Commissioner Bartholomaeus. They condoned his actions because they are ideologically opposed to unions and have done everything in their power to destroy the union movement in this State. They also took the opportunity of flexing their muscles in front of a small but powerful group of like-minded employers. The other reason they condoned them was that they thought they could get away with it. What does that say about these key players and about the Premier's continual claim about accountable government when, as the minister responsible for public sector management, he initiated no follow-up action to see whether the commissioner was acting ultra vires the Act? If the law is flaunted in this manner by the WorkSafe

Commissioner, we can only wonder about other senior public servants who may be getting away with similar behaviour purely because they are ideologically aligned to this Government.

On 17 September 1997 the Commissioner for Public Sector Standards raised with the Premier the question of what would happen if an accident occurred in a workplace after WorkSafe had received a complaint from a trade union but chose to ignore it because of the new policy which banned inspectors from responding to unions for six months. In failing to inquire into this issue the Premier showed indifference to the law in this State and to the Western Australian workers. That is demonstrated no more clearly than by the fact that he took no action of his own accord. The Premier knowingly exposed the Government to liability in the event of a death or major accident occurring during that six months. Should an accident have occurred during that time, the Government would no doubt have defended its action by taking legal proceedings using Western Australian taxpayers' money. Why did the Premier not investigate the legal position of the Government in the event of an accident? Why did the Premier, who drones on about accountability time and time again, not call for an inquiry or take immediate action to ensure blatant discrimination against a section of the community by WorkSafe did not occur?

That is exactly what the Commissioner for Public Sector Standards found. He found that blatant discrimination had occurred against one section of the community; that is, the union movement. We should know why the Premier did not act and why he wanted to gloss over the issue. Will the Premier now act, given that section 30 of the Public Sector Management Act has also been breached? The response from the Premier's office was weak. In response to my claim that a breach had occurred, the Premier, through the Director General of the Ministry of the Premier and Cabinet, stated that the allegations against the WorkSafe Commissioner were insufficiently serious to support disciplinary action under the Public Sector Management Act and that there was no evidence that Mr Bartholomaeus had not complied with obligations or duties under the Occupational Safety and Health Act. He sought legal advice on this matter which was forwarded to the Public Sector Standards Commissioner.

The Office of the Public Sector Standards Commissioner was established in 1994 under the new Public Sector Management Act to ensure standards were adhered to throughout the public sector. In his second reading speech the Minister said -

. . . it creates an independent statutory office of Commissioner for Public Sector Standards responsible for establishing sector wide codes of ethics, setting out minimum standards of conduct and integrity, and establishing minimum standards of merit, equity and probity in human resource management activities such as recruitment and selection.

This is an example which indicates that the Premier will not accept the ruling of the umpire - an umpire which he created. The Premier is saying that he does not accept the findings of the Commissioner for Public Sector Standards. That is weak. If the Western Australian public are expected to have faith in the Westminster system and in the agencies which are supposedly established to protect them, this example by the Premier will not encourage them to do so.

The Commissioner for Public Sector Standards also found that the actions of Commissioner Bartholomaeus were discordant with the objects of the Occupational Safety and Health Act. If as a leading senior public servant this is the example he sets to other public servants, this State is in for a bad time. Under no circumstance should he have allowed his code of conduct to reach such a low level. In view of the fact that it has, we must question his ability to maintain his position.

On 18 March, Commissioner Bartholomaeus' new performance agreement was signed by the Premier. That was a strange event because no performance analysis had been conducted on Commissioner Bartholomaeus prior to the signing of the new agreement. The Premier was fully aware that the report from the Commissioner for Public Sector Standards was due to be handed down. It amazes me that this senior public officer, who earns in the vicinity of \$160 000 annually, had a new agreement signed by the Premier and the minister without any evaluation of his performance. What a joke that is. We must ask why a performance assessment was not carried out by the former minister. Was the mateship so great and the level of trust so strong that he was above the systems and checks and balances put in place to ensure the accountability that this Government drones on and on about? Why was his agreement renewed in March 1998 by the Premier in the absence of a performance assessment? Why did the Premier, as the responsible minister, not wait for the report by the Public Sector Standards Commissioner before renewing Commissioner Bartholomaeus' performance agreement?

The Premier needs to answer some serious questions. Quite clearly, if the Premier does not understand the fundamentals of the Public Sector Management Act and the role of the Commissioner for Public Sector Standards, we must question his ability to maintain that portfolio. Perhaps he should hand over that portfolio to someone else.

Hon Kim Chance: He did not even know he had it!

Hon LJILJANNA RAVLICH: He could hand it over to someone who might make a fist of it. He is not on top of it.

The Commissioner for Public Sector Standards also found that the WorkSafe Western Australia Commission's policy of not dealing with or responding to unions was self-imposed. However, it was approved, if not directed, by the responsible minister.

Hon Simon O'Brien: You said he did not know about it. Now you are saying he approved it.

Hon LJILJANNA RAVLICH: The Commissioner for Public Sector Standards found that there were two elements to the allegation: WorkSafe had committed itself to a policy which, first, compromised the performance of a public duty and, second, discriminated against the union movement and was totally unjustified. Not only did the commissioner breach section 9 of the Public Sector Management Act, the code of ethics and the code of conduct of WorkSafe, but also by instructing his workers - his industrial inspectors - not to respond to calls from union officials, he was telling them to act outside the law. This is a senior officer instructing his officers to act outside the law. That is an absolute disgrace!

The Commissioner for Public Sector Standards also found that statements by the WorkSafe Commissioner were incorrect at law and completely discordant with the objects of the Occupational Safety and Health Act. Commissioner Bartholomaeus cannot interpret the Acts which govern his department's operations. His actions are in direct contrast with the intent of the Occupational Safety and Health Act. It raises questions about his ability to stay in office. He operated outside the law, with the approval of the Premier, who is the minister responsible, and put the lives of thousands of Western Australian workers at risk with scant regard -

Hon Peter Foss: Outrageous.

Hon LJILJANNA RAVLICH: Nothing outrageous about that. The Attorney General can sit there and cop it because he is in enough mess.

Hon Peter Foss: No, I will stand later and contradict you. Your comments are disgraceful.

Hon LJILJANNA RAVLICH: The high-handed, arrogant approach of the WorkSafe Commissioner smacks of the hallmark of his minister. His minister had exactly the same attitude and Commissioner Bartholomaeus thought he could get away with it also. Obviously, they did not give any regard to the consequences of their actions. The Western Australian public cannot afford incompetence to be remunerated to the tune of \$160 000-plus annually. To pay this amount of money to a WorkSafe Commissioner who has blatantly shown disregard for worker safety is an insult of the highest order to Western Australian workers. Whether members opposite like it or not, that is the bottom line. The Premier and the previous Minister for Labour Relations have some explaining to do. Commissioner Bartholomaeus must be dismissed by the Premier, and the Premier should step down from the Public Sector Management portfolio and hand it over to someone who understands the requirements of the Act.

Hon Ken Travers: Doug Shave.

Hon LJILJANNA RAVLICH: This whole episode is an absolute disgrace! Government members should be ashamed of the fact that they condoned this and allowed it to happen purely and simply because they thought they could get away with it.

Hon Tom Stephens: Aided and abetted by the Attorney General, no doubt.

HON PETER FOSS (East Metropolitan - Attorney General) [3.54 pm]: Even if Hon Ljiljanna Ravlich was half accurate, Hon Nick Griffiths would move a contempt motion against her and refer it to a committee of privilege. However, she is not even half accurate. We must tell the full story. I will tell members what really happened. I will read to members excerpts of an opinion by Mr Robert Cock QC because it is time we heard what actually happened, as opposed to highly inaccurate statements by Hon Ljiljanna Ravlich.

Hon Ljiljanna Ravlich interjected.

The PRESIDENT: Order! Hon Ljiljanna Ravlich can slow down a little.

Hon PETER FOSS: It states -

Ms Ravlich lodged 3 complaints. As to the most serious, that of bribery and corruption among WorkSafe inspectors, Mr Saunders found that other agencies had already investigated those allegations with appropriate rigour and had, on reasonable grounds, found no further action was warranted.

We should keep in mind that she is grasping at straws. She made three outrageous statements.

Hon Ljiljanna Ravlich: They are not that outrageous.

Hon PETER FOSS: One she got half home on. She forgets that she is making outrageous statements. With the ones that were serious she did not even get to first base.

Hon Tom Stephens: Will you be tabling this document?

Hon PETER FOSS: No, I will not. It continues -

She also alleged breaches of the Occupational Safety and Health Act.

It reads further -

. . . Mr Saunders neither made a finding of breach, nor referred to any evidence which was capable of giving rise to such a finding.

Hon N.D. Griffiths: Selective quoting.

Hon PETER FOSS: The member can check to see if it is correct.

Accordingly, the allegation of Ms Ravlich dated 10 July 1997 that WorkSafe WA was not complying with the requirements of the Occupational Safety and Health Act has not been sustained by this report.

However, during this debate Hon Ljiljanna Ravlich claimed that it was. She has been making those statements of her own accord again. She is wrong and she is misleading the House.

Hon N.D. Griffiths: That is an outrageous statement.

Hon PETER FOSS: It continues -

The final allegation concerned WorkSafe's policy that trade unions be not dealt with for 6 months.

It is interesting to note what the report does find. It continues on further -

At no stage in his report, does Mr Saunders reach a conclusion or make a finding that Mr Bartholomaeus has not complied with s.9 of the PSM Act. He does, however, find that WorkSafe WA did not comply with the Code of Ethics, its code of conduct and s.9(a) of the PSM Act.

Several members interjected.

The PRESIDENT: Order, members!

Hon PETER FOSS: I know why members opposite want to get into Mr Bartholomaeus rather than WorkSafe. WorkSafe happens to be their creature - and they thought Mr Bartholomaeus was their creature too. They tipped all the union people that they previously had working on occupational health into WorkSafe. They put in those people so the Government could pay for it. However, Mr Bartholomaeus turned out not to be their creature. Members might think that hell hath no fury like a woman scorned, but when the Labor Party finds out the person it thought was one of their creatures has -

Hon Ljiljanna Ravlich: Give it up.

Hon PETER FOSS: - tried to do what he was supposed to do under the Act -

Hon N.F. Moore: He was your man.

Hon PETER FOSS: I will read on -

The absence of a finding against Mr Bartholomaeus is of considerable significance, . . .

Several members interjected.

The PRESIDENT: Order, members! I am trying to listen to the Attorney General. Cease interjecting!

Hon PETER FOSS: It continues -

. . . there is no finding that he either proposed, developed or actually implemented the policy. What, therefore, has he been shown to have done wrong, or, more correctly expressed in the terms of s.81 of the PSM Act, is there a suspicion of misconduct?

The answer to the rhetorical question is, of course, nothing. All the report finds is that Mr Bartholomaeus announced WorkSafe's "unnecessary" policy. . . . There is no finding to the effect that Mr Bartholomaeus in any way failed to comply with any of his obligations under either the PSM Act, the Code of Conduct or the code of ethics. Nor, . . . is there any reasonable basis to suspect that Mr Bartholomaeus failed in any relevant respect or even to imagine or conjecture the existence of something wrong. In any event, it is not unreasonable to assume that, had there been any rational basis for such a suspicion -

Point of Order

Hon LJILJANNA RAVLICH: The Attorney General is straying from the motion, which relates to the findings contained in a report by the Commissioner for Public Sector Standards. So far he has referred to a report to which only he has access - a report by Mr Cock. In view of that, he is not meeting the requirements of the urgency motion.

The PRESIDENT: I understand the point of order. The motion before us proposes that we discuss recent policies of

WorkSafe and the findings contained in a report by the Commissioner for Public Sector Standards and related WorkSafe matters. The last three words "related WorkSafe matters" extend the scope widely and as much as Hon Ljiljana Ravlich may have thought there was a point of order, it cannot be sustained.

Hon TOM STEPHENS: On the same point of order, Mr President, are you saying that the Attorney General does not have to make any reference to the report of the Public Sector Standards Commissioner?

The PRESIDENT: I am not saying that at all. I do not know whether that was a smart alec comment by the Leader of the Opposition directed perhaps to other members in the House or directed to me. As I understand it, the Attorney General is referring to an opinion of a crown counsel who has considered the content of the report, and as such it is quite proper that that be raised in this debate.

Debate Resumed

Hon PETER FOSS: For the sake of those members who think I am not talking about the report, this is directly in the report and, as opposed to being -

Hon Tom Helm: Why can we not see it?

Hon PETER FOSS: Hon Tom Helm can read it in *Hansard*. As opposed to Hon Ljiljana Ravlich's opinion on what the report found, I will read the belief of Mr Robert Cock QC -

There is no finding to the effect that Mr Bartholomaeus in any way failed to comply with any of his obligations under either the PSM Act, the Code of Conduct or the code of ethics. Nor, on the information available to me or referred to in the report, is there any reasonable basis to suspect that Mr Bartholomaeus failed in any relevant respect or even to imagine or conjecture the existence of something wrong. In any event, it is not unreasonable to assume that, had there been any rational basis for such a suspicion, Mr Saunders would undoubtedly have pursued it.

The point is that Hon Ljiljana Ravlich made a number of outrageous allegations which are not even established by what was said in the report. She did not refer to the fact that she made even more outrageous allegations which were dismissed by the report. She did not refer to the fact that she is now sneaking in the second of those allegations again at the end of her speech. What she would have this House believe is that all the complaints she made were sustained and that they were sustained in the way in which they were made. The fact is that they were not. She also made some other outrageous statements about what has been the consequence of this. I will read a letter in response from Mr Bartholomaeus, the WorkSafe Commissioner. The letter is addressed to the Premier, who obviously wrote to Mr Bartholomaeus requesting that he give some response. What he said is this -

WorkSafe Western Australia continued to receive and attend to complaints from union representatives after 26 June 1997; . . .

He said this happened in response to the intrusion of its offices by unionists on 26 June 1997. It may be a small oversight on my part, but I do not recall indignation from anybody on the opposite side of the House when that invasion took place, which I thought was quite improper.

Hon Tom Helm: How do you know they were union members?

Hon PETER FOSS: The member would condemn the invasion, but he does not know it was by union members?

Hon Tom Helm: Of course I condemn it.

Hon PETER FOSS: I am very pleased to hear it. The letter continues -

There was never a policy or operational procedure applied by WorkSafe Western Australia that WorkSafe Western Australia would not take information or complaints from union representatives. The only material change that occurred to WorkSafe Western Australia's operational approach after the 26 June 1997 was that where a complaint from a union official or union representative was received by the inspectors they would, as far as practicable, make contact with the relevant workplace safety and health representatives before proceeding with investigation of the complaint.

The letter later states -

There were 8786 improvement/prohibition notices in 1997/98 compared to 6227 in 1996/97, this represents a record high year for field enforcement activity by WorkSafe WA . . .

These are extracts. The letter continues -

There has been a 41% reduction in the rate of non-mining fatalities and a 21% reduction in the rate of work-related injuries and diseases over the past five years.

Hon Ljiljanna Ravlich is one of those people who, without a fixed idea in her mind, decides that it does not matter what people say or what the facts are. She will maintain that it was Mr Bartholomaeus, and there is no such finding. I challenge her to read it again. That is why I asked Hon Ljiljanna Ravlich earlier to read out where it says that Mr Bartholomaeus did it.

Hon Ljiljanna Ravlich: I am not into playing semantic games like the Attorney General.

Hon PETER FOSS: No, it is not semantic games. Hon Ljiljanna Ravlich makes up her mind first and sticks with it, no matter what the findings are. She knew what she meant. It is just that poor old Mr Saunders did not find it her way; he got it wrong. She does not worry about the fact that she does not get any support from Mr Saunders. She keeps putting it the same way. She says it often enough. She should have been the Bellman in *The Hunting of the Snark* who said, "What I tell you three times is true." She has said it three times so it must be true. It does not matter whether it is true; it does not matter whether that was what was found; it does not matter that there was no finding that affected the safety of Western Australians; it does not matter that her other two complaints were also dismissed; the fact is she keeps hammering the point as she saw it beforehand, whether it was right or wrong. That is exactly what she has done.

Hon Ljiljanna Ravlich interjected.

The PRESIDENT: Order! Hon Ljiljanna Ravlich will never get an opportunity for a right of reply if she keeps interjecting like that.

Hon PETER FOSS: I seek leave to table the document.

Leave granted. [See paper No 142.]

Hon PETER FOSS: What has happened here is what often happens: People who have an expectation of a particular finding from courts and all sorts of places lodge their complaint and when they get a reply they look for verification of their complaint. The fact is her first and second complaints were knocked out completely and she did not get what she was looking for in complaint number three. However, Hon Ljiljanna Ravlich does not worry about that; she will still hammer her complaint on the basis that she did get it. If she gets her facts right, she will find that at no stage was there a safety hazard for any worker, except by the invasion of the WorkSafe offices by a mob of unionists. That was about the only time that anybody's safety was in danger because WorkSafe has continued its work since then. We do have concerns about WorkSafe, mainly arising -

Hon Ljiljanna Ravlich: You do? So, you are concerned?

Hon PETER FOSS: - out of what members opposite did in the first place. We are in fact carrying out a review.

HON HELEN HODGSON (North Metropolitan) [4.06 pm]: I raise a few matters of concern on this motion and I am relying on your earlier ruling, Mr President, that WorkSafe matters are also covered by this because I see a different issue in all of these matters raised this afternoon.

My concern is that a particular person has been appointed by the Government with two conflicting roles. He is not only the WorkSafe Commissioner but also the Chairman of the Workers' Compensation and Rehabilitation Commission. The issue here is that on the surface it may seem as if the experience of one overflows into the other; however, when one considers the functions of these two roles one can see that, by their very nature, they are conflicting roles.

On the one hand, there is occupational health and safety, which involves the regulatory function of going out and making sure that employers are complying with occupational health and safety requirements. On the other hand, the Workers Compensation and Rehabilitation Commission is charged with ensuring the smooth operation of the workers compensation system. It goes out and works with employers and sets premium rates through the Premium Rates Committee. It is supposed to deal with the other side of the coin.

Here, we have a situation where this man who fills both positions made a decision which in fact prejudiced occupational health and safety; and that would have an automatic impact on the workers compensation aspect. Here is a man who is supposedly standing up for the rights of workers in the workplace and who, on the other hand with his other hat on, is saying that we should be closing the second gateway, limiting access to common law and in that context will have an automatic impact on the safety of workplaces. That can be seen from the New Zealand experience. When the workers compensation system in New Zealand was fiddled with limiting the right of access to common law, the rate of injuries skyrocketed because employers no longer had the incentive of reducing their common law claims to encourage them to keep in mind the workers' safety in the workplace. Therefore, here we have a situation of automatic conflict in the two roles held by this man and something that has been contributed to by the Government ensuring that the same man was appointed to both positions.

Hon B.K. Donaldson: Mr Bartholomaeus is not Chairman of the Premium Rates Committee; that is the Auditor General, Mr Des Pearson.

Hon HELEN HODGSON: He is the chairman of the commission and in his capacity as chairman of the commission, he is on the record saying that he supports the closure of the second gateway. That is the point I am making.

Hon B.K. Donaldson: He was not the Chairman of the Premium Rates Committee.

Hon HELEN HODGSON: I never said that he was the chairman of that committee. I said that there was an overlap there. However, I do not want to waste my time on that point. The point is that we have this pattern emerging in many of the dealings in which the Government is involved in the way it structures its agencies. I refer again to the thirty-sixth report of the government agencies committee which specifically looked at regulatory agencies and advisory agencies.

Hon Kim Chance: An excellent report.

Hon HELEN HODGSON: That is right. In fact, it was so good that two ministers served on the committee at the time this report was handled. One part of the report deals with regulatory and advisory agencies. The report clearly says that the two should never overlap. At page 26 it states that agencies should not possess competing or contradictory functions. The draft Bill, which was attached to the report, and which has not been introduced to this Parliament, states that regulations shall not confer a regulatory function on an operational agency or operational functions on a regulatory agency. That is a pattern in which the public sector is administered in this State, which is very worrying.

I refer to another report tabled during the recess from the Legislative Council Standing Committee on Ecologically Sustainable Development, which looks at that same issue in the context of the Department of Conservation and Land Management. It says that there is a clear public perception that having the Department of Conservation and Land Management not only managing the regional forest agreement process but also being the key agency affected by the outcome has engendered a feeling of mistrust among the stakeholders in the process. That is exactly what we see in the way WorkSafe is operating - on one hand, the unions are being told that they cannot go to WorkSafe with complaints because of a directive issued by the commissioner, but on the other hand, WorkSafe is supposed to be dealing with the same people in the context of workers' compensation. It does not engender a feeling of trust among the people who are affected by it.

This matter also goes to a number of other agencies. In this place I have previously referred to the Department of Minerals and Energy in relation to mine safety. There we have an in-house system where the inspectors of mine safety are within the department which is also dealing with the mine operators. It also occurs in Transport and it is likely to arise in the context of the proposed native title commission. Under the draft Bill, a state agency is being established to deal with land and I am not sure there will be sufficient independence to ensure the commission will be trusted by the people who are going to it with their native title claims. I draw a distinction with what happened in the water management portfolios, where the Water and Rivers Commission has been separated from the Water Authority. We should move towards that model and make sure the regulatory function is separated from the advisory function. That will prevent any of these in-built conflicts of interest arising.

I have looked at the code of ethics, and also the code of conduct for WorkSafe, as referred to in the report of the Public Sector Standards Commissioner. There is no clear definition of a conflict of interest where it covers two levels of public duty. Clearly where there are private interests, as opposed to public duty, that is a conflict, and that is covered by the code of ethics. When we have two different public duties that are given conflicting requirements, how do we balance those requirements? I am very concerned that the way in which the public sector is managed in this State is forcing public sector employees into that position. They are being given conflicting roles which means we are inhibiting the efficient functioning of our public sector and preventing people from doing the role they are expected to do efficiently.

HON TOM HELM (Mining and Pastoral) [4.14 pm]: I feel somewhat sorry for Neil Bartholomaeus. We go back some time and although we are not mates, we are comrades. We were in the broad left together. I was well aware of his ambitions and how he wanted to serve for the Labor Party in the Parliament. People should have ambitions. At the risk of incurring the wrath of my leader, I am not sure I agree that Commissioner Bartholomaeus should be dismissed. He should stay there as a beacon, as an example. It is a clear indication from the former Minister for Labour Relations and the Premier that they do not want chief executive officers who can be managers; they want lackeys, people who will do the bidding of this Government. That is why WorkSafe got Neil Bartholomaeus. This Government very successfully tapped into his ambitions. That was the sense of it. That has been clear to everyone.

Neil Bartholomaeus, by doing his job in the way he did, carried out the bidding of the Government. He had to set aside all of his beliefs and principles. It might have been nice to say that he was seen to be a servant of the Labor Party as the WorkSafe Commissioner and he had the workers' interests at heart, but as it turned out, we felt he was doing the work of our opposition; that is, the conservatives in this State. We never thought someone like him, given his background, would make the decisions he did and stop unions from making a contribution to the health and safety of workers in this State. As I said, we should feel sorry for Neil Bartholomaeus. He is more to be pitied than laughed at. He is a \$160 000-a-year lackey. He never used to be. This is probably the first time in his life he can be described as such. No other conclusion may be drawn. He should stay with WorkSafe. All chief executive officers in this State will think twice about their roles, their jobs and their futures. If Neil is sacked, he will have nowhere else to go, because no-one will trust him again.

Let us look at the incident within the WorkSafe offices where people were charged under the normal legal avenues. Surely the Attorney General should defend them. On the television footage relating to this issue, I did not see the people show a

union card as they charged into the commissioner's office. The people who went before the court were not charged as trade unionists. They were ordinary people. Even the trade unionists who were not involved in that incident - only a handful were involved - had to pay. That is not our system of justice, unless during the recent two-week break the Attorney General has changed the system of justice. I sometimes wonder whether that is the case because under the new juvenile system all kids will be punished even when only one makes a mistake. Unless the rules have changed, we are better off leaving Neil Bartholomaeus in his present job.

It is just not fair to have to listen to the Attorney General quoting from a legal opinion that we cannot see. It smacks of people on the other side trying to defend the indefensible. The Commissioner for Public Sector Standards would have no loyalty to the Australian Labor Party. He could not possibly be seen to be in our pocket, yet he has come out with this condemning report. The Attorney General has scurried away to see whether he can get an opinion on it from a Queen's Counsel. We are all subject to the advice, the legal opinions, we pay for. If we look long enough and pay often enough, we will get the advice we want. It leaves us in a grey area - although I am not saying this has happened in this instance - when the Attorney General is quoting from a document we cannot see. It could have been written by him for all we know, although I suspect that is not the case. That is not the point. It is trying to use whatever sneaky, underhanded tactic can be used to defend the indefensible. I do not know if I will be brought before -

Hon Peter Foss: Why don't you read what the commissioner had to say and compare it with what I said?

Hon TOM HELM: I would be happy to take up the challenge of comparing the commissioner's report with the extracts of the document read by the Attorney General. I would use five or 10 minutes of the House's time to apologise. I would welcome that but right now I only see what I see. As a trade unionist, I think it is a shame that we have to talk about people being sacked for doing something wrong. Neil Bartholomaeus should not be sacked; the Premier, who did not know he was the minister for that portfolio, or the previous minister, who stood by and let the commissioner do what he did on that occasion, should be sacked. Members on this side of the House said at the time that it was a disgrace.

We are indebted to Hon Helen Hodgson for describing the extent that the commissioner would be in the pocket of the previous minister or this Government in the sense that he must do something about the second gateway, about workers compensation and the insurance premiums. Whatever way it is put, he has an awful debt which he is trying to pay to stay in his position. There is no doubt that sacking the commissioner would send rather strange messages to other chief executive officers, the CEOs who are confused about their loyalty to this Government and their loyalty to the people of this State. It has been made quite clear where the commissioner's loyalty lies and it is certainly not with the people of this State who he is supposed to serve. It can be said that whatever he did on that day when those people marched into his office, and since, has not been in the best interests of working people, and his primary function is to look after their interests. If Neil Bartholomaeus is sacked, any CEO who shows loyalty to this Government will see his position as vulnerable. That is why it is crucial that this Government should hold on to the commissioner. It should not punish him because, if it does, there will be others beyond him who also need punishing. With those few words, I support the motion.

HON SIMON O'BRIEN (South Metropolitan) [4.22 pm]: I was not planning to make a contribution to this debate.

Hon Ljiljana Ravlich: You haven't yet!

Hon SIMON O'BRIEN: I have not started yet!

The PRESIDENT: Order! There will not be time for a contribution if we do not get on with it.

Hon SIMON O'BRIEN: I was prompted to offer some observations by some of the remarks of Hon Tom Helm. This debate has ranged over a couple of quite different targets. It started with Hon Ljiljana Ravlich, as the mover of the motion, who made her points in a very attacking way.

Hon Ljiljana Ravlich: Oh!

Hon SIMON O'BRIEN: She made her points about the issues surrounding this affair, about Mr Neil Bartholomaeus, the Premier, Hon Graham Kierath and some other people. The Attorney General addressed most of those issues - certainly to my satisfaction - in his response.

Hon N.D. Griffiths: You are easily satisfied.

Hon Ken Travers: He avoided the issues.

Hon SIMON O'BRIEN: The Attorney General showed the arguments of the mover of the motion to be shallow and selective and missing their target.

Hon N.D. Griffiths: Are you talking about the Attorney General?

Hon Ken Travers interjected.

Hon SIMON O'BRIEN: The Attorney General indicated in many ways that much of the member's debate on this issue has been inspired by pique and rancour rather than any genuine desire to serve the workers of this State whom she claims to represent.

Hon N.F. Moore: Perhaps she is scorned as the Attorney General said.

Hon SIMON O'BRIEN: Possibly they do scorn the Attorney General's words.

Hon Peter Foss: They do not scorn them; they object to them.

Hon SIMON O'BRIEN: I want to come to that. The contribution of the first speaker was an attack - there is no other word for it - which was shown by the Attorney General to be fairly feeble. It was an attack with feet of clay. However, the attitude more than the words of Hon Tom Helm has compelled me to make these few remarks. In doing so, I point out that I view Hon Tom Helm affectionately, as something of a friend in this House. We have a cordial relationship.

Several members interjected.

Hon SIMON O'BRIEN: Whereas some members opposite have sought to make this a personalised debate I do not make my comments in any way a personal attack.

Hon Peter Foss interjected.

Hon SIMON O'BRIEN: What Hon Tom Helm said and the way he approached this debate leads me to make these observations. I invite anybody listening to my words to go to *Hansard* when it is available and look again at Hon Tom Helm's argument. They will see the real reason for this motion being moved today. It has nothing to do with any gum-flapping arguments about how workers' safety has been compromised.

Hon Ljiljana Ravlich: Sit down!

Hon SIMON O'BRIEN: It has nothing to do with the sorts of things said by Hon Ljiljana Ravlich.

Hon Ken Travers interjected.

Hon SIMON O'BRIEN: Hon Tom Helm let the cat out of the bag. He did so with a frankness I have come to admire from him.

Hon Ljiljana Ravlich: Have you read the Saunders report?

Hon SIMON O'BRIEN: Hon Tom Helm was very frank and open. However, he let his emotions show the real agenda. Neil Bartholomaeus's crime in the eyes of those opposite is -

Hon Ljiljana Ravlich: Is taking the law into his own hands.

The PRESIDENT: Order!

Hon SIMON O'BRIEN: In the view of those opposite, in particular of the members of the Australian Labor Party, the crime, if it is such, of Mr Neil Bartholomaeus is that Neil Bartholomaeus, a former Labor man, a former union man, did not back the union.

Hon Bob Thomas: And former Liberal man.

Hon SIMON O'BRIEN: Instead of doing that, he sought to do his duty as a chief executive officer rather than as a union lackey. That is what Hon Tom Helm and others opposite are so cross about.

Several members interjected.

The PRESIDENT: Order! Members will stop the interjecting! The Hansard reporter has a duty to record the debate and it is very difficult to do that when six people very rudely interject at the same time.

Hon SIMON O'BRIEN: I say for the sake of the Leader of the Opposition that if any outstanding issues need to be followed up by the Commissioner of Public Sector Standards, Don Saunders, they should be followed up. I do not suggest in any way that there is no substance to what Saunders has reported. I am talking about the attitude of members in this place who want to attack and vilify Neil Bartholomaeus.

Hon Tom Stephens: That is rubbish.

Hon N.F. Moore: Because he crossed him.

Hon Tom Stephens interjected.

The PRESIDENT: Order! The Leader of the Opposition will come to order.

Hon SIMON O'BRIEN: Precisely. Good government in this State is the issue, not Neil Bartholomaeus. The reason he has been targeted today, the reason an attempt has been made to vilify him, is not that he has been failing as an impartial senior public servant - put in place by a previous Labor Government - but that he has not done what the union movement required of him.

Hon Ljiljana Ravlich: He did what his minister asked of him.

Hon SIMON O'BRIEN: He has dared to question the actions of the union bosses and whether they have the right to invade his workplace and behave in a threatening way towards his officers at WorkSafe. That was the main substance that I drew from Hon Tom Helm's contribution. At least, he alone gave an honest glimpse of the situation and his contribution lacked the hypocrisy heard from the Opposition benches today.

Motion lapsed, pursuant to standing orders.

ADDRESS-IN-REPLY

Motion

Resumed from 20 August.

HON B.K. DONALDSON (Agricultural) [4.31 pm]: It seems some time since I concluded my remarks at five o'clock on Thursday, 20 August.

Hon N.D. Griffiths: A most unfortunate occurrence.

Hon B.K. DONALDSON: It was an unfortunate occurrence, and in the eight minutes remaining for my contribution, I will cram in another hour of debate. It may be that we should amend the standing orders so that when a member is interrupted by the adjournment before a fortnight's break, that member has an automatic right to start from the beginning with a new time allowance when Parliament resumes.

During my speech on 20 August I referred to the positive aspects of living and working in Western Australia, rather than the negative aspects about which we read every day and about which we hear from the Opposition benches. It is important to acknowledge the positive aspects and to recognise how lucky we all are. I also spoke of the initiative shown by innovative people in our society and of the visions they have provided. They demonstrate a commitment and courage in following their visions and dreams, to the benefit of all members of society. In most cases they have put their own cash on the line, and they are a legacy from the pioneers and our fathers and grandfathers who developed this State. Many operated in harsh environmental conditions. I am thinking of those who went to the goldfields and discovered mining resources and the pastoralists who went to the north west and endured very hot climatic conditions. Many farmers in Western Australia chopped their way past the Avon Valley and went to the marginal areas of Wyalkatchem and Koorda, for example. I thought that would bring some life to Hon Dexter Davies!

It is very pleasing for me personally to represent an area which contributes so much to the Western Australian economy. In recent times we have witnessed a downturn in the Asian economy. That may continue for a little longer but, by the same token, it is pleasing that exports to the United States and Europe have increased by 18 per cent. There has been a corresponding gain as WA has looked to other markets, and the current rate of exchange for the dollar has assisted that increase.

Western Australia potentially has a grain crop that will break records for grain delivered to Co-operative Bulk Handling Ltd. The only downside is the lower price for grain, but it has been offset somewhat by the reduced value of the Australian dollar. It indicates that various issues are involved. Governments in Western Australia and Australia as a whole must provide a stable environment and good financial management. The Howard Government has done that in the past two and a half years, and the Court Government has provided that environment since 1993. This country is enjoying an interest rate level which is one-third of the level experienced under the previous Government. That has assisted small businesses to develop and grow and has also helped those paying mortgages on their residences.

In the rural areas most small businesses, farmers and those in the mining industry cannot wait for the Howard Government to win the next federal election and to introduce the tax reform so desperately needed in this nation. Over the years some erosion has occurred whereby those who work hard are penalised by a taxation system that is out-dated, out-moded and set down in a 3 000 page document. Accountants and officers in the Australian Taxation Office are struggling to come to terms with the system. With that in mind, and the high compliance cost, it is time for a change. There is a general feeling in the community that this proposal is not a new tax but is taxation reform. I refer to the diatribe from Mr Beazley -

Hon Bob Thomas: It is called critical analysis.

Hon B.K. DONALDSON: It is a pity I do not have time to speak about the hidden consumption tax that Labor Governments

introduced between 1983 and 1996. The Leader of the Opposition should look at that. He will be embarrassed and ashamed to learn what has happened. I refer to such things as a 22 per cent tax on shampoo and babies' rattles. They are all subject to wholesale sales tax.

Hon Kim Chance: Have you ever worked out what it will be wholesale?

Hon B.K. DONALDSON: That will be removed. That is where Labor members are mischievous. The 22 per cent wholesale sales tax will be removed. It is already applied to soft drinks and to baby powder. It is a hidden tax introduced by the Labor Government and subsequently increased by it. The 22 per cent tax applies also to toothpaste, and there are pages of items included in that tax. I suggest that Opposition members get hold of a copy and consider the items.

Hon N.D. Griffiths: Who paid for it? The taxpayer?

The PRESIDENT: Order!

Hon B.K. DONALDSON: No. It was carefully compiled by my staff who went through every item to make sure we knew what we were talking about. Even I did not understand the pillage by the Keating and Hawke Governments over the years. Members opposite will be ashamed to learn what happened between 1983 and 1996. The price of a litre of diesel will be reduced by 25¢. The flow-on effects are huge. Hon Kim Chance will recognise that.

Several members interjected.

The PRESIDENT: Order! All members will have an opportunity to speak.

Hon B.K. DONALDSON: The cost of transport will come down. The proposal will also remove the hidden indirect tax that is costing heavy haulage operators \$1 000 a week in the form of sales tax. The prices in country areas will decrease. I am sure that members who represent country electorates, such as Hon Dexter Davies, Hon Murray Nixon and Hon Murray Criddle, will agree that people in agricultural regions are developing a positive feeling towards the Howard Government. It is refreshing that people have the foresight to recognise how lucky they are to live in this country. The package from the Labor Opposition is horrific. It will destroy Australia as we know it today. This country cannot afford a Labor Government to be in power in Canberra.

HON N.D. GRIFFITHS (East Metropolitan) [4.39 pm]: I listened to Hon Bruce Donaldson before Parliament broke for the recess, and I listened to his speech today. I was particularly interested in his comments that people should be positive. I draw a distinction between being positive and engaging in make-believe. One of Hon Bruce Donaldson's great difficulties is that if this package were so good, why did those currently in government in Canberra need to spend \$15m to \$17m of taxpayers' money trying to delude the Australian people about it? If the proposal was so obvious, why was taxpayers' money wasted in such a corrupt fashion?

Hon N.F. Moore: That is absolute tripe!

Hon N.D. GRIFFITHS: The Leader of the House feels guilty because his friends have engaged in a corrupt pursuit spending \$15m to \$17m on an exercise to delude the people of Australia.

Hon N.F. Moore: How did you promote the northern suburbs railway line?

Hon N.D. GRIFFITHS: It seems that the campaign has had an effect on Hon Bruce Donaldson, who may be the only person positively affected by it. Hon Bruce Donaldson is a very positive person. He brings to this House a very positive attitude; therefore, it is always a great pleasure to listen to his contributions. I had a chat with him earlier today in which I said that I intended to respond to some of his remarks and then to move onto some areas in which I have an interest.

I find it pleasing to hear that our wheat growers anticipate a bumper crop, which is very good news for the people of Western Australia. Like many who have engaged in economic pursuits and have had something to do with running businesses of whatever type in Western Australia, I know that when the bush prospers, people in the metropolitan area prosper. If people are hurting in the Agricultural Region, people will not prosper in the East Metropolitan Region. That is the way the world operates. Unemployment drifts down from the bush into the metropolitan area during difficult times and exacerbates problems in the metropolitan area.

I note the connection with Co-operative Bulk Handling Ltd. I worked with many others of my generation as a student at CBH. I regret that those opportunities are no longer as available as they once were. That exercise was remarkable for me and many others who were metropolitan-based in building bridges between country and city people. It gave me the opportunity to know more about what goes on in the Agricultural Region.

In the context of CBH, I note references made to Westrail. I wish to be positive and hope that the proposed continued privatisation process in the public sector, particularly with Westrail, will cease so that our wheat growers, other country people, and Western Australians generally, can continue to expect reasonable prosperity. I do not want that prosperity placed at risk.

A number of points were made about the tax debate. I do not want to deal with them at any length. I could do so, but unfortunately before I became a member of the House the capacity for members to speak for unlimited time was taken away from all but a few. I am not allowed to speak at great length. My time, and Hon Bruce Donaldson's, was limited.

When people talk about interest rates, they should remember 1982. The misery index of inflation and unemployment when the Hawke Government came to power in 1983 was way above the level hit in the recession of the early 1990s. Undoubtedly, the people of Australia are well aware that interest rates were trending downwards when the Keating Government left office. To use the phrase of the former Prime Minister, the "inflation stick was broken". Regrettably, since the Keating Government left office, unemployment has not fallen very much at all. The Australian economy has been treading water regarding the unemployment rate.

Good economic news is welcomed by all sides of politics. Frankly, I would rather engage in a political process of full employment, low inflation and low interest rates, than a very nasty, high misery index.

In dealing with taxation, it seems that Hon Bruce Donaldson fell for the line that there is a real disincentive for people to work more.

Hon B.K. Donaldson: There is.

Hon N.D. GRIFFITHS: I refer to comments made in the context of the top income tax rate of 47¢ in the dollar, putting aside the Medicare and incorporated gun levy. I remember when the top rate was 60¢ in the dollar. When paying provisional tax during the period of the 60¢ in the dollar rate, one could pay more than 100¢ in the dollar from time to time depending upon how one's business was travelling. Guess who was the Treasurer at that time. It was the current Prime Minister, John Howard. I regret that I was then not earning income at those rates, but in the late 1960s and early 1970s, the top rate in the dollar was well above 70¢ in the dollar. In the 1950s, the top rate was in the region of 75¢ in the dollar. I know that these rates cut in at relatively high income levels, but when talking about difficulties with provisional tax, high tax rates and high interest rates, the regime presided over at that time by the current Prime Minister was extremely ineffective.

Substantial tax reform took place in the 1980s, and those who say otherwise are deluding themselves. The current Liberal Government in Canberra is not about tax reform as a change for the better. It is about changing the tax system to ensure that those who can afford to pay, do not pay; and those who cannot really afford to pay, pay far more. It is the redistribution of wealth - a reverse Robin Hood exercise. If the Liberal Government in Canberra spent \$15m to \$17m to tell the people of Australia the truth, the opinion polls would be far more exciting for this side of the House than they already are.

I now leave matters raised by Hon Bruce Donaldson to deal with some issues referred to in His Excellency's speech. I also refer to some other matters not referred to directly in that speech, but which are relevant as a result of the nature of this debate.

Regarding the administration of justice and the practice of law in Western Australia, we should consider ourselves as fortunate to have a Western Australian as the federal Attorney General. It is not the first time that this was the case: Senator Peter Durack was the Attorney General in the Fraser Government.

Hon Tom Stephens: We will be more fortunate to have a Western Australian Prime Minister.

Hon N.D. GRIFFITHS: Indeed. I am well aware that when the member for Brand, Hon Kim Beazley, is Prime Minister, Western Australia will be very fortunate.

Hon N.F. Moore: It will be interesting to see whether he will remain the member for Brand.

Hon N.D. GRIFFITHS: If he does not retain the seat, it will be because of some deal struck between those who support the current member for Oxley and those close to the heart of the Liberal Party of Western Australia. I do not want to cover that matter in this speech.

The current federal Attorney General, Daryl Williams, has held that position for two and a half years. He is the member for Tangney. In the course of carrying out his duties he has let the State down badly. I refer to his treatment of the National Crime Authority, particularly the cuts made to that authority in Western Australia.

I refer to his treatment of the Australian Federal Police and the cuts made to the Australian Federal Police in Western Australia. I note the well-grounded complaints by many members of the community with respect to the state of law and order. I note also Hon Simon O'Brien's comments with respect to the difficulties in our community relating to the use of drugs. I note in particular the effect of the activities of the current member for Tangney in a safe Liberal seat. I hope that his electors will take the hint, send a message to Canberra and vote against him in increasing numbers. I note the effect that cuts to the National Crime Authority and the Australian Federal Police have had with respect to the minimisation of drug-related crime in our community of Western Australia. They have particular relevance, of course, to the importation of hard drugs. Hon Daryl Williams has taken resources from the front line and from those who are engaged in intelligence-gathering to deal with organised crime. Of course, organised crime has much to do with profiteering from drugs. Hon Daryl Williams,

to his shame, has inhibited what might otherwise be a more successful war against drugs in Western Australia. I suppose that in Western Australia Hon Daryl Williams will be noted most for his treatment of legal aid in Western Australia. His treatment of legal aid in Western Australia is the worst treatment meted out to any part of the Commonwealth. It is worse than in any other State or Territory. That, of course, should come as a surprise, because Hon Daryl Williams is a Western Australian. He represents a Western Australian seat - the seat of Tangney.

Hon Kim Chance: And a very good Western Australian.

Hon N.D. GRIFFITHS: Tangney is a very good Western Australian name. I met the late Senator Dame Dorothy Tangney many years ago. She was a great representative of Western Australia. The electorate of Tangney, which came into being in 1974, is named after her.

Hon Simon O'Brien: Hon Daryl Williams is a good Attorney General and he is very respected.

Hon N.D. GRIFFITHS: Hon Simon O'Brien has pointed out that Daryl Williams is a good, worthwhile Attorney General. That is his view. Hon Daryl Williams is capable of being a good Attorney General. I do not doubt his competence, but I do not like the fact that he has not delivered the goods for Western Australia. In fact, he has not delivered the goods for Australia full stop, but when it comes to his treatment of Western Australia, particularly with respect to legal aid, we have been given the worst deal in Australia, and that coming from a Western Australian Federal Attorney General should be hard for the community to take. Is it an example of somebody who rolls up, wins a preselection battle fairly easily, gets into a safe seat and takes the State for granted? I do not know. Hon Daryl Williams has been around politics for a long time. He unsuccessfully contested a state seat in 1977. He is certainly very much a politician, and there is nothing wrong with that; it is an appropriate, worthwhile occupation.

Hon Derrick Tomlinson: It is an honourable profession.

Hon N.D. GRIFFITHS: Frankly, I can think of no more honourable an occupation. The capacity to do great good lies within all of us, and the opportunity to do great good lies in the profession of politics, so I am particularly disappointed that someone with such obvious competence as Hon Daryl Williams has let down the State so badly. I should take some time to point out how badly he has let down the State. I refer to a document that was provided to me via the Senate Legal and Constitutional Legislation Committee. I will mention the States in turn. The figures are available for members, but I want to take a little time to deal with them with respect to Western Australia.

Hon Simon O'Brien: Do you take comfort from the fact that Hon Daryl Williams will go to the people of his electorate on 3 October and they can pass judgment? I look forward to the result.

Hon N.D. GRIFFITHS: I look forward to the judgment of the people of Western Australia with respect to the federal Attorney General. I suspect that he will retain his seat, but I look forward to a very strong swing against him. Even devoted Liberal Party supporters, with comfort and ease, can send a protest note against Mr Williams and the Liberal Party by voting against the Liberal Party in each House on 3 October, particularly in Tangney. In that way, even in the unfortunate event that a Howard Government is returned, Hon Daryl Williams will be encouraged to perform to the level at which he is capable of performing. He is a man of some competence, but he is just not exercising his capacities in the right direction. I hope that that answers Hon Simon O'Brien's learned interjection.

Hon Simon O'Brien: Very fully, thank you.

Hon N.D. GRIFFITHS: I have an analysis of the Australian Labor Party's budget for 1995-96, the last year in which it was in office. It points out that \$12.5m was allocated for legal aid in Western Australia, that other initiatives were funded in the justice statements, and that additional funding was provided for 1997-98 and 1998-99. The analysis points out the level of funding in 1998-99 terms. I shall quote the figures in the table contained in the analysis relating to Western Australia and demonstrate what the effective cut has been. In a question last year, I put it to the Attorney General that the cut was in excess of 40 per cent, and so it turned out to be. Briefly, in 1996-97 funding in 1998-99 terms was \$13.7m. The actual funding was \$12.5m. In 1997-98 it was \$13.8m. Actual funding in 1997-98 was \$8.3m, and in 1998-99 terms it was \$8.6m. That is a reduction of \$5.2m - a substantial reduction when we are dealing with such amounts. To round off the matter, in 1998-99 it was \$14m, and in 1998-99 terms actual funding was \$8.3m, which was a reduction in funding, and in 1998-99 terms it was \$5.7m, which was a very substantial reduction in commonwealth legal aid funding to Western Australia. The conclusion was that in 1998-99 Western Australia will receive an effective 40.7 per cent cut in its legal aid funding compared with 1995 and 1996 levels. That bears repeating.

In 1998-99, this current financial year, Western Australia will receive an effective 40.7 per cent cut in legal aid funding compared with 1995-96 levels. That is a disgraceful performance on the part of a federal Attorney General who holds a Western Australian seat. It is a primary cause of disenchantment that that gentleman's performance as federal Attorney General, particularly how he dealt with his home State, on legal aid, the National Crime Authority cuts and the Australian Federal Police cuts, affected all matters concerning the policing of drug use.

[Questions without notice taken.]

Hon N.D. GRIFFITHS: In this current financial year compared with 1995-96 levels, Western Australia received an effective 40.7 per cent cut in its legal aid funding. How many other agencies which are dependent to a considerable extent on commonwealth funding have received a cut of 40.7 per cent? I would be very interested to know if there were any others. Again, I am referring to these papers I referred to earlier, namely, the State-by-State breakdown. I will not refer to them at length, because I wish to cover a number of other matters.

However, by comparison, using the same method that I outlined with respect to Western Australia, it is said that in 1998-99 Queensland will receive an effective 14.7 per cent cut in its legal aid funding compared with 1995-96 levels. I am referring to the cuts in the commonwealth contribution. This financial year the Northern Territory will receive an effective 25 per cent cut in its funding from the Commonwealth with respect to legal aid as compared with 1995-96 levels. Tasmania may be punished a little more when it soon has a Labor Government, but in the current financial year it will receive an effective 28.8 per cent cut in its legal aid funding compared with 1995-96 levels. South Australia will receive an effective 21.7 per cent cut on the same basis, while Victoria will receive a 28.4 per cent cut.

These are savage cuts for the jurisdictions I have mentioned. However, Western Australia is faring worse in percentage terms. New South Wales will receive a 31.5 per cent cut in funding. The Australian Capital Territory will receive an effective 1.3 per cent increase in its legal aid funding compared with 1995-96 levels. The reason for that is that as part of the cutting mechanism, the federal Attorney General said, "Here is the cake. That is the total amount of cuts for legal aid funding", and the ACT got in first and did a deal. History shows Western Australia got in last, and received the worst deal of all the States and Territories in the Commonwealth.

Western Australians are Australians, and it should not be a matter of cutting a deal with the federal Attorney General first or last. Western Australians should be treated in the same way as other citizens of Australia, and those who live in the federal seat of Tangney have an obligation to other Western Australians to give Hon Daryl Williams a firm message on 3 October.

The state Attorney General is not without fault in this exercise. I will be fair to him. I know he made a number of attempts, but he was treated very badly by the federal Attorney General, notwithstanding that they are from the same State and on the face of it they would have a lot in common. The fact that the state Attorney General was treated in this fashion reflects very badly on the federal Attorney General, and very badly indeed on the Federal Government. Having said that, I am not happy with the performance of the state Attorney General. He should have acted with greater expedition and greater force, and caused the federal Attorney General to come to heel. Notwithstanding that the federal Attorney General had the capacity to deal with the evil inflicted on people by this action, he failed to do so. I will demonstrate that point shortly.

Since this Parliament convened, I and others have asked a number of questions of the Attorney General regarding legal aid funding, particularly concerning developments with the Commonwealth's funding cuts. I refer to the 40.7 per cent cut in this financial year, which is an effective \$5.7m drop in funding from \$14m to \$8.3m. As the Attorney General put it in answer to a question, the figure is \$8.25m. However, one rounds it off to \$8.5m. That is a significant sum to the agency.

A number of questions and answers will give a taste of how the Attorney General has dealt with the treatment meted out to him, and how the State Government has approached the matter overall. I refer to page 1353 of *Hansard* of 9 April 1997, and question 192 from me to the Attorney General in which I asked -

- (1) Did the Attorney General say on the Peter Kennedy radio program this morning with respect to the funding of the Legal Aid Commission, "We will be providing exactly the same amount of money as we did before"?
- (2) Did he also say that as a result of the commonwealth cuts, "legal aid will have \$3m less than it did previously"?

The Attorney replied -

- (1)-(2) I said that we will provide exactly the same amount that we would otherwise provide. The amount to be provided will not be different in any way by virtue of the fact it is going to the Ministry of Justice. The present indications are that the Commonwealth will reduce its contribution by \$3m. If that is the case, \$3m less will be provided.

The next question is found on page 1355 of *Hansard* of 9 April 1997. I asked -

Is the Attorney able to confirm that South Australia, which was facing a cut of \$2.7m, is now to receive a cut of \$700 000; and that the ACT will receive no cuts, but an increase?

The Attorney's response was as follows -

We have asked the Federal Government for those agreements, and we have been refused. We have asked why we

should not see those agreements, and we have not been told. On the other hand, we have been assured that every State will be dealt with in exactly the same manner.

It seems that the federal Attorney General had the state Attorney General on. On 9 May 1997, at page 2802 of *Hansard*, in question 367, I asked the Attorney General the following -

Noting the position of the federal Attorney General, why was there no increase in funding to Legal Aid WA in the State Budget when demand has increased for the commission's services?

The response was -

This Government has not accepted the position of the Federal Government.

Again, on 24 June 1997, at page 4516 of *Hansard*, question 585, I asked -

- (1) What will be the Commonwealth's contribution to the Legal Aid Commission for the financial year commencing next Tuesday?
- (2) When was the Attorney advised of it?
- (3) When did he last speak with Hon Daryl Williams with respect to the matter?

The answer was as follows -

- (1) I am still to be advised.
- (2) Not applicable.
- (3) Today.

It was 24 June 1997 - so much for forward planning! On 15 October 1997, at page 6812 of *Hansard*, I asked the Attorney General -

- (1) What amount has the Commonwealth agreed to pay for the provision of legal aid in Western Australia for this financial year?
- (2) When did the Attorney last consult with the federal Attorney General about legal aid funding in Western Australia?

The response was -

- (1) The agreement is for six months until 31 December 1997. For the full financial year until 30 June 1998 the sum is \$8.25m.
- (2) 4 July 1997.

We have received a significant cut in commonwealth funding. In 1995-96 terms, we should have received \$14m, which was to be included in this financial year's allocation. Instead, the figure is \$8.5m, although the Attorney said \$8.25m. In any event, if one is conservative - as I am on these matters - the cut is \$5.7m. The contribution for the previous financial year was \$10 306 000. Notwithstanding what some ministers have said about economic performance, and the large amount of the money raised by tax in Western Australia - which has the highest taxing regime in Australia - the State has not made up the shortfall. As a result, this significant agency has been left in a very bad way, which is causing, and is capable of further causing, many Western Australians great detriment.

Amendment to Motion

Hon N.D. GRIFFITHS: I move -

That the Legislative Council regrets to inform His Excellency that the Court-Cowan Government continues to fail to properly support the administration of justice, and in particular notes -

- (1) the crisis in legal aid;
- (2) the treatment of justices of the peace;
- (3) difficulties in the prison system including prison planning and deaths in custody; and
- (4) issues of public safety generally.

I now confine my remarks to the amendment. All those matters listed impinge on the effectiveness of the administration of justice in Western Australia. In the short time available to me I propose to make further observations on the crisis in legal

aid and, if time permits, on some of the difficulties faced by justices of the peace and on some difficulties in the prison system. I will also make observations on public safety generally.

The most important part of the amendment is the crisis in legal aid, which is caused by the commonwealth funding cuts to which I have referred. It is appropriate to move such a motion and to include in it reference to legal aid, having particular regard to the fact that last year I moved a motion on legal aid funding. Page 506 of *Hansard* of 19 March 1997 records that I moved -

That this House -

- (1) Condemns the Howard Government for breach of its promise that "a Liberal and National Party Government will maintain current levels of Legal Aid funding and funding to Community Legal Centres".
- (2) Calls on the Government of Western Australia to ensure that the Legal Aid Commission is adequately funded and in particular to enable the Legal Aid Commission to -
 - (a) provide for separate representation of children where such assistance is essential in the pursuit of justice;
 - (b) provide for representation to anyone facing a criminal charge where the interests of justice so require and any such person does not have the means to pay for it; and
 - (c) finance its domestic violence unit.

I spoke to that motion and concluded my remarks on that day, and the House in its wisdom decided that the motion would be adopted in the orders of the day. Unfortunately, no response to my observations in support of the motion was ever received from the Attorney General. I hope that he will use this debate at the very least to record where he stands on the matters raised in that speech. I do not propose to deal with those matters again; they were outlined in a readily understandable manner. However, the Attorney General interjected at that time - I do not mention it by way of negative criticism - and certainly showed that he understood the points that were raised. It was and is incumbent on him to put matters of substance with respect to my comments on the motion and deal with the important three areas in which the lack of legal aid funding was having a particularly detrimental impact.

Since those events in March last year, the legal aid cuts and the State Government's failure to make up for the sins of the Commonwealth, matters have progressed in Queensland in particular. Queensland has had a change of government, but that in itself is not important to the point that I am about to make. Earlier this year, a report was handed down on the impact of changes on legal aid and criminal and family law practice in Queensland. It is an interesting report which contains several observations, some of which, to be fair, have peculiar impact with respect to Queensland, but for the most part the report is pertinent also to Western Australia and other parts of Australia. In substance, its criticisms of the legal aid system in Queensland are true of the legal aid system in Western Australia, and the tenor of the report is that legal aid in Queensland is in a state of crisis. Frankly, although cuts to legal aid are not the sole determinant of the cause of the crisis in legal aid, they are a major factor, and the cuts, as I have demonstrated, have been far worse in Western Australia compared with Queensland and other parts of Australia. If I had more time, I would deal with the report in some detail, but I have the document with me if any member is interested in reading it. The conclusion of chapter 1 on page 26 of that report - my comments are as relevant to Western Australia as they are to Queensland - states -

Overall, within the constraints of time, budget and a qualitative methodology, we believe that this study paints a picture of a worsening situation with worse to come. More resources need to be devoted to the system if a reasonable equality of opportunity is to exist between Australian citizens in litigation over family breakdown or criminal proceedings. More effective and efficient methods of delivering legal services to those in need may well exist but going too far down that road will open up other disparities between the choices available to private parties and those with few means.

There is considerable evidence that the legal aid system is being floated by a mixture of the profession's goodwill, inadequate access to information, and uncertainty about their own motivation and best interests. This seems a very flimsy foundation for a system of civil and criminal justice.

That warning is perhaps more relevant to Western Australia than it is to Queensland. I do not know whether the Attorney General has had an opportunity to read that document, but I have a copy and he is welcome to borrow it. I would be most obliged if he would take up that invitation and perhaps make his observations on the matters contained in it and tell the House what he proposes to do to rectify the crisis in Legal Aid WA.

Hon Derrick Tomlinson: Perhaps you will table the document and we will all have access to it.

Hon N.D. GRIFFITHS: I shall be more than happy to table the document.

The PRESIDENT: Perhaps it can lie on the Table of the House for 24 hours.

Hon N.D. GRIFFITHS: In any event, Hon Derrick Tomlinson will find it accessible. I leave it at that. I wanted to say much more about the legal aid crisis, but perhaps other members have some observations on it. I note that my time is short.

Justices of the peace play an important role in the administration of justice. In fact, on at least two occasions this year the Attorney General caused the release of media statements in which he made some pertinent observations about justices of the peace. His media statement of 6 March 1998 states -

Justices are mainly thought of as people who can witness official documents. However, the duties go well beyond that.

They can issue documents that commence criminal proceedings, release charged persons to bail, sit as judges in Courts of Petty Sessions where they have the power to fine or gaol their fellow citizens and many other duties.

In a similar vein but more strongly, the Attorney's media statement of 30 June 1998 states -

The responsibilities of a justice of the peace are many and varied and the role requires a great degree of dedication . . .

The office of justices of peace has a long and distinguished history in Western Australia.

Justices have been providing a vital community contribution for 160 years and there is no doubt they play an integral part of the Justice administration system in WA.

Justices of the peace used to be in receipt of incidental expenses such as bus fares, car travel, parking and meals. That was an informal, ad hoc arrangement which was formalised in May. It recently ceased to be the case save with respect to parking as a result of a decision by the Attorney General. For the work that justices of the peace do, the amount that they were receiving was not great. Justices of the peace have a strong sense of duty, and I am concerned that many of them have told me that they feel aggrieved. It is fundamental to how we deal with our system of justice in this State that we encourage justices of the peace to carry out their worthwhile duties. The emerging sense of grievance must be dealt with very promptly. I do not know how many justices of the peace are affected, what are the total amounts involved, what were the administrative arrangements, whether they were difficult to deal with or otherwise.

Hon Peter Foss interjected.

Sitting suspended from 6.00 to 7.30 pm

Hon N.D. GRIFFITHS: I am particularly concerned about the removal of incidental expenses payable to justices of the peace while attending the Central Law Courts. The last words spoken on the subject were in the interjection of the Attorney General when he made reference to the payment of the incidental expenses as being improper and unauthorised. I find the word "improper", to put it mildly, interesting. I say with the greatest of respect for the Attorney General that I find the payment of incidental expenses to these people, the justices of the peace, who are in a very real sense of the word the cream of our society, people who put themselves out to serve our society, does not involve any profit taking or any sense of remuneration and I find the words of the Attorney General most inappropriate. It is not improper at all for these incidental expenses to be paid. Whether it is unauthorised is a matter upon which the Attorney General should enlighten us, and I look forward to his comments in the course of this debate on that question, just as I look forward to his observations on the performance of Hon Daryl Williams on the issue of legal aid, and his own Government's performance on the issue of legal aid.

Before I conclude my remarks, I will make reference to the process of payment of incidental expenses to justices of the peace. It was ad hoc and became formalised, and then it ceased. Reference was made to the broadcast and formalisation of it in a letter dated 18 May 1998 from Mr Michael Johnson, Director of the Magistrates Courts, to Mr David Kaeding, Registrar of the Royal Association of Justices of WA. I will quote from the letter. However, I will not read the detail of expenses because that is relatively minute as the justices would appreciate, although I may make some passing reference. The letter is headed "Policy in Relation to the Payment of Incidental Expenses to Justices of the Peace Attending the Central Law Courts" and reads -

Dear Mr Kaeding

I refer to your letters dated 11 May 1998 addressed to Mr Whitney of this office, concerning the payment of an allowance for lunch for Justices who undertake roster duties at the Perth Court of Petty Sessions.

There has long been an ad hoc policy in place at the Perth Court of Petty Sessions which affords Justices re-imbusement of their incidental expenses associated with their attendance at court.

The recent need to provide an additional roster of Justices to assist with bail renewal and surety approval due to the closure of the East Perth Court during weekdays and your letters, prompted me to formalise the policy.

With effect from Monday 25 May 1998 the following policy will apply to reimbursement of J'sP incidental expenses while attending for court related duties at the Perth Court of Petty Sessions.

Then under the heading of "Policy", reference is made to bus fares; the rate of reimbursement; kilometreage dealing with Transperth transit zones; the use of a private vehicle; parking, and I understand the regime with respect to parking is still in place; and meals. It is only a matter of reimbursement of basic items to people who have put themselves out to a great degree on behalf of the community. The letter concludes with the words -

No additional funding has been provided to cover these expenses. The cost has therefore been met from within existing Magistrates' Courts re-current budget. In developing this policy, the management of the Magistrates' Courts have recognised the valued service given voluntarily by members of the Royal Association of Justices.

The work carried out by the members of the Royal Association of Justices, particularly at the Central Law Courts, but no doubt in all of the courts of this State in my view saves this State a lot of money. It would be a tragedy if these good people whom I characterised a few moments ago as the cream of our society had to feel an unnecessary sense of grievance. It is my hope that the Attorney General will change his view of the matter and will come speedily to an accommodation so that the administration of justice in this State can be better served than it is presently. In the amendment I moved, I made reference to a number of matters that I have dealt with, albeit in summary form, in respect of the question of legal aid. I have made reference to its treatment of justices. Other areas are to be covered. I understand that other members wish to speak to this amendment, and I will therefore conclude my remarks.

The PRESIDENT: I advise Hon Tom Helm that he has spoken on the original motion and he is restricted very much to the amendment before the Chair.

HON TOM HELM (Mining and Pastoral) [7.40 pm]: I thank you, Mr President, for that advice. I will refer to paragraph 3 of the amendment, which relates to the prison system, the treatment of juveniles in this State, deaths in custody and how this Administration has or has not dealt with the matters raised by the 1991 Royal Commission into Aboriginal Deaths in Custody.

I should refer first to the issues concerning me in the prison system and how they affect juveniles. Some in our society say that juveniles should be treated more harshly in the prison system and that people should be locked up and the key thrown away. The dilemma faced by this Administration was faced by the Labor Party when it was in Government; that is, how to respond to the cry from the population that people before the justice system are treated with kid gloves. People still accuse the system of being a revolving door and say that the answer to crime is to have longer and harsher sentences and somehow that will reduce the incidence of crime. I have argued long and hard in every forum I can that the evidence does not exist that increasing penalties is necessarily the answer.

I will take this opportunity to do something I rarely do; that is, to brag about the role I played in substantially reducing the incidence of juvenile crime in Port Hedland. I tried my hardest to convince the Labor Party that the repeat and serious offenders legislation of 1991 was not the appropriate way to go, and some members on the other side of the House supported some of what I said. However, it was like a cry in the wilderness. I do not want to catch the person who attacks my family, steals my car or breaks into my house; I want to stop them from doing it in the first place. We can stop them if we adopt some of the measures that are still being used in Port Hedland today.

We followed the regime of sending young people who, for the most part, were born and bred in a small country town to Perth to serve sentences for crimes committed in Port Hedland. They came back not in any way rehabilitated but as heroes. I paid a visit to juvenile centres in Perth to find out first hand what sort of treatment these young people were receiving to encourage a return visit to those facilities. I found the most depressing, debilitating and inhuman conditions that one could find. You, Mr President, will recall that in my wilder days when I was in the merchant navy I accidentally found myself in a number of cells in various countries - obviously innocent of the charges. Nonetheless, I served overnight sentences in cells in the southern States of America, the northern States of America, some parts of Europe, South America and the West Indies. My experience ranged from sophisticated incarceration methods to the very primitive. I served some time in Peru, and the episode reminded me of the movie "A Fist Full of Dollars" - the only thing missing was a pile of straw in the corner of the cell. However, even that had more heart than Riverbank Detention Centre.

How can we put young people in an eight foot by four foot cell tiled from floor to ceiling and with cameras in the alleyways? These young people are locked up sometimes for 14 hours a day. The only concession to female inmates is that some of the tiles on the walls are painted pink. If we want to make them decent citizens we should not send them to such places. I understand that some of the young people from the Perth area feel more comfortable and more at ease in those surroundings than they do in their own homes. However, it breaks the spirit and the heart of the young people from the Pilbara, particularly young Aboriginal people. Anyone brought up in a place like Port Hedland and having to spend their time in such a place would be broken. It is beyond my understanding. When they come back to Port Hedland, they are seen as somewhat different, perhaps heroic.

Members should read the report produced by the member for Pilbara's office. He has done an enormous amount of work with the Port Hedland Police and Citizens Youth Club and the Youth Advisory Council. Port Hedland and other mining towns have an abundance of activities for adults, but most involve alcohol. If people want to listen to music and see the best bands, generally they must go to a pub or a club. The PCYC and the Youth Advisory Council put in place intervention programs to avoid sending young people to detention centres. Young people sent to those foreign surroundings learn to be more adept at stealing cars and avoiding the police and become more professional in their criminal activities. That was the opposite of the intention of the incarceration. The cry was that we had to lock these people away. We could detect the despair in people's expressions. However, I find it difficult to comprehend that sort of attitude. I think that stems from my belief that we should never give up hope in our fellow human beings. We need to multiply that feeling by 100 when we talk about young people. I remember the demonstration that took place just outside Parliament House where a person was photographed holding up a hangman's noose and was quite clear about the need to hang young people who had followed a life of crime.

Little effort was made by my Australian Labor Party colleagues to look beyond the headlines and at the causes rather than the effects. We have suffered badly since then. This Administration has perhaps been more positive about the rates of incarceration and about how to treat young people. It was good to talk to the Attorney General just before the dinner break, when he asked me what was happening in Tom Price. I had asked him about the closure of the youth centre there. Tom Price has a population of about 5 000, but the rate of crime and of general mayhem was far in excess of what it should be. That was a microcosm of the problem that we had in Port Hedland, which has nowhere for young people to go that does not have booze attached to it, and no sporting activities in which young people can get involved. The youth centre at Tom Price was set up as an initiative of a youth coordinator whose partner worked for Hamersley Iron and who had great imagination and enthusiasm and was in contact with others in the same boat both geographically and socially. A group of people from the Pilbara formed a council to support each other and to put together programs to help to keep young people out of prison and to give them some hope in their lives and some alternative to the lives that they had chosen for themselves. It is all very well to say that these children do these things for a reason, and that is sometimes the case, but these children were not mentally retarded, and some of them were quite intelligent.

When I lived at Port Hedland, I knew of instances where young people would steal a car from a person's carport, drive it down the driveway, get it onto the road, leave the engine running and walk away. They just wanted the challenge of getting past the immobiliser, if there was one, and showing that they could start the car. We are not talking about people who do not have anything positive about their lives. They must have something positive about their lives if they can do things like that.

Larry Graham's report to the members of the caucus included a number of questions that were asked by the President when he was Minister for Police. He asked for the year ended 30 June 1991, what was the total number of offences reported to the police in Albany, Bunbury, Port Hedland, Karratha, Carnarvon, Geraldton and Kalgoorlie. The number of offences in Albany was 1 808, in Bunbury 3 236, in Port Hedland 532, in Karratha 1 032, in Carnarvon 1 170, in Geraldton 2 722, and in Kalgoorlie 3 552. He asked also about the number of offences reported to the police for the year ended 30 June 1990, and a similar figure emerged.

He asked also about the number of car thefts reported to police for the period 1 June to 30 June 1991 in Albany, Bunbury, Kalgoorlie and Port Hedland. The number of car thefts reported in Albany was six, in Bunbury eight, in Kalgoorlie 59, and in Port Hedland one. That demonstrates the results of the initiative that he put together - with others, of course. I am not saying that we had no crime in Port Hedland, but the introduction of the Street Machine program, of which some people would be aware, led to a significant reduction in the number of offences reported to the police.

Hon B.M. Scott: Who did you say was the Minister for Police at that time?

Hon TOM HELM: Hon George Cash, in 1991.

Hon B.M. Scott: I do not think so. He was the shadow minister.

The PRESIDENT: Order! The member will understand that I cannot be involved in the debate, but I assure him that I was not the Minister for Police.

Hon TOM HELM: Sorry, Mr President. The questions were from Hon George Cash to the Minister for Police. I read it wrong.

Hon Derrick Tomlinson: You were in government then. Do you remember?

Hon TOM HELM: Yes.

Hon Derrick Tomlinson: Try to keep the memory alive. It will be a long time before you are in government again!

Hon TOM HELM: I do not have a lot of problems with whatever party is in government if it has a decent program to look after the youth of this State. I have to be honest. Members opposite certainly followed the track that was laid down for them by the Australian Labor Party - although not for long. I think they improved after some time.

Hon Derrick Tomlinson: Do you realise what you just said?

Hon TOM HELM: Yes. Members opposite improved on the record that we set for them. That is what I said, and that is what I meant. If that sort of attitude were reflected across-the-board in everything that members opposite did, they would deserve to stay in government. However, one achievement across-the-board is nothing to brag about. Any person with half a brain would have seen the results of the disastrous accident that we put forward when we were in government, and I think members opposite were tempted to go down the same path, but they changed their mind - and all power to them. The record shows that, and it is no good our trying to hide from it. However, with all the rest that members opposite are doing, they have no chance of staying in government. We will not be able to do this very often, but Larry Graham was good enough to give the Government some praise, and when it deserves praise, it will get it from me. I am happy to do that, in the knowledge that almost everything else the Government does is a disaster.

Hon Derrick Tomlinson: Do not spoil the story!

Hon TOM HELM: Those questions that were asked by the then shadow minister were a reflection of the things that were happening at that time. They may have been a reflection of that shadow minister's state of mind at that time about juvenile justice and the way we were tackling it.

Hon B.M. Scott: I am sure he felt very strongly about it.

Hon TOM HELM: He must have, otherwise he would not have asked these questions, because the answers were quite good. Larry Graham was trying to encourage our colleagues not to go down the track that we had been encouraged to go down by the Press, the media and political pressure. He did not do it successfully and neither did I. However, we were able to demonstrate by way of the questions and the answers that there was some merit in the street machine concept. It was decided from the very beginning in Port Hedland that things were out of control. We had the Ku Klux Klan, as you will recall, Mr President. My office received an envelope containing a noose. My electorate officer opened it and it was more disturbing to her than to me; I am not as sensitive as that. Nonetheless, it was an indication of what was happening around Port Hedland. Shots were fired, there were people with hoods in the Ku Klux Klan faction and that sort of thing.

We had a public meeting - I think Pam Buchanan was the member then - in Port Hedland. The Commissioner of Police and Ian Taylor, who might have been the Minister for Police, attended and we went right into the bash 'em, flog 'em and chuck 'em in gaol mould. After six months or whatever time the kids had done, they were easily identified and we were back into the break-ins, the baseball bats and that sort of thing. We looked at it differently after that. Lots of money was spent on the problem. Families were breaking up because the kids were sent away and no mercy was shown in the courts. Someone decided, "Let us look at who we pay to look after the welfare of children." The most obvious thing we found was that those people worked from 9.00 am to 5.00 pm. Then we looked at the statistics: Crimes were not being committed during those hours. Approximately 20 or 30 people were employed from 9.00 to 5.00 by the Ministry of Justice or the Department of Community Services. However, they still could not convince the kids to commit the crimes in those times. Basically, they were just shuffling paper.

Hon Kim Chance: Pretty inconsiderate.

Hon TOM HELM: They were inconsiderate. They were trying to set up programs to ensure that the kids committed the crimes in daylight hours so that people could have a decent night's sleep. One of the first things we did was minimise the number of people shuffling paper and maximise the number of people who would go where the young people were at those times. Therefore, there was nowhere for them to hang around.

In fact, when our first pinball parlour opened - which I think has closed now - the restrictions were so severe that the kids who were in trouble were not allowed in; everyone knew who they were. A place where they would naturally want to hang out was barred to them. There was nowhere else except the shopping centre or the ovals and that is where the drug dealers went. They would be encouraged to buy booze and God knows what happened after that.

The street machine pulled its act together and decided, "We will go out where the kids are. We will hang out with the kids and see what sort of offences are being committed." These people had to be enthusiastic and had to sleep half the day because they would be up half the night following the kids. That exercise did not last long because we identified that the sort of thing the kids wanted to do was not really to break into houses. My home was broken into seven times, but all they stole was food and clothes. I will never forget the occasion when they broke in and took the instant TV dinners out of the freezer, put them in the microwave, zapped them, ate them and put the package into the kitchen tidy so one would never know they had been there. I was tearing my hair out, but to me it just said somebody was hungry. They took some warm clothing and blankets because it was wintertime. That was my experience, but it is an indication of the sorts of things that were occurring at that time and people decided that they needed to be addressed. There was a whole range of reasons for the young people's behaviour, but generally their home life was somewhat dysfunctional and they were allowed to wander the streets.

A public meeting was held at the Matt Dann Cultural Centre, which can hold about 500 or 600 and people were sitting

outside and on the stage. Many people attended that meeting. One of the Aboriginal youth workers who came along - quite a few Aboriginals attended that meeting - rather than asking what the kids were doing in town that night, asked the adults whether the kids knew what they were doing. There was a perception - with an element of truth - that we were spending so much time making money, that we did not have much time to spend with the kids and when we made that money, in order to salve our consciences, we gave kids too much. They then went out and spent that money and once it had gone, they broke into houses maybe to get more or maybe just for kicks. I suspect a lot of that activity was going on for kicks.

The street machine got its name; the social workers or the street workers were on the streets with the kids - I am sorry for saying kids; it sounds derogatory, but some of them are youths, young people - and they had a feel for what was occurring on an ongoing basis, not based on surveys because God knows we did enough surveys. We went to the high school and people were writing reports for us. There was so much analysis of what was going on it was not funny. We had people on the streets, associating with those young people and developing trust. It had to be recognised that they were not snitches for the police. The street workers had to be able to encourage a young person to give himself up if he was guilty of an offence. They also had to encourage the police to call a truce in the war that was going on in the north between the young people and the Police Force. That was sickening because some policemen were happy to continue that animosity and I know the kids were.

It is OK to bring this matter to the attention of the Chamber. I do not do it to make me feel good. It does make me feel good, but I do not do it for that purpose. I do it because I am still convinced that those programs - that methodology - is relevant to Perth. People tell me that those young people who are committing offences and stealing cars are reasonably well-known to the police. If they are not known personally, their families are known. I acknowledge we were dealing with a group in a small population. As I understand the situation in Perth, many of these problems, problem families and what could be called problem young people, come from smaller areas. I firmly believe that we should not be spending money building more prisons or modernising those that exist. We should establish intervention programs and take positive action rather than look at the end of the game which is the incarceration of people which is bad in itself but is even worse if it involves a young person.

It has been proven beyond any shadow of doubt that once young people enter the justice system, it is hard to get them out until they reach a certain age which is about 20 to 24, and then they just stop. Whether it has to do with marriage, settling down with families or just age, who knows? Hon Peter Foss and I were talking about this before the dinner break. I do not believe that this is a Ministry of Justice matter. We must look at it in a different light and take it away from the Ministry of Justice. We must look closely at how society's resources are spent. We may have to take resources from one place and put them in another. We must also look at the change in culture and the philosophy abroad, fanned by people like Howard Sattler, that we do not have compassion and should not look at these issues individually; that we have a whole lot of young people who are out of control; and that there is no other answer to the problems of our society than to lock people up and destroy their lives. Members will know that once people receive a prison sentence, it stays with them for the rest of their lives. That black mark is very hard to shake off. I know of no positive effects that come from it. I feel that everybody is out of step except for me. I try to attend as many lectures and seminars as possible and to look at why I feel the way I do when much of society feels so differently. I can find nothing that supports the majority view. Because it is a majority view, it is politically attractive to lock people up. An exercise to change people's minds has nothing going for it politically.

Hon Peter Foss told me that an exercise is taking place in Geraldton that has proved to be a great success. He said that the Ministry of Justice plays a role but that role is minimal compared with the responsibilities taken by other government departments. That is an example of how we can look at the issue from another direction. He said that the exercise involves all government departments with some responsibility in the area, such as Homeswest, the Office of Youth Affairs, Family and Children's Services and Jobmate. Government and non-government funded organisations get together with a charter of responsibilities. They are then given authority to put into place an action plan. As time goes by the group ticks off whether those actions have been carried out. Individual departments or organisations must explain to the group why they cannot do what has been asked of them. Before that it was a matter of giving an organisation a job to do and then assuming that it had been completed. I wish the Attorney General all the luck in the world in being part of that sort of exercise. Members must understand that these issues are multifaceted and will take more than one government department to resolve.

Maybe it is an example of how we can talk about seeing the problem in isolation and then being really compassionate and increasing tax rates to achieve a number of outcomes. However, we seem to be encouraged by a number of sections of the media to build more prisons and lock people up for longer or give some other draconian punishment with the view that it will resolve the problem. That has never happened yet.

I will refer to deaths in custody and read a quote from the Chief Justice of Western Australia, the Honourable David Malcolm, who after a recent trip to Europe observed -

Victoria currently has a rate of imprisonment less than half that in Western Australia . . . My understanding of the position is that there is no significant difference between the crime rates or the patterns of offending between Western Australia [and] Victoria. My understanding is, in the juvenile crime area, we [Western Australia] actually

prosecute more children than South Australia, Victoria and Queensland combined.

On our recent visit to Europe in looking at how other countries have achieved reductions in the rate of adult imprisonment, we discovered that the answer frequently given was the rate of juvenile detention; and reducing the rate of juvenile detention reduces the rate of recidivism, reduces career criminality and the rate of adult imprisonment.

Those observations from the Chief Justice are of significance to us because of his Western Australian background. When people talk of deaths in custody, Aboriginal deaths in custody spring to mind. I do not feel that is the proper approach. From my time with the Deaths in Custody Watch Committee my observation is that Aboriginal people will be more prone to die in custody because of Western Australia's custodial regime. Obviously people other than Aboriginal people are also dying in custody. That cannot be caused by the same kind of social deprivation to which Aboriginal people are exposed. The view of the committee is that deaths are caused because there are difficulties in providing the right kind of surroundings for people who have committed offences and who must therefore serve the time. Mention has been made many times in this place about how inquiries have resulted in recommendations on how people should be treated medically, how they should be observed once they are incarcerated and how they should be intensely watched for some period of time at the beginning of their incarceration to see how they react. We all react differently. If members look at the background and history of Aboriginal people, they will understand why Aboriginal people are affected more severely by an uncaring prison system, which is not there to rehabilitate but only to put people behind bars for the length of time that they have been sentenced.

We have all had a go at the Attorney about these matters. We have all complained about the Government's lack of funds aimed at addressing some of the issues that have been brought to our attention by these reports. I do not think my adding to that will help much. However, I must put on the record the issues I have observed and heard about since I have been a member of the watch committee.

We can reach only one conclusion: When someone who is abusing drugs and alcohol because he has come from a dysfunctional home or has had a bad life, not just as a child but as an adult, ultimately commits a crime and is incarcerated, he is first deprived of the drugs he has been using. As everyone knows he must return to reality. That can be a shock to his system. Even during his trial he could be under the effects of some of the drugs on today's market.

He will spend a week or so in prison before he comes off the effect of the drugs. If he displays some psychotic behaviour or depression or he looks as though he might damage himself he is placed in a secure area, which in some cases is a padded cell, where he is observed for 24 hours. In almost all cases the cell contains the bare minimum of furniture - a concrete slab and perhaps a bed or a mattress. Given the circumstances, perhaps that observation cell has saved many lives. However, it has saved many lives in rather unusual circumstances. The person is in prison, he has realised the mistakes he has made and has begun to think he does not have much to live for. The drugs he has taken encourage him to end the existence that could be called a life in some circumstances. He is in a cell where there is no privacy whatsoever, where he is being observed like an animal and where he lives like an animal. In some cases these places are nothing more than glorified kennels. We can just imagine what he would do if an opportunity presented itself for him to take an overdose - concern has been expressed about how drugs get into our prisons. If he wants to end his life, that is what he will do.

We owe it to society to take the view that a human life is invaluable and to consider putting into place measures that will preserve human life for as long as possible. People have gone to gaol for offences that are not life-threatening, such as stealing cars - it should not be life threatening, but it is - burglary and non-payment of fines. Punishment for those crimes should not be a death sentence. We abolished the death penalty, although some people on the other side of the House would like to bring it back. Thank God they are in a minority. We seem to have progressed in valuing the sanctity of human life.

In the light of that we should see that incarceration is not just a matter of punishment. We have all heard the words "if you do the crime, you should do the time". Punishment should be geared towards giving people dignity, hope and, if possible, rehabilitation so that they can take their place in society and have every opportunity to contribute to society, to feel good about themselves and to increase their self-esteem.

When someone spends most of his life - from 10 to 20 years of age - going in and out of juvenile detention centres and then finally going into gaol, the only praise he is likely to get is from his fellow inmates because he is a hard case, he has committed a famous crime or he is seen as being good at whatever he is in gaol for. We should be putting in place programs that show people alternative paths. The answer to the spectrum of justice of the prison system and deaths in custody is to recognise the path on which some people find themselves and put together programs that will intervene before the inevitable. Without doubt, in some cases the inevitable will be a life of crime and in some cases it will be a death in custody.

As the Commissioner of Police says - I do not always agree with him - if one comes from a community where crime is seen as a way of life or from a family that has no respect for the law, there is a strong possibility the siblings will go the same way. However, evidence suggests, even if it is the case, that once those people achieve some form of maturity they will stop their antisocial behaviour and become useful members of society, contributing to it rather than taking from it.

This approach takes a lot of courage. To a large extent the Attorney General appears to be convinced that there are alternatives to the measures we have adopted in the past. I am sure he is trying to put some of those steps in place. However, those changes take a long time to implement. The pity of it is that in practical, political terms, we must put in place schemes similar to those implemented in Port Hedland. We must first examine the problems with which we can be successful. We must take a chance and put our resources into the problems that are the easiest to solve.

We must think micro. We know it is a macro problem but if we start micro we have a chance of fixing things. We must ignore people like Howard Sattler and others who seem to know the answers but who, in reality, know nothing. We must follow our instincts and we must learn from the past. There can be no greater example of the death penalty not being a deterrent than when at Tyburn Tree the Poms were hanging people in public places while the pickpockets continued to steal handkerchiefs from the back pockets of the gentries' doublets.

That example, which could not be more demonstrable, did not deter a person who wanted to do the wrong thing. I do not have much evidence that we are learning from that example. We read the paper and see the television which produces the evidence that our society forgets the lessons of history and wants to talk about more incarceration; it wants to turn to the Northern Territory system of justice - three strikes and one is out. They can serve 14 days in gaol if they steal a can of beer, which is nonsense, especially if they have a young baby. That is an example of the strident voices that we hear in society. I am convinced that that is a vocal minority, but a very vocal minority.

I hope that the Attorney General will have a great deal of success with the programs that he is a part of and I hope that he will be able to continue going down the track he is going down. It must be tackled from both ends. We must tackle this from the prisons that we administer. There must be appropriate places that have rehabilitation programs so that when people go into those systems for whatever reason, they do not despair, and they can see the path that got them into the gaol will not see an end to their lives. It gives them an opportunity to find some other way to carry on and be a contributing part of society. That is the end game. At the very beginning, the evidence seemed to suggest that it is not too difficult to find the youth at risk because we had youth at risk programs. However, the youth could gain from intervention programs such as those being implemented in Port Hedland which can play a huge part in giving young people self-esteem. We attempted to talk about their having no self-esteem. They had self-esteem, but it was a self-esteem brought about because of their anti-social behaviour, criminal activity and so on. We must intervene so that the alternatives can be demonstrated to them so they can feel good about themselves and find a way to get out of the cycle that will put them into the justice system to which there may be no end, or to which the only end is a premature death.

I ask the House to support the amendment, particularly the part dealing with the prison system and deaths in custody.

HON LJILJANNA RAVLICH (East Metropolitan) [8.33 pm]: I have already contributed to the Address-in-Reply debate. It is therefore my intent to narrow my comments to parts 3 and 4 of the amendment to the Address-in-Reply which deal specifically with the difficulties in the prison system including prison planning, deaths in custody and issues of public safety generally. I spoke on these matters to some extent in my speech on the Address-in-Reply, but unfortunately I did not canvass the issues to the extent that I would have liked due to the limitation of time.

The first one I will address is the issue of public safety generally. It is fair to say that irrespective of the Government's claims to having made great inroads in the issue of public safety, the fact is that much evidence exists to suggest that the Government's record in this area is nowhere near as good as the Government would like us to believe. I was saddened to read in the weekend's paper about an elderly couple who were set upon by a group of youngsters obviously high on something. Not only were they set upon by the youngsters, but the young people had a pack of dogs with them and they instructed their dogs to set on these elderly people. I must admit that when we hear of instances such as that, it does not fill us with confidence about living in a safe community, which is what the Government would have us believe is happening. Over the past few days, newspapers have featured a photograph of the elderly gentleman who was bashed some time ago, whose name I do not recall. The photograph is part of an advertisement by an insurance company. I guess it is a constant reminder of just how unsafe our community is. I find those advertisements quite off-putting, but they are nevertheless a reality of what happens when law and order policies are abandoned, or when they are not pursued to anywhere near the extent that they might be pursued. The Government continually crows about the resources that it has committed to this area. Sometimes it is a case of more than just resources; sometimes it is more a case of knowing how to best allocate those resources and knowing how to best coordinate the resources which are available to get the best outcome or the best value for the dollar. Quite clearly there is great room for improvement. The Government in my view is grasping at straws to some extent.

I was interested to note the other day that the Government announced that the motor vehicle immobiliser program, which it deemed to be such a roaring success, will now be made compulsory for all motor vehicles valued at over \$2 000.

Hon M.J. Criddle: That is not right. That is not what I said in question time.

Hon LJILJANNA RAVLICH: My understanding is that the motor vehicle immobiliser program will be extended considerably. My understanding, and I may stand corrected, is that it will apply to all motor vehicles valued over \$2 000.

Hon Derrick Tomlinson: Stand corrected.

Hon LJILJANNA RAVLICH: What is it now?

Hon M.J. Criddle: The only exemption is vintage vehicles.

Hon LJILJANNA RAVLICH: So it will be on all motor vehicles?

Hon M.J. Criddle: Apart from the ones I have just mentioned, all cars and light business vehicles.

Hon LJILJANNA RAVLICH: Irrespective of the value?

Hon M.J. Criddle: Yes.

Hon LJILJANNA RAVLICH: That will be a financial burden on those people who have cars that are valued at only \$500 or \$600 because they cannot afford anything more expensive.

Hon Derrick Tomlinson: It will affect them only if they sell the vehicle.

Hon LJILJANNA RAVLICH: Nevertheless it does matter, irrespective of the way one looks at it. It will be an economic burden. Perhaps if the law and order issues were addressed in other ways, we would not have to be passing this cost to the consumer.

Hon M.J. Criddle: What other ways do you suggest?

Hon LJILJANNA RAVLICH: It is becoming quite apparent that the cost of law and order is increasingly passed on to the consumers. They pay for law and order in their taxes. When the Government's policies and programs relating to law and order are not effective, such as the crime prevention strategies in place which are not as effective as we would like them to be, an alternative system is set up. We saw this recently with the community patrols which shire councils are increasingly becoming involved with and through a community policing program. Although to some extent I can see some value in it, the bottom line is that it means taxpayers who have paid once for law and order through their taxes are then being asked to contribute additionally through their rates, or through whatever way they will be asked for that additional funding. Nevertheless, the bottom line is that additional funding will be sought from consumers -

Hon M.J. Criddle: What is your policy or solution?

Hon LJILJANNA RAVLICH: I will tell the minister my policy when I am the minister responsible.

Hon M.J. Criddle: I will be retired by then.

Hon LJILJANNA RAVLICH: It has taken this minister so long to get to the front bench I would not be skiting if I were him.

Hon M.J. Criddle: I am not skiting. If you have a solution for the benefit of the community, put it forward.

Hon LJILJANNA RAVLICH: Members opposite were going to stop the revolving door. The minister should not ask me about solutions. This Government said it had solutions, but this is its second term in office and they are not working. The minister knows that as well as I do. He also knows that I have hit a nerve. The Government is asking consumers to pay twice: They pay their taxes for law and order but they are not getting it, so an alternative system must be put in place at the community level for their protection or for them to feel that they are getting some protection. Now, because we cannot stop car thefts, the Government intends to transfer the cost to consumers.

There will come a time when Western Australian consumers will ask the Government to deliver the promised social dividend. If they were to be so much better off under this Government, why it is costing them so much to get so little? That is a fair enough question.

Why is crime increasing? There is no doubt that it is and there is no doubt that this Government's policies are ineffective. The Australian Bureau of Statistics' figures released on Wednesday, 15 July confirm that over the past 12 months Western Australia has recorded an 11 per cent increase in assaults. In fact, there has never been a reduction in the number of assaults since this Government came to office; instead, we see a continuing upward trend.

Western Australia was also one of only two States to experience a victimisation rate above the national average for armed robbery. That is nothing of which to be proud; that is not an achievement about which this Government or any member of it can be proud. Where is our social dividend? Western Australia has recorded a 43 per cent increase in unarmed robbery in the past 12 months.

Hon Derrick Tomlinson: What statistics are you using?

Hon LJILJANNA RAVLICH: These are the ABS statistics released on 15 July 1998 headed "Recorded Crime".

Hon Derrick Tomlinson: The same publication for 1997 shows a similar sorry tale for the previous 12 months.

Hon LJILJANNA RAVLICH: It does. The point I am making is that we have a continuing upward trend.

Hon Derrick Tomlinson: That has been the case since 1989.

Hon LJILJANNA RAVLICH: This Government promised policies that would turn law and order on its head and get it right. It was going to stop the revolving door syndrome with juvenile crime. Members opposite made a great song and dance about juvenile crime and how it was the previous Government's responsibility. They were going to solve it all, but they have not.

Hon Derrick Tomlinson: You must also acknowledge that we have all taken part in debates and enacted legislation that subsequently has been demonstrated not to have achieved its goals. Now we must attempt - I hope the member will join us - to find an alternative. I have been waiting for you to tell us about your alternative.

Hon LJILJANNA RAVLICH: When I am paid as a minister and it is my area of responsibility, the member can bet his bottom dollar I will put my ability to that task.

Several members interjected.

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order! The member will address the Chair and not the other vocal members of the Chamber who may wish to attract my attention to give them the call to speak shortly but not at the moment.

Hon LJILJANNA RAVLICH: It is so lovely to know that Hon Derrick Tomlinson has such a great sense of humour. He tries to catch me out all the time. It is the oldest trick in the book.

Hon Derrick Tomlinson: I was being serious.

Hon LJILJANNA RAVLICH: I am not in office; members opposite form the Government. Its ministers are paid to deliver the goods and they are not delivering. They are embarrassed, and so they should be. Their chances of being re-elected are very slim because of the efforts of this Government.

Hon Derrick Tomlinson interjected.

The DEPUTY PRESIDENT: Order! Hon Derrick Tomlinson is getting vocal again.

Hon LJILJANNA RAVLICH: Western Australia recorded the second highest rate of unlawful entry with intent involving the taking of property in Australia. It recorded the highest victimisation rate for other unlawful entry with intent in Australia at 904 persons per 100 000 persons; nearly double the national rate of 480 victims per 100 000 persons. It also recorded an 8.4 per cent increase in motor vehicle theft and the highest rate of other theft in Australia with 4 204 victims per 100 000 persons, well above the national average of 2 856 persons per 100 000 persons.

It would be stretching it to say that the Government's performance in respect of law and order is average. It has done very little to address the problem. It shows that clearly this issue is out of control and that the Government is at a loss about how to deal with it. These are shocking statistics.

Hon Derrick Tomlinson: What is the source of the statistics?

Hon LJILJANNA RAVLICH: For goodness sake, the member should look up *Hansard* and find out -

Hon Derrick Tomlinson: I have it here and I must tell you that the statistics you are quoting are wrong.

Hon LJILJANNA RAVLICH: The member will get his chance.

Hon Derrick Tomlinson: I will; you are provoking me to speak.

The DEPUTY PRESIDENT: Order! There will be no outrages in the House this evening.

Hon LJILJANNA RAVLICH: The Governor gave a glowing report about law and order. It concerned me somewhat at the time that the information was presented in a way that would lead people in Western Australia to believe that this issue was very much under control and effectively managed. I believe that neither of those statements reflects the truth.

It is time the Government looked at this issue seriously and addressed it in a positive way to achieve positive outcomes. Clearly, the strategies currently in place are ineffective. The Government continually claims that it throws resources at law and order, but sometimes that may not be enough. A more coordinated, interagency approach may go some way towards addressing the problem that we have with public safety.

The Government intends to introduce truth-in-sentencing legislation, and that may go some way towards acting as a deterrent to those who consider breaking the law. However, I notice that it has been fairly slow in introducing that legislation. When I spoke on this matter previously, I made the point that the Government may be delaying the introduction of that legislation because of the state of the Western Australian prison system.

The last time I spoke, I referred to a report that had been handed down by Australasian Correctional Services; it was a

feasibility study of future prison requirements. Members may remember that it was a very damning report. It made a number of key findings, including that many of the prison facilities in this State fail to meet the United Nations' recommended minimum standards, and in some cases fail to meet the legal minimum standards under Australian law; many of the facilities do not meet the recommendations of the Royal Commission into Aboriginal Deaths in Custody; many of the facilities fail to meet the current health and building regulations; many of the facilities are in urgent need of maintenance; and in some prisons educational and recreational facilities are substandard or non-existent.

I listed certain prisons in which the health and building regulations were being breached, and the Minister for Justice put on record for me those matters which had been attended to. Given that I have put some questions on notice with regard to that issue, I will be very interested to see whether the minister's response is an accurate record of the recent situation with regard to the state of our prison system and the Government's ability to meet the health and building regulations. I await with bated breath the progress on those initiatives.

One area which has concerned me with regard to our prison system is the direction in which I believe it is moving. I am speaking specifically about the privatisation of the state prison system, because I regard the privatisation of virtually everything as being not necessarily in the best interests of taxpayers. In my view, enormous potential exists for conflict of interest, and for the public good to become a secondary consideration and the economic profit motive to be at the forefront of consideration by private operators, irrespective of whether we are talking about hospitals, prison systems or anything else. When I hear that parts of our prison system are already earmarked for privatisation, as a member of the Western Australian public I become very concerned.

I believe that if the State takes away an individual's right to freedom, it has a duty of care to protect that individual while he or she is in prison. I am not convinced that the duty of care can be provided to a satisfactory level, or to a better than satisfactory level, by a private operator. By the same token, community safety must be at the forefront of our thinking at all times. We may find that where costs are cut because of a profit motive, security is not as good as it should be, and consequently public safety is at risk. The community must give serious consideration to this matter, because it is a potential consequence of a privatised prison system. The process of privatising the state prison system has already commenced. Custody management services and prisoner transport services are being tendered for by the private sector, and four companies have been short listed for those contracts. I do not know whether one of those four companies has been selected.

An internal review by the Ministry of Justice of the operations of the prisoner transport section was completed in June 1994 and really set the ball rolling. That review was from John S. Fletcher, manager of the juvenile justice division of the Ministry of Justice, to Mr Kevin Payne, the then director, office of the director general. Page 1 of that report states -

In an endeavour to estimate the costs associated with prisoner transports Activity Based Costings from the last financial year were used. These costings estimated a total of \$4.2 million was spent in this area. \$1.6 million was associated with transporting prisoners between prisons and \$2.6 million was associated with transporting prisoners from prisons to destinations other than prisons. These figures however, need to be interpreted with some caution as they include some elements of costings associated with the transport of prison produce.

The costs in 1994 were estimated to be \$4.2m. No doubt those costs are now higher, given that we have a higher prisoner number and also that costs are likely to have increased overall. This review is based largely on qualitative information. The figures related to a 14-day period commencing on 10 March 1994. The report found that the largest category was 463 prisoners who were attending court. That was the predominant reason that prisoners were transported. The next largest category was 197 prisoners who were attending medical treatment. It found also that 190 prisoners were involved in transfers between prisons, and 189 prisoner movements were associated with section 94 of the Prisons Act. The other major area resulting in transport and/or significant costs was transfers due to program participation and/or funeral attendance.

It is clear from that that a large number of prisoners were being transported over a short period - only two weeks - and clearly there is enormous potential for things to go wrong, particularly under a privatised prisoner transport system. Page 6 of the report concludes that during the 14-day period, in excess of 1 173 prisoner movements necessitated prisoners being outside the confines of a prison. If we multiply that by the number of weeks in the year, it is clear that is a substantial number of prisoner transfers. The likelihood of something going wrong is significant. It is of enormous concern to me, and I am sure to many other members of the community, that we are heading down that path.

In relation to the prisoner transport contract and the four companies which have been short-listed, I do not know when that contract will be awarded. However, I have information from the Western Australian Prison Officers Union of Workers to Hon Peter Foss about the police justice core functions project, which is coordinating the privatisation of prisoner transport. Rick Stingemore, the Secretary of the Western Australian Prison Officers Union, wrote on 11 March 1998 to Hon Peter Foss saying -

As you are well aware the abovementioned project is reviewing the following functions:

1. Court Security
2. Court Custody Management

3. Police Custody Management
4. Prisoner Management.

A short while ago the Union Executive received a project briefing.

I am disturbed that in the review of this function . . .

And he refers to item four, prisoner management -

. . . the Ministry of Justice has been prohibited from competing with the private sector in respect to the tendering process for future management and service delivery of this function.

If my understanding is correct a true reflection of the "best practice" and most economic and efficient delivery of this function may not occur.

Furthermore, I am concerned that the Ministry and other Government Agencies have been prevented from submitting tenders of an innovative or creative or competitive nature. I would appreciate any in depth comment your Office can provide.

It is of concern that a public sector agency or people who have been trained using taxpayers' money over a long period to do a job well for some reason are excluded from bidding for any part of the contracts which were advertised by the Ministry of Justice some time in August 1997.

It is disappointing that the sense of fair play will have no part in that Ministry of Justice employees will not be allowed to put in a bid. Instead, four companies have been short-listed. If anyone is interested in researching those companies, he will learn that their histories are very revealing. The companies that have been short-listed to date are Australasian Correctional Services, Chubb Protective Services, Corrections Corporation of Australia and Group Four Corrections Service. There is ample evidence to suggest that where those companies have operated elsewhere there have been major concerns about their performance. However, it appears for whatever reason that the Western Australian Government is intent on maintaining their involvement to the possible exclusion of others who may be better suited to the task at hand.

For example, as I understand it, Australasian Correctional Services won a contract to build and operate a 600-bed prison in Sale in Victoria. After the company became involved, allegations were made of major reductions to educational programs and major cuts in the quality of care provided to prisoners generally. Allegations were also made that its parent company, Wackenhart Corporation based in Florida, had falsified tender documents, misused public funds and used as security officers former police officers who had left the force in disgrace.

There is a wealth of information on Australasian Correctional Services as there is on Corrections Corporation of Australia which currently has contracts to escort prisoners between prisons and the courts and for the provision of court security at country courts, the Supreme Court and the St Augustine maximum security medical ward in Victoria. The information which has been made available to me indicates numerous problems occurred with its involvement in private prisons at Deer Park and the metropolitan women's correctional centre which is run by Corrections Corporation of Australia, or CCA as it is better known. Apparently that centre has suffered a litany of problems and is awash with drugs.

I cannot vouch for the accuracy of that information, but there is a great deal of information which suggests that the fact that these companies have been short-listed at all indicates a thorough check of their background and performance in other jurisdictions was not carried out. I am concerned that all of those companies have a somewhat tarnished reputation and yet the Government of Western Australia is considering their direct involvement in the management of prisoner transport, custody management services and court security services.

With regard to the whole question of the privatisation of our prison system, it is fair to say that privatisation or contracting out should not occur unless it can be clearly demonstrated that it is in the public interest, that it represents the best option in terms of competing costs and benefits and that it is likely to deliver the best outcome for Western Australian taxpayers.

Members should consider the privatisation of parts of the prison system, such as the custody management services and the court security services. To my knowledge there has certainly been no justification or explanation that would convince me that the Government has done its homework and that privatisation is in the public interest. The really sad aspect of this Government is that it makes these very substantial decisions which have enormous impacts on the Western Australian community and it does not even bother to explain what it is doing. It would be hard pressed to explain to the Western Australian public how the privatisation of prisoner transport is in the public interest, as it would be hard pressed to explain to Western Australians how the privatisation of the state prison system represents the best option for all the competing costs and benefits. One of the characteristics of this Government is that it is very light on when it comes to detail, particularly detail relating to business cases for which there is a requirement before anything is privatised or contracted out. There is also a requirement that a cost-benefit analysis be conducted. However, the Opposition never sees the business cases or cost-benefit analyses. Quite frankly, we do not know whether the course of action which the Government takes is the best option for all the competing costs and benefits. This Government works within a wall of secrecy. It is almost impossible to get

the information required from it. I find that very disappointing because my understanding of the Westminster system is that as a member of the Opposition, if one asks for detailed information one should get it. Quite clearly that has not been the case to this point.

The privatisation of the prison system is unlikely to deliver the best outcome for Western Australian taxpayers. If the Government argues that it will deliver the best outcome for Western Australian taxpayers, I want to know how it has reached that conclusion. I firmly believe that when a public authority plans to seek an expression of interest, competitive tender or a bid for a contract, that public authority should have the right to express an interest, to lodge a tender or to otherwise make a bid to provide all or part of that service requirement. Clearly that will not happen in this case. Public sector employees who are currently employed in the area of custody management services and court security services will, like many other workers in the State, in due course find themselves unemployed. I am not sure exactly how many people are involved but I think a minimum of 200 are likely to lose their jobs as a result of this Government's policy initiative.

I sought some information on this matter some time ago. I wanted to find out more because a number of my constituents work in this area. I was very keen to provide some information to them on the future of custody management services and court security services. I made an application pursuant to section 12 of the Freedom of Information Act. In that FOI application I requested access to all information relating to the business case, the cost-benefit analysis, the risk-assessment analysis and any other analyses which were involved in the consideration of the options. I particularly asked for particulars of, but not limited to, the following: All internal and external documents relating to the decision to contract out custody management services and court security services, and all correspondence and records of meetings between Ministry of Justice officials and representatives of government and non-government agencies, particularly the Police Service, because it is virtually a joint project between the two agencies. One of the things I am finding in pursuing this matter is that because two key agencies are involved it is very difficult to access the information required. The letter I wrote to the Ministry of Justice was dated 17 June 1998. Subsequently I received a letter dated 25 June 1998 from the ministry's manager of its freedom of information unit, Mr Bill Bykerk, who wrote -

Further to my letter to you dated 17 June 1998, I wish to advise you that partial transfers of your application have been made to both the Police Service of WA and the Ministry of Premier and Cabinet.

Through that one FOI application all I wanted was information on the decision to contract out custody management services and court security services. The Ministry of Justice said that because it was not doing it on its own but across a number of agencies, it would have to refer to them my freedom of information application. The Ministry of Justice referred it to the Police Service and the Ministry of the Premier and Cabinet. The situation became very complicated after that because I was not dealing with one FOI officer but three on the one issue. When one sends out a few FOI applications the process becomes very complicated indeed. I waited for some time and was hopeful that I would receive some information. However, it is quite difficult to obtain information under the freedom of information provisions. I do not know whether it is so difficult or whether the Ministry of Justice does not want to give me the information that I seek.

I received a letter dated 14 August from Mr David Young, acting manager of the freedom of information unit at the Ministry of Justice. He advised me that quite a substantial amount of information was available but it would cost me between \$260 and \$280. The first document is a model development paper for Police-Justice core functions, which comprises 90 pages. The second document is a letter from the Chairman of the Police-Justice Review Group to the Attorney General and Minister for Police, dated 14 May 1997, which is one page. The third document is a draft submission submitted with the letter, which comprises four pages.

The fourth document comprises draft cabinet summary sheets submitted with a letter of one page. The fifth document comprises minutes from the steering committee meeting dated 14 May 1997 with attachments, of which there are eight pages. The entire document totals about 100 pages. Mr Young estimated that the cost of providing 100 pages would be in the order of \$260 to \$280. He includes in his costing the time taken to consult with the various parties and to consider any objections. I have a problem in that, as a member of Parliament, I am being charged for the time of a public servant. Mr Young must get me a 90-page document, which, with other bits and pieces, amounts to 100 pages.

Mr Young said that included in the \$260 to \$280 is the time taken to consult with various parties. As a public servant he does not have a role or responsibility in that. I find that hard to believe; he should be doing this as a matter of course. It should not be over and above his duties. The cost also includes consideration of any objections, drafting of a decision notice, postage, facsimile costs and copy charges. Given the Westminster system, it is a disgrace that, as a member of Parliament using the services of a state public servant to get 100 pages from the Ministry of Justice, it will cost me \$260 to \$280. It almost makes a joke of the freedom of information legislation.

Hon Kim Chance: Purchase of information would be more accurate.

Hon LJILJANNA RAVLICH: If this is how the department is treating me as a member of Parliament, I hate to think how it is treating Mr and Mrs Public and what run around they might be getting.

Hon Kim Chance: Probably about the same as we get from Ministers on questions without notice. How many questions have you got left over from last session?

Hon LJILJANNA RAVLICH: I have lost count of them. This is a disgrace. The Attorney General will not like the word "suspect" because he thinks everything should be factual, but I suspect that the reason I have been given this quote - one cannot call it anything else but a quote - is so that I will say that it is too costly and I will not pursue the issue. However, I will pursue this issue with the Freedom of Information Commissioner and I will continue to pursue it until I get what I want, which is information. I am asking for nothing more than that to which I am entitled.

The Ministry of Justice is making it almost impossible because this project is being handled by three agencies. I must now deal with three different FOI coordinators. If I get billed by the other two to the same value I have been quoted by Mr David Young of \$260, it will cost me almost \$1 000 for the documents relating to the decision to contract out custody management services and court security services. That is nothing short of an absolute disgrace.

I reiterate that law and order is in a fairly bad state in Western Australia. The public is naturally concerned about public safety and understandably so. Every morning we open up *The West Australian* and read that somebody else has been bashed during the night, had his car stolen or had his home broken into.

Hon Norm Kelly: You are not meant to give them the keys!

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Order! It sounds as though the Democrats are also concerned!

Hon LJILJANNA RAVLICH: It is no surprise that the members of the public are genuinely concerned about their safety and welfare. Clearly this Government has done very little, if anything, to address this issue. Rather than seeing a downward trend in law and order statistics we find that almost every area we examine is deteriorating and the crime figures are increasing at a fairly consistent rate. People have a genuine right to be concerned.

Prison planning in particular has not been at the forefront of this Government's agenda. Although the Government is in its second term of office, the prison system is still in a bad state. For example, prisons are overcrowded, although the minister has assured us that things will improve.

I referred earlier to a report on the assessment of existing prison infrastructure and the projection of future needs. In answer to a question on notice on 13 August I was informed that the maximum design capacity of Pardelup Prison Farm is 66, and the statistics are not too bad for that prison. However, they are worse, for example, at Roebourne Regional Prison, which has an average daily muster greater than the prison's maximum design capacity. The average daily muster at Woorloo Prison Farm is 167. There are some problems in that area.

A report by Australasian Correctional Services indicated that the prison planning system has not been particularly good. Although some progress has been made, it is probably too little too late. Overcrowding in our prison system is still a problem. In fact, it is a precursor to riots if it is not managed properly and many occupational health and safety implications stem from it. I fully support the amendment which states -

That the Legislative Council regrets to inform His Excellency that the Court-Cowan Government continues to fail to properly support the administration of justice, and in particular notes -

- (1) the crisis in legal aid;
- (2) the treatment of justices of the peace;
- (3) difficulties in the prison system including prison planning and deaths in custody; and
- (4) issues of public safety generally.

HON HELEN HODGSON (North Metropolitan) [9.30 pm]: I have not yet spoken on the Address-in-Reply, so I intend to start by canvassing some other issues about which I am concerned before I deal with the amendment. Originally, I thought that I would not delay the House for a particularly long period, but, given that we are considering the amendment as well, I can make no promises. However, it is not my intention to speak out the time that is allotted to me. It is four weeks since the opening of Parliament, when the Governor dealt with the series of priorities for the session, and I thought that it was fairly clear what would be the key issues for the House.

Point of Order

Hon B.M. SCOTT: Is Hon Helen Hodgson addressing the amendment or the Address-in-Reply?

The DEPUTY PRESIDENT (Hon J.A. Cowdell): Hon Helen Hodgson is addressing both issues, as she has not already spoken on the Address-in-Reply. She is entitled to address both the amendment and any other topic - that is, if there is any other topic that is not covered by the amendment.

Debate Resumed

Hon HELEN HODGSON: I am sorry if my comments caused some confusion but my intention was to take only one bite at the cherry, instead of two, three or four bites as the case may have been so far.

The key issues that we will face this year were clearly outlined in the Governor's address. Those issues were the commercial tenancies legislation, the education Bill, the native title legislation and, of course, the old chestnut of law and order. One problem that we now face is that, given circumstances beyond the control of the State Government, we are now in the middle of a federal election campaign. That means that those issues can be spun out with a particular bias. I call on members to ensure that we get on with the legislative work of the House and do the right thing by the people of Western Australia instead of allow ourselves to be diverted onto election issues.

The Governor's address made only a passing reference to the School Education Bill. However, I expect that Bill to be one of the major pieces of legislation to be debated in the Chamber over the next month or so. It is currently before the Standing Committee on Public Administration, so there is a limit to how much we can talk about some of its provisions, as we will have an opportunity to expand on them at an appropriate time. My key concern is the accessibility to education.

Education is a lifelong process and we should ensure that everybody has access to education at all stages of personal development. That means from a preschool child to a mature age student or retired person who may choose to undertake some form of education in order to develop personal abilities. For those reasons, I watch with interest all aspects of education, including vocational, educational and training issues. I am dismayed at the way in which accessibility is being reduced, largely through the imposition of fees and charges and the reduced number of available places. The problem is that that attacks groups who are already marginalised. We are talking about people with a poor grasp of English - in particular, migrants - women who might not have the ability to afford fees, and unemployed people who, for various reasons, might not qualify under the new federal jobs network and who lose the means of access to education to help them to escape from the poverty trap. Many people say that unemployment in Western Australia is doing reasonably well and that we are doing better than people in most other States. In fact, the effective number of unemployed people is up to double the official Australian Bureau of Statistics figure. We should make an effort to ensure that those people have access to education and training to improve their prospects of employment and to move out of the unemployment trap.

With the way in which training programs for the unemployed are structured, the key program under the Federal Government is the Job Network. In the past four months since it was introduced, it has been a disincentive for service providers to provide training for people. For a start, people do not qualify for the third level of funding until they are considered to be long-term unemployed. Once they reach the third level, the service provider receives a 30 per cent up-front fee. That amount is often insufficient to provide the necessary training for a person to obtain work. When a person is placed, part of the fee is paid to the provider when they have been placed for 13 weeks and the balance is paid when they have been placed for 26 weeks. We have a system that not only does not put enough emphasis on training people to get them out of the poverty trap, but also encourages the service provider to place them in a job as quickly as possible, whether or not they have been fully trained for that job, so that the provider can get the fees which they may or may not have already expended in the training process. It is a backward system and I am concerned about the inefficiencies of that form of access to training for people in greatest need.

We in Western Australia in particular have heard many stories about the inefficiencies of the new Job Network, particularly in rural areas, where there may be problems in accessing the nearest agency. We hear stories of people who were told to go to a particular agency and who then found that the agency was operating in a different region of the State, not just in a different town. That is an indictment of the way in which we look after people's educational needs and training throughout their lives. We will debate quite extensively other issues such as schools and so on, but this is the right opportunity to raise other concerns about what happens with training and education once somebody has left the school system.

I noticed also that the Governor's speech made no reference to industrial relations policy. I remind members that a Labour Relations Bill is before the House. It will probably be referred back to a committee to complete the work that has been done on it over the past year. We seem to have hit a stalemate in industrial relations. Presumably, the Government thinks that it has completed its agenda and the Opposition would obviously like to wind back that agenda. Over the past year we have found some serious flaws in the third wave legislation that was passed by both Houses of Parliament. It is not only openly flouted by unions in respect of pre-strike ballots in particular but there have also been tribunal findings that there is doubt about the constitutionality of some aspects of the law. This week I saw a small item in the newspaper stating that the provisions in respect of the inspection of records have also been criticised by the courts and found not to operate in the way that the Government believed they would. To say that the Government has achieved its agenda is probably to oversimplify the issue. If we look at the matter properly, we will find that there are areas in which things that the Government thought would happen have not happened and that we will need to do some finetuning. Essentially, that is why I introduced a Bill into this place a year ago, putting on notice that there were some areas in which the Government's legislation would be found to be wanting.

We are working on three key principles of industrial relations. The first thing we are concerned about is job security. We

are concerned about the extent of casualisation, downsizing of firms and contracting out; and the impact that is having on job security in this State. I refer to the comments I made previously about unemployment and the issue of the underemployed. Often they are people who would like to work full time but find they have been put on casual rates by their employer, so that the work is not readily available. It means that when they try to get a loan for a house they cannot get one. They organise schooling for their children and they might have to move because their job might require them to move. All of these issues impact on people's lives. Probably the most significant thing is what it does to their self-esteem - to know that they have to call in every morning to find out whether they have work and will be able to pay the bills at the end of the week.

We are very concerned about the impact of casualisation on the work force in this State as well as across the rest of the country. It is important that we maintain productivity in this State and we are doing well in that respect. However, productivity must be based on effective and fair bargaining power between employees and employers. Essentially, we must find the balance. The balance must be that both parties must feel they can negotiate fairly and evenly and achieve a desirable outcome so that we have a win-win situation. In practice, more often than not, one party feels that it is losing. That is an issue that we would like to see addressed further. The third aspect is there should be protection for employees against unfair acts by their employers. Therefore, we are calling for a fair go for all workers.

The public sector employees deserve special mention, partly because they are the least powerful group of employees. To bargain with the Government is not an easy task. One cannot say that those in the public sector have an equal bargaining position. We need a strong, independent public sector to advise the Government impartially on matters of policy. The Government can make its decision based on that advice. That decision will often be politically driven by the perspective and colour of the Government at the time. However, the public sector employee should be impartial and the public sector must remain unpoliticised.

The trends in the public sector to casualisation and contracting out impact on this significantly because at senior levels contracts are for the term of government. At lower levels they are not even for that long. People are locked into a position in which they do not know what they are doing next week, next month or next year. Of course they give the answer that will not rock the boat; their situation will colour the advice they give their employer in the hope they will retain their job. Therefore, in particular, the public sector trends to casualisation and contracting out need to be addressed.

There is an inherent assumption that private enterprise can do a job better and that the public sector has fat in it that needs to be trimmed. I challenge that assumption. It may have been true in the past. The public sector now has been cut to the very bone and there is no fat left. We require people to do more and more with less and less and they are losing out badly in the process. The public of Western Australia is losing out because of that. Experienced people are moving on and going into other areas because they do not want to remain in this environment any longer. It is something that this Government must redress, and quickly.

One of the problems in this same area is the limitation on the power of the Commissioner for Public Sector Standards. Under the Public Sector Management Act the commissioner has a defined role; that defined role is to report on problems. However, there is nothing that gives him the power to act and to require that problems be redressed. He makes a recommendation and that recommendation may or may not be followed up by the chief executive officer. That means that public servants are feeling even more imperiled; they are disempowered and they have no way of having their rights addressed properly. If they have a problem they can be told, "Yes, you have a problem" but they cannot be guaranteed that the problem will be addressed. That is impacting on the morale of the public sector; people are not sure if they will have a job tomorrow. That will affect the quality of service given to the public, it will affect the quality of information given to the Government and it will ultimately affect us all. In the area of industrial relations there is particular need for reform of the public sector.

I noted with pleasure in the Governor's address the establishment of the Office of Citizenship and Multicultural Interests. I am sufficiently cynical to ask whether this has happened simply because of the rise of One Nation. Has our Government suddenly decided that it needs to pay more attention to this area? I hope I am wrong. I would like to believe that the Government is truly committed to the notion of multiculturalism and to ensuring that other cultures are respected, that we develop a feeling in the community that they are welcome and that we respect the differences rather than being challenged by them.

I trust that we can fund this office properly and use its officers not just to conduct fancy public relations exercises but to go out into the community and start to give assistance where it is needed. For example, all immigrants, including people with a non-English speaking background, must have equality and access to all services, benefits and opportunities. There are many areas where people are automatically discriminated against because they may not have the language skills and their rights are prejudiced if appropriate translation is not available. It is one of the facts of life when one comes to live in another country. However, it is something that this Government must address. It must ensure that there is real support for migrants, particularly asylum seekers. I appreciate that that is more of a federal issue, but it worries me when I see the way Indonesian fishermen who are fishing illegally offshore are brought into our prison system in Western Australia. I appreciate that they are in fact committing an illegal activity, but the conditions and treatment they receive while here is particularly bewildering

to them because they do not speak the language and do not have the support networks that many people in our community have normally.

Therefore, the move to establish the Office of Citizenship and Multicultural Interests could be a good move. I hope that it is done with the best of motives and that it will provide support to these people. I trust strongly that it will not be an excuse to start focusing on the citizenship issue and start denying rights to people who are not citizens, because everyone who is a legal resident of Australia has certain rights which we should be meeting. If we find that the focus on citizenship abrogates from that, I would be concerned. On the whole, I will be watching that development with interest to see how it pans out.

I could speak at great length on the issue of Aboriginal affairs, and particularly native title, even though I have a blank page in front of me, because I have done so much work in this area in the past couple of weeks. I am becoming more and more discouraged by the feeling that I am meeting in the community. There is very much a feeling that what happened in the Federal Parliament in June was a denial of the rights of indigenous people and that they have lost the few rights that they thought they were starting to achieve under the native title legislation. They had some rights they wanted, such as the right to negotiate and to talk to people about their land. They were able to lodge claims and they were coming to grips with this legislation. It has been a long process.

The original Native Title Act was in place for only five years before significant amendments were made, and there seems to be a feeling that within five years we should have been able to resolve all of these native title issues. It is a complex issue and the more work done in the area, the more complex the issue becomes. One is trying to resolve indigenous political issues and indigenous family issues and also deal with a group of people who are disempowered.

Over generations they have lost a lot of the things they held dear to themselves; their family structure and their culture has been destroyed. They thought that, at last, someone would help them, that they would get title to their lands, some form of recognition, and this would be a step forward for them to start to recover from what happened in the past. What happened in June in the Federal Parliament has been seen by them as a severe blow. It has denied them the rights which they were starting to exercise. This State now has the challenge before it to go down the path of reconciliation, to deal with the land management and land use issues, to ensure indigenous people have the rights to which they are entitled at common law and confirmed by Statute law.

This State must now look at the legislation. It has been in the public arena for a couple of weeks for comment. The time available for public comment has been dreadfully short. About three weeks was allowed. When we are talking about people who may be in communities a long way from the metropolitan area, who may not have legal advice on hand, but who have a deep concern about these issues, that period for consultation is woefully short. I was very concerned yesterday to hear a rumour that the consultation period would be cut even further and the legislation would be introduced into the other place before the time for consultation had passed. After conversations I have had today with people in the Ministry of the Premier and Cabinet, I believe that rumour was ill-founded. However, the fact that people could believe that the Government would cut short an advertised consultation period shows the way the indigenous community feels betrayed on the issue of land usage.

That is only one issue faced by our indigenous communities. Another is the issue of culture and heritage. Most of us do not understand the link between land usage and culture and heritage. We pay lip service to it. We say that intellectually we understand, but we cannot feel it because we are not indigenous people. If we cannot feel it, it is very hard to understand what it means to these people. One problem is that there is not sufficient linkage between the issues when dealing with indigenous people. Over the past year I have been very concerned to see the way Aboriginal issues are split between various ministerial portfolios. Although there is an Aboriginal Affairs Department, during the estimates committee hearings I was very concerned to see the limited extent to which those departmental representatives could comment on certain areas. Some areas were handled by the Housing portfolio, the Water Resources portfolio or some other portfolio.

We must be very careful. We need a whole-of-government approach. We must simplify the program-delivery methods, look at the ways in which we are dealing with indigenous communities and ensure that we are doing so in a culturally appropriate way. This includes issues such as consultation. This is vitally important to many people in the indigenous communities. In the past couple of weeks I have been talking with indigenous people about heritage issues. They are extremely concerned that legislation seems to be being developed without their input. Where is the input coming from? Who is having a say over the development of heritage protection legislation, if not those whose heritage we are planning to protect?

Hon B.M. Scott: What group was that?

Hon HELEN HODGSON: It was the Nyoongah Circle of Elders. They are a very well-respected body within the community and have not been consulted about the heritage legislation. They are very concerned about the rumours that there are significant re-drafts in the wind, and that they have had no opportunity to talk with people in authority about those changes. We must be very careful about the way in which we deal with the issues of indigenous affairs over the next couple of months. The big issue will be native title, but we cannot deal with that in isolation. We must look at it in the context of the indigenous community as a whole. I realise that I have oversimplified this issue in this speech. We cannot deal with

these people as an homogeneous group. We must acknowledge that even within indigenous people there are different groups, with different traditions and different backgrounds. If we cannot respect that, we cannot possibly legislate in their best interests.

Another issue that is on the table this evening is that of law and order. We have already heard several hours of debate on this tonight. However, I cannot let it go without making some comment on it.

Hon N.D. Griffiths: You have a lot to say on it.

Hon HELEN HODGSON: It is unfortunate that we are debating law and order in this way at this time. It is a very emotive issue. In the middle of an election campaign it is very easy for people to get carried away, to make promises, and to beat up issues to the extent where they are being used as an election platform, instead of looking at the core issues, the fundamental issues. In the two weeks during which we have already sat in this session, we have spent about four hours debating sentencing. We have now gone into the Address-in-Reply debate and there is an amendment to the motion which has meant that we have spent another three hours debating this matter.

I agree that law and order is a problem. I do not minimise the effect that crime has on its victims. It is a problem that has been taken on board with the Government establishing a cabinet subcommittee to look at this issue. In this sort of environment, I am concerned that it is very easy for people to react, rather than to go to the core of the issues. For these reasons, I will be very interested to see what the committee comes up with.

I am rather concerned about the Australian Labor Party's amendment. It lumps together four matters: Prisons and deaths in custody; public safety generally; legal aid; and justices of the peace and their entitlements. I see an internal contradiction in tying those things together. On one hand we are talking about public safety and law and order. We have this whole media beat-up of the extent of crime in our community. I am not seeking to minimise its effect on its victims; however, often the perception is far greater than the reality because of the way in which the matter is being handled. One issue is that the law and order lobby is out there screaming for capital punishment, locking up criminals and throwing away the key. In this amendment we will also be looking at the question of prisons and deaths in custody. We heard extensively from Hon Ljiljana Ravlich about the state of our prison system and some of the issues raised in the report tabled last June in this place. Where will we lock these people up? What will happen to the deaths in custody rate? We cannot privatise the prisons and we have no prisons to put these people in. How do these two issues match up together? I agree that there is a major problem in legal aid funding in this State.

Hon Kim Chance: We can build a boot camp at Laverton.

Hon HELEN HODGSON: I think it was the Labor Government that did that last time.

Hon Kim Chance: No; it was not.

Hon HELEN HODGSON: I apologise; it was the coalition Government. We have this dilemma where, on one hand, in this motion we are looking at justice and the rights of people who are charged with crimes; that is, a decent prison system, rehabilitation as part of that prison system, and decent defence at a trial. On the other hand, we are pandering to the law and order lobby and saying that these people should be locked up and we should throw away the key.

I have some difficulty in dealing with those two issues in one motion. However, given all that, there are some important matters that need to be raised in this context. I have already said that part of the problem with the law and order debate is that the public is responding to reports of crime. I agree with members who have said that they are very distressed when they open a newspaper or watch the television news and see pictures of people who have been bashed and robbed and who have had their bags snatched and who have had dogs set on them. I agree that that is a serious problem. However, I do not think that that is the true picture of things out in the community. They are not normal events.

Debate adjourned, pursuant to standing orders.

House adjourned at 10.00 pm

QUESTIONS ON NOTICE

Answers to questions are as supplied by the relevant Minister's office.

GOVERNMENT DEPARTMENTS AND AGENCIES

Credit Card Interest Payments

11. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Public Sector Management:

- (1) Who is responsible for the payment of interest on credit cards?
- (2) Is interest paid monthly, quarterly, six monthly or annually?
- (3) What is the range of interest rates being charged on these credit cards?
- (4) What were the total interest payments made in the last six months?

Hon MAX EVANS replied:

Ministry of the Premier and Cabinet

- (1) The Ministry of the Premier and Cabinet is responsible for payment of interest on cards issued in the name of the Ministry.
- (2) When applicable, interest is paid monthly.
- (3) Interest rates are as follows:

American Express -	Late payment fee \$10 or 3% whichever is the greater.
	Cash Access 3% of the withdrawal amount.
ANZ bank -	Late payment fee 19.95% per annum.
	Cash withdrawals 15.45%
- (4) Total interest paid in six months to 13 May 1998 - \$371.15

Under Treasurer

- (1) Treasury operates only with American Express corporate credit cards. These cards attract a penalty charge as opposed to an interest rate charge.
- (2) Penalty charges are only paid when incurred.
- (3) The penalty charge is \$10 or 3% whatever is the largest amount. The penalty charge applies if the account is not paid within 30 days of the date of the account.
- (4) Penalty charges incurred for the past six months (November 1997 to April 1998) were \$1,117.

Anti-Corruption Commission

- (1) Anti-Corruption Commission.
- (2) Interest is paid monthly on any monies owing not paid by the due date.
- (3) 19.95% per annum.
- (4) \$11.88.

Governor's Establishment

- (1) The agency as card holders/account holders.
- (2) Monthly, if payable.
- (3) Annual Percentage Rate - 19.95% Late payments
- 15.45% Cash advances
- (4) Nil.

Office of the Public Sector Standards Commissioner

- (1) Office of the Public Sector Standards Commissioner.

- (2) Monthly.
- (3) 14.95% to 19.95% p.a.
- (4) Nil.

Gold Corporation

- (1) Gold Corporation does not incur interest on credit cards due to a policy of paying credit card accounts within the required time frame.
- (2)-(4) Not applicable.

Office of the Auditor General

- (1) Office of the Auditor General.
- (2) Monthly - if payment is overdue.
- (3) 20.45% per annum.
- (4) Nil.

GOVERNMENT DEPARTMENTS AND AGENCIES

Submission of Performance Indicators

- 14. Hon LJILJANNA RAVLICH to the Leader of the House representing the Premier:

The number of agencies who did not submit performance indicators for the Auditor General's Report on Ministerial Portfolios has increased from 1995/96 to 1996/97, as reflected in the table on page 3 -

- (1) Is there any justification in the increase in agencies not submitting performance indicators?
- (2) Are any of the agencies "repeat offenders"?
- (3) If yes, which ones?
- (4) What steps can be taken to ensure these agencies fulfil their obligations to report in the future?

Hon N.F. MOORE replied:

- (1) Yes as detailed in the summary of audit results in the Auditor General's report with the exception of:

Administration of the Joint House Committee)	
Administration of the Joint Library Committee)	
Administration of the Joint Printing Committee)	No indicators as
Administration of the Legislative Assembly)	in previous years
Administration of the Legislative Council)	(p24)
Landcare Trust - no explanation given (p37)		
Office of Water Regulation - action has commenced to report indicators for 1997-98 (p68).		

- (2) Yes.
- (3) The five Parliamentary Departments listed above in (1)
 - Agriculture Practices Board of Western Australia
 - Landcare Trust
 - Western Australian Development Corporation
 - Western Australian Exim Corporation
 - Office of Water Regulations
- (4) The Agricultural Practices Board did not conduct any financial operations for the year ended June 30, 1997 and, accordingly, has not maintained accounts or prepared financial statements and performance indicators for the period.

The Landcare Trust was established in October 1995. Statutory and legal issues delayed the finalisation of operational procedures and meant that performance indicators were unable to be implemented until the 1997-98 financial year, when they will be reported for the first time.

Western Australian Development Corporation and Western Australian Exim Corporation are no longer active and it is expected that they will be dissolved. In relation to the other agencies referred to, the Ministry of the Premier and Cabinet will advise the relevant Ministers that they are able to build into their Chief Executive Officers'

Performance Agreements a specific requirement to submit appropriate performance indicators. A reminder will also be given that relevant CEOs should refer to the publication, "Preparing Performance Indicators: A Practical Guide" prepared by the Ministry.

EDUCATION

Modern Greek

15. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) When was Modern Greek listed as a TEE subject?
- (2) How many and which Government schools are teaching Modern Greek?
- (3) Is Modern Greek being taught at year 11 and 12 levels at these schools?
- (4) If not, why not?

Hon N.F. MOORE replied:

- (1) Modern Greek was listed as a TEE subject in 1997.
- (2) None. Tuart College and Duncraig Senior High School each registered a student for Modern Greek with the Curriculum Council. The students were taught by a teacher from a community group. This process enabled the students to be awarded grades for their course of study.

In the implementation of the LOTE 2000 strategy through the process of school and district planning, there has been little interest in Modern Greek. A group has been formed by the Education Department and representatives of the Greek community to develop strategies to expand the teaching of Modern Greek in government schools.

- (3) No.
- (4) There are insufficient numbers of students wishing to undertake Modern Greek.

GRADUATE COLLEGE OF DANCE (WA) INC

16. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I refer to the Graduate College of Dance (WA) Inc move to the former staff room in Swanbourne Senior High School, after having received a grant of \$300 000 from the State Government -

- (1) What costs are being met by the State Government in the day to day running of the college, including wages for principal Terri Charlesworth?
- (2) Why did the State Government offer the room at Swanbourne SHS, given that the school is ear-marked for closure?
- (3) Was the Graduate College of Dance given a lease for the room?
- (4) If yes, for what period of time is the lease valid?
- (5) Will the State Government reimburse the Graduate College of Dance for the costs of installing sprung flooring, given that the school is ear-marked for closure?

Hon N.F. MOORE replied:

The Graduate College of Dance (WA) has never received a grant of \$300 000 from the State Government. This sum was allocated in an Education Department budget to cover the cost of a proposal to build two ballet studios at Swanbourne Senior High School. This proposal, formulated by the School and the College, was rejected by the Education Department because the cost was in excess of \$300 000.

- (1) Annual cost of instruction: Principal - \$30 354
Part time teachers of dance: \$4 000 - \$6 500 (over last four years)
- (2) The State Government did not offer the room at Swanbourne Senior High School. The Acting Principal of the school negotiated use of the room for the dance program to obviate the need for students to travel to Perth each day.
- (3) No.
- (4) Not applicable.

- (5) In the context of Local Area Education Planning the continuity of the Ballet Program is assured as it is proposed to relocate the program to Perth Modern School. The floor is able to be relocated and may be moved to accommodate the program at that school.

CANNINGTON AND MADDINGTON SENIOR HIGH SCHOOLS

17. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I refer to an article in *The West Australian* dated January 15, 1998 in which it states that eight state schools have failed to meet the student graduation mark set by the WA Curriculum Council. Most of the eight were from low socioeconomic areas and had a big number of Aboriginal students or students from non-English speaking backgrounds. Two of the schools listed are Cannington Senior High School and Maddington Senior High School -

- (1) Was the Minister for Education's decision to close these two schools due to the fact that they are both in low socioeconomic areas?
- (2) Is Mr Stephen Home, Acting Director General, correct when quoted in January as saying "it would be simplistic to judge these schools solely on the basis of their graduation numbers"?

Hon N.F. MOORE replied:

- (1) Cannington and Maddington Senior High Schools will not be closed.

Cannington will continue in its present form with Years 8-12 until December 2000. In 2001 a new \$14 million Secondary College, to include a separate middle school and senior campus, will open on the existing Cannington Senior High School site.

Maddington will continue in its present form until December 2000 but will not enrol Year 11 students in 1999 (current Year 10 students) who instead can enrol at any government school in the eastern suburbs. From 2000, Maddington will operate as a middle school catering for Years 8 to 10.

- (2) Mr Stephen Home, Acting Director General is correct when saying "it would be simplistic to judge these schools solely on the basis of their graduation numbers".

It is apparent that many students will leave school successfully before graduating from Year 12. This is as a result of entering employment, a traineeship or apprenticeship or accessing some other form of education or training, for example TAFE. Graduation statistics alone do not indicate how well a school has assisted a student to make a successful transition into any of these fields.

EDUCATION

Oracle Financials Software Program

18. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) What has been the total expenditure for the development and implementation of the Oracle Financials applications suite software as part of the department's move to accrual accounting?
- (2) When was Oracle Financials first introduced?
- (3) What was the projected cost of this computing package at the time of introduction?
- (4) When is the Oracle Financials software program scheduled for conclusion?
- (5) What is the anticipated cost of the program over its life?

Hon N.F. MOORE replied:

- (1) \$2.09 million.
- (2) 1 July 1997.
- (3) \$2 million.
- (4) Implementation of the product, as specified in the original contract, was completed in October 1997.
- (5) Ongoing support, licence, training, upgrade and customisation costs will be approximately \$500 000 for 1998/99 reducing to \$400 000 in subsequent years.

EDUCATION

Literacy Testing

20. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I refer to the introduction of testing Year 3 students for literacy skills. The Minister for Education previously indicated that non-Government schools would be granted exemptions from this year's tests, if they were not prepared for them by August -

- (1) Can the Minister advise which non-Government schools will not be participating in this year's testing of year 3 students?
- (2) What is the cost to Government to conduct this compulsory literacy testing of all year 3 students at Government schools?
- (3) Is the Government contributing to the cost of conducting this literacy test in non-Government schools?
- (4) If yes, what is the amount to be funded to non-Government schools?

Hon N.F. MOORE replied:

- (1) All Catholic schools with Year 3 enrolments will be participating. There will be 47 independent schools across the State involved in testing.
- (2) In 1998 it is estimated that it will cost approximately \$335 000 to introduce universal testing and reporting of literacy standards of Year 3 students in government schools.
- (3) While the Government is not meeting the direct costs of the testing in the independent schools, those schools are receiving Education Department logistical support. Printing, distribution and return of material, marking and analysis of data for the Catholic and independent sector have been organised on their behalf by the Education Department.

They are also able to use the test material that was developed for the Education Department at no charge.

- (4) Not applicable.

COMPUTERS IN SCHOOLS

21. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I refer to the Budget allocation of \$100m over four years to schools to buy new computers -

- (1) Is the cost of training teachers in computer technology budgeted into the \$80m set aside for Government schools computers?
- (2) If yes, what is the cost of training teachers in the use and implementation of computer technology?
- (3) What amount is being kept aside for the technical support and repairs and maintenance?

Hon N.F. MOORE replied:

- (1)-(3) Schools will have the flexibility to use at least \$27.3 million of the \$80 million allocated over the next four years for other technology support in areas such as professional development, technical support and maintenance, local area networks and telecommunications.

This funding will comprise \$19.5 million allocated on a differential basis which will take into account school's socio-economic background and geographic isolation, and at least \$7.8 million through savings on the purchase price of computers. (The remainder of the funds will be allocated on a per capita basis and \$8 million is being set aside pending the investigation of securing a statewide software licence).

Schools will be allocated \$2 000 per computer. For every \$100 saved on the purchase price of the computers, \$2.6 million will be available to schools for other technology purposes. For example, a purchase cost of \$1 700 per computer will release savings of \$7.8 million in schools for other technology purposes.

The Education Department does not expect the price of any computer to be higher than \$1 700. The Department will be going to tender to achieve the lowest price possible for computers, thereby releasing more funds for technological support.

SCHOOLS

Retention Rates

23. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:
- (1) In view of recent published student drop out rates, can the Minister for Education give an indication of the retention figures for Years 10,11, and 12?
 - (2) In respect of those figures, of the students that left, how many went into -
 - (a) TAFE programs;
 - (b) traineeships;
 - (c) apprenticeships;
 - (d) employment; or
 - (e) unemployment?

Hon N.F. MOORE replied:

- (1) Apparent retention rates (from Year 8) as at semester 2, 1997:

Year 10	98.8
Year 11	84.6
Year 12	64.5

(Excludes senior college students, full fee paying overseas students, part-time students and mature age students at senior campuses)
- (2) This is the subject of a School Leavers Project between the Education Department and the WA Department of Training. At the present time the Education Department is awaiting statistical information to support this request.

YOUTH ALLOWANCE CUTS

Impact on Schools

24. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:
- (1) What financial provisions have been made in terms of the Federal policy and changes to the Youth Allowance which will mean more students coming back to school education because of that policy?
 - (2) What support facilities and funding will be provided for schools with additional enrolments as a direct reaction to the cuts of Youth Allowance (eg additional human resources and alternative education programs)?

Hon N.F. MOORE replied:

- (1) The Commonwealth Government has allocated \$24 million across Australia over three financial years to provide a service for students going back to school as a result of Youth Allowance provisions.
- (2) The Education Department has a special program for students who are at educational risk. Support facilities and funding that are in addition to the standard provision for Years 11 and 12 are available through this program. Many of the students who are returning because of the Youth Allowance are expected to be students who are at educational risk and will therefore benefit from the additional support facilities and funding. Naturally, resources will be allocated to schools on the basis of enrolments so that those schools that attract additional enrolments will receive additional resources.

SCHOOL CLOSURES

25. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I note comments from the Education Department that if extra staff and facilities are required at the schools taking enrolments caused by the school closures, these will be provided by normal processes. Could the Minister for Education provide specific information on arrangements, should these closures happen, ie. the specific financial, capital works and human resource arrangements required?

Hon N.F. MOORE replied:

In the event of a school closing, the extra facilities required at the other schools taking enrolments caused by the closure will be funded by re-investment guidelines as stated in the Local Area Education Planning process. These guidelines stipulate that up to two thirds of the net amount made from the sale of a school site can be used to fund improvements to schools in the group. If there is an increase in school enrolments, extra financial and human resources will be allocated to the school and consideration will be given to additional capital works. These extra resources are calculated using a set formula and

based on the number of students at the school. Up to one years savings in operating costs generated by the closure or amalgamation of schools can be used by the local area to fund transition costs such as additional staff, professional development for staff and new school initiatives.

SCHOOL CLOSURES

26. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

In relation to size of schools and safe learning environments, and the fact that many of the Youth Allowance students don't want to be in a school environment

- (1) What measures are going to be taken to ensure that students being moved, due to school closures, will not be moving to schools with enrolment numbers already at capacity or near capacity?
- (2) What assurances can the Minister for Education give for a safe learning environment for both staff and students, given that students will be relocated to schools already at near capacity?

Hon N.F. MOORE replied:

- (1)-(2) All students in schools are provided with a safe learning environment. The Youth Allowance provisions will not change this in any way. Planning is occurring to ensure that the learning environments for those who return to school as a result of Youth Allowance provisions suit the students' needs. Naturally, resources will be allocated to schools so that those schools that attract additional enrolments will receive additional resources.

EDUCATION

Teachers, Redundancy Packages

27. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I refer to the redundancy package, in which 350 staff applied for payouts but only 74 were successful -

- (1) What is being done, in terms of the performance management, for the unsuccessful applicants who are still in the system?
- (2) What support is being given to Principals to ensure the standards of all teaching staff is raised?

Hon N.F. MOORE replied:

- (1) As from 1 July 1998 all staff will be engaged in performance management, including those who unsuccessfully applied for the Career Change Retraining Grant. Staff who applied for the Grant did so for a variety of reasons, including dissatisfaction with teaching and performance related issues. As the application process for the Retraining Grant was confidential, it rests with the unsuccessful applicant to raise career and performance concerns with their supervisor.
- (2) Teaching standards are raised through participation in performance management focussed on school and classroom goals. School leaders have been trained in the application of performance management principles and procedures. In addition, comprehensive training modules have been distributed to all schools to assist the performance manager to develop a common understanding of performance management and implement the process with staff.

SCHOOL PSYCHOLOGISTS

28. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

I refer to the Government's commitment not to diminish the number of school psychologists and student services and ask what is the current ratio for school psychologists to students in the metropolitan area by Education District?

Hon N.F. MOORE replied:

At the end of semester one, 1998 the following figures apply:

Cannington Education District: The ratio of school psychologists to students is 1:1835.

Fremantle Education District: The ratio of school psychologists to students is 1:1954.

Joondalup Education District: The ratio of school psychologists to students is 1:2088.

Peel Education District: The ratio of school psychologists to students is 1:1759.

Perth Education District: The ratio of school psychologists to students is 1:1600.

Swan Education District: The ratio of school psychologists to students is 1:1785.

SCHOOL GRANTS INCREASE

29. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) Can the Minister for Education indicate what the increase for school grants will be?
- (2) Is this year's grant comparable to last year's grant which was indexed by 2.5 per cent?

Hon N.F. MOORE replied:

- (1)-(2) In 1998 the School Grant was indexed by 2.5 per cent and the allocation was increased from \$48.8 million to \$56.1 million. The indexation figure is provided by Treasury.

SCHOOLS

Class Sizes

30. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) What funds have been set aside to reduce class sizes and improve student teacher ratios for years k-3?
- (2) What are the financial and other implications of reducing class sizes?

Hon N.F. MOORE replied:

I am advised that:

- (1) \$11 million will be provided over the next four years to fund a reduction in average class sizes in Years 1-3.
- (2) For 1998-99, funding of \$1.4 million will be provided for this program, the major implication of which will be improved levels of teacher - student interaction in the early years of schooling.

BALLAJURA COMMUNITY COLLEGE

42. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) Will the Minister for Education give a commitment that priorities for the development of Ballajura Community College will be considered independently of the Local Area Education Planning process?
- (2) If not, why not?

Hon N.F. MOORE replied:

- (1) Because the planning for the development of Ballajura Community College was nearing completion at the time of the announcement of the Local Area Education Planning (LAEP) policy, its development has been independent of the LAEP process.
- (2) Not applicable.

BALLAJURA COMMUNITY COLLEGE

43. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

When will the Minister for Education reply to a letter sent to him on May 28, 1998 by the Ballajura Community College Parents and Citizens Association regarding the need for additional buildings at the college?

Hon N.F. MOORE replied:

The letter was responded to on 3 July 1998, following a meeting at the school on 25 May 1998 between the Minister for Education, the Education Department and school representatives.

BALLAJURA COMMUNITY COLLEGE

44. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) Will the Minister for Education commit to providing the following essential infrastructure at the Ballajura Community College by the commencement of the 2000 school year -
 - (a) a performing arts building;
 - (b) a technology (materials) building;

- (c) a technology (information) building; and
 - (d) resources to equip the senior school site including performing arts and information technology equipment?
- (2) If not, why not?

Hon N.F. MOORE replied:

- (1) (a)-(c) No.
 - (d) The Education Department is liaising with the Principal regarding the provision of additional resources for information technology equipment and for performing arts.
- (2) Funding has not been allocated in the capital works program for the provision of performing arts and technology facilities for the commencement of the 2000 school year. The Education Department has planned for the specification and documentation for these facilities to be completed prior to the end of 1999 and for construction to commence early in 2000. The Department will explore opportunities to allow the work to be completed progressively throughout the year 2000.

BALLAJURA COMMUNITY COLLEGE

45. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) Will the Minister for Education arrange for the immediate appointment of an architect to prepare Stage 4 of the Ballajura Community College as requested by parents?
- (2) If not, why not?

Hon N.F. MOORE replied:

- (1) No.
- (2) As a consequence of competing demands at other schools and lower than expected enrolments, it has been necessary to defer the provision of additional facilities at Ballajura Community College. Further additions will now be funded in 1999/2000. A consultant will be appointed to determine the final scope of works and a budget allocation for inclusion in the 1999/2000 budget. Tendering for the architect to undertake the work will start after the announcement of the budget with specifications and documentation being completed before the end of 1999. It is anticipated construction could begin early in 2000.

BALLAJURA COMMUNITY COLLEGE

46. Hon LJILJANNA RAVLICH to the Leader of the House representing the Minister for Education:

- (1) Why did the State Government renege on commitments negotiated with the Ballajura Community and refuse to fund Stage 4 of the Ballajura Community College in the 1998/99 State Budget?
- (2) Will this project be funded in the 1999/2000 State Budget?

Hon N.F. MOORE replied:

- (1)-(2) The agreements established in November 1996 between the Education Department and the Ballajura Community College school building committee were based on an architectural footprint for the College. However, due to competing demands at other schools and lower than expected enrolment figures it has been necessary to defer the provision of additional facilities. Funding is allocated according to the priorities and needs of all schools and program adjustments are necessary at times. The Education Department remains committed to completing the facilities at Ballajura Community College and, following an architectural consultant's report to determine the final scope of works, will fund further additions in 1999/2000.

GEO A. ESSLEMONT & SON'S CONTRACT

96. Hon LJILJANNA RAVLICH to the Minister for the Arts:

In relation to the contract called for tender by the Department of Contract and Management Services, on behalf of the Western Australian Museum and the successful tenderer, Geo A Esslemont & Son for Western Australian Museum - Hackett Hall Building to the value of \$5 925 000 -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If not, why not?

- (4) If yes, will the Minister table details of the cost benefit analysis and information on any identified inherent risks to the Government?

Hon PETER FOSS replied:

This project restores a heritage building and provides an entrance to the Museum which resolves differing levels and provides disabled access. I am surprised at some of the questions you are asking for such a project. The work is for building.

- (1) The contract referred to is Stage 1 of the Western Australian Museum, Perth site development. Strategic Planning Studies developing the case for redevelopment were held in June and August of 1990. Subsequently a feasibility study was conducted of the Perth Site Redevelopment Masterplan by the Building Management Authority (BMA) in 1993 including a volumetric study, costs and staging.

An independent museological consultant review of the BMA Masterplan was conducted in 1994 (the Robert Edward's Report), which ratified the Masterplan and presented an interim operational business plan for redevelopment of the Perth site buildings including new facilities, refurbishment of existing buildings and an overall review of exhibitions and operational issues.

The Museum commissioned architectural consultants to undertake a revised Masterplan Review in 1996 which supports the previous studies in hard terms, including staging. Stage 1 was identified previously as a link/entry building between Hackett Hall/Jubilee Wing and the refurbishment of Hackett Hall. The Museum conducted a detailed review of this project at concept stage, through a Value Management Study which included an analysis of risks and opportunities. It also undertook an analysis on operational costs as required in Treasury's Capital Works Processes.

- (2) No. This was not a requirement of Government Capital Works Processes. Also see my preliminary remarks.
- (3) This project followed the full range of Government processes in place at the time of its concept approval. Projects of a heritage and refurbishment nature are essentially about restoring to effective use the public building stock, hitherto in poor repair or of little active, cultural contribution to the public.

The linking of Hackett Hall and Jubilee Wing by the new entrance building addressed the need for the Museum to make effective use of both buildings. This was achieved by the provision of public facilities (exhibitions and Discovery Centre in Hackett Hall) and the provision of effective public access to all levels of Hackett Hall and Jubilee Wing for the disabled via the new entrance building. The environmental conditioning addressed the issue of care of the collections, not previously addressed in Hackett Hall, and the provision of public (including handicapped) toilets also addressed the issue of access.

The need for a comprehensive cost benefit analysis was not a process required by Treasury Guidelines for a development of this nature. Such analysis is more applicable to deliverable services in new buildings such as hospitals and those delivering commercial returns.

The cultural benefits of this project were addressed in the Strategic Planning Studies undertaken in 1990 and the Robert Edward's Report of 1994.

The member's question seems to suggest or at least imply that some core benefit analysis is required for projects benefiting heritage, culture and the disabled. This government believes these are ends worth pursuing in themselves. I regret that you are not prepared to give them your wholehearted support on this basis.

- (4) Copies of all relevant studies undertaken on this project are available in the Public Records and will be made available if required. Various studies undertaken identified inherent risks in the project. These were normal risks and not of any great impact. The risks were addressed during the design and procurement stages.

SOUTHDOWN CONSTRUCTION CO PTY LTD'S CONTRACT

99. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Police:

In relation to the contract called for tender by the Department of Contract and Management Services, on behalf of the WA Police Service and the successful tenderer, Southdown Construction Co Pty Ltd for Gosnells Police Station replacement to the value of \$1 035 301 -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If not, why not?

- (4) If yes, will the Minister for Police table details of the cost benefit analysis and information on any identified inherent risks to the Government?

Hon PETER FOSS replied:

- (1) Yes. A business case was prepared on the functionality needed to deliver policing services within the Cannington District.
- (2) A cost benefit analysis was not undertaken.
- (3) The building constructed replaced the existing outdated facilities and enhanced the delivery of policing services within the sub-district.
- (4) See (2).

DORIC CONSTRUCTION PTY LTD'S CONTRACT

101. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Police:

In relation to the contract called for tender by the Department of Contract and Management Services, on behalf of the WA Police Service and the successful tenderer, Doric Construction Pty Ltd for Cannington District Police Complex construction to the value of \$4 365 000 -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If not, why not?
- (4) If yes, will the Minister for Police table details of the cost benefit analysis and information on any identified inherent risks to the Government?

Hon PETER FOSS replied:

- (1) Yes. A business case was prepared on the functionality needed to deliver policing services within the Cannington District.
- (2) A cost benefit analysis was not undertaken.
- (3) the building constructed replaced the existing outdated facilities and enhanced the delivery of policing services within the district.
- (4) See (2).

HAWK DEVELOPMENTS' CONTRACT

102. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Police:

In relation to the contract called for tender by the Department of Contract and Management Services, on behalf of the WA Police Service and the successful tenderer, Hawk Developments for Murdoch Police Station Construction to the value of \$1 313 200 -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If not, why not?
- (4) If yes, will the Minister for Police table details of the cost benefit analysis and information on any identified inherent risks to the Government?

Hon PETER FOSS replied:

- (1) Yes. A business case was prepared on the need to provide a marked increase in the police presence operating in the Hilton, Coolbellup and Willagee areas.
- (2) A cost benefit analysis was not undertaken.
- (3) The building constructed replaced the existing outdated facilities and enhanced the delivery of policing services within the sub-district.
- (4) See (2).

COOPER AND OXLEY BUILDERS PTY LTD'S CONTRACT

108. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Police:

In relation to the contract called for tender by the Department of Contract and Management Services, on behalf of the WA Police Service and the successful tenderer, Cooper & Oxley Builders Pty Ltd for Mirrabooka District Police Complex construction to the value of \$3 585 000 -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If not, why not?
- (4) If yes, will the Minister for Police table details of the cost benefit analysis and information on any identified inherent risks to the Government?

Hon PETER FOSS replied:

- (1) Yes. A business case was prepared on the functionality needed to deliver policing services within the Mirrabooka District.
- (2) A cost benefit analysis was not undertaken.
- (3) The building constructed replaced the existing outdated facilities and enhanced the delivery of policing services within the district.
- (4) See (2).

COOPER AND OXLEY BUILDERS PTY LTD'S CONTRACT

113. Hon LJILJANNA RAVLICH to the Minister for Justice:

In relation to the contract called for tender by the Department of Contract and Management Services, on behalf of the Ministry of Justice and the successful tenderer, Cooper & Oxley Builders Pty Ltd for Canning Vale Prison and CW Campbell Remand Centre security upgrade to the value of \$2 741 500 -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If not, why not?
- (4) If yes, will the Minister table details of the cost benefit analysis and information on any identified inherent risks to the Government?

Hon PETER FOSS replied:

- (1)-(2) Yes.
- (3) Not applicable.
- (4) No, because of the sensitive nature and the security aspects associated with the information.

ETHNIC COMMUNITIES

Funding of Programs

118. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) Of the \$532 000 allocated in the 1998/99 Budget for salaries and superannuation payments, how much will be allocated directly to programs that assist ethnic communities?
- (2) Which programs and what dollar value will be allocated these funds?

Hon MAX EVANS replied:

I am advised:

- (1)-(2) All salary payments assist the ethnic communities through the achievement of the Office of Multicultural Interests' mission "to develop policies, undertake programs, and to provide advice in support of cultural diversity through Government and community based agencies".

LIVING IN HARMONY PROGRAM

"Getting the Message Across" Advertising Campaign

119. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) Could the Minister for Citizenship and Multicultural Interests advise if the \$150 000 committed by the Government for a media publicity campaign on "Getting the Message Across" as part of the Government's Living in Harmony program has been expended?
- (2) If yes, how specifically was this money used ?
- (3) If not, why not and when is it likely to be allocated ?
- (4) What outcomes have been achieved by this media publicity campaign?
- (5) Has Government received support from other sectors of the community in response to this campaign?
- (6) If so, which ones?

Hon MAX EVANS replied:

I am advised:

- (1) Yes.
- (2) Mainly for the development and promotion of the Strategy including design, production and distribution of the Living in Harmony brochure, launch of the Community Relations Strategy, production of promotional materials including badges, posters, bumper stickers, etc., the Virtual Postcard competition, and production and distribution of associated items such as the Information Kit on Cultural Diversity in Western Australia.
- (3) Not applicable.
- (4) The Strategy is in its first year and there has been no evaluation as yet; however, by any informal measurement the Strategy has strong community support and its central thrust has been adopted for a *Living in Harmony* campaign by the Commonwealth Government.
- (5)-(6) Yes. Community groups, universities, government organisations, schools, local government, service and professional organisations, and a significant number of leading businesses have become Members of the Charter for Western Australians Living in Harmony.

LIVING IN HARMONY PROGRAM

"Getting the Message Across" Funding

120. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

In relation to the Community Relations Strategy "Getting the Message Across", what funding has been allocated for the cost of further dissemination or updating of material for the purpose of community education in 1996/97 and 1997/98?

Hon MAX EVANS replied:

I am advised:

No specific budget allocation has been made for publicity and dissemination of material as part of 'Getting the Message Across' for 1998/99; however, the Office of Multicultural Interests has made application for funding for a major community education project and a media publicity program from a national funding body. Funds may also be available through the Commonwealth Government's *Living in Harmony* campaign.

SCHOOLS

Cross-cultural Awareness Program

122. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) Has the Cross Cultural Awareness Program already been implemented in Western Australian schools?
- (2) If so, in which ones and how much was expended on this project?

- (3) If not, why not?
- (4) If yes, what were the project outcomes and what analysis has taken place as to the suitability and effectiveness of the program?
- (5) What other new anti-racism policies have been implemented in Western Australian schools and how much has been allocated in the 1998/99 Citizenship and Multicultural Interests budget specifically for this purpose?

Hon MAX EVANS replied:

I am advised that:

- (1) The Office of Multicultural Interests has entered into partnership with the Equal Opportunity Commission for it to develop and deliver a training course on diversity which will enhance and support the Western Australian Government's Multicultural Policy, *WA ONE*. The draft course was piloted on 6 July 1998 and is to be offered as part of the Commission's internal 1999 training calendar.

External training will be offered in the latter half of 1998, subject to completion of resource materials.

- (2)-(3) Not applicable.

- (4) The pilot was well received by agency representatives from both the community and public sectors.
- (5) The Education Department of Western Australia has developed an Anti-Racism Policy and a set of Culturally Sensitive Grievance Procedures. The Policy and Procedures currently are being printed and are due to be launched later this year.

The Policy clearly identifies the responsibilities of management, staff and students in addressing racial discrimination and racist behaviour in schools and in the workplace. (It contains culturally sensitive grievance procedures for dealing with complaints of racial discrimination and harassment in schools.)

The Policy was developed in consultation with representatives from various interest groups including professional associations, ethnic community organisations and Aboriginal communities.

Specific funding for this purpose has not been allocated in the 1998/99 Office of Multicultural Interests' budget.

LIVING IN HARMONY PROGRAM

"Myth Busters" Project

123. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

I refer to the "Myth Busters" project as outlined in the "Living in Harmony Strategy" -

- (1) Could the Minister for Citizenship and Multicultural Interests advise whether the extract that "the focus will be on producing the information in a range of eye-catching user friendly formats in plain English", means that the pamphlets from now on will only be produced in English?
- (2) What funding to date has been allocated to the "Myth Busters" project?
- (3) Has the plan for widespread distribution in the media and mechanisms for regular updating of the material been finalised?
- (4) If no, when will the plan be finalised?
- (5) If yes, will the Minister table a copy of the proposed plan?

Hon MAX EVANS replied:

I am advised:

- (1) The "Myth Buster" project has the wider community as its target group. It has never been intended to translate the material into community languages.
- (2) Because of the extent of research required and the cost of production of the researched material on consumer products, the Office of Multicultural Interests has made application for funding through a major national funding body.
- (3)-(5) Only a general concept of the project has yet been developed. The detailed planning will be done by consultants

with the appropriate expertise. The contracting of consultants will be dependent on the acquisition of funding as in (2) above.

"ACCESS" NEWSLETTER

124. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) How much does it cost to produce and distribute "ACCESS" as a quarterly newsletter?
- (2) When was the first issue of "ACCESS" produced and distributed?
- (3) How many issues of "ACCESS" have been produced and distributed to date?
- (4) Who is eligible to receive copies of this newsletter?
- (5) How is it distributed?
- (6) How are community groups made aware of the newsletter's existence?
- (7) Who has editorial control of the newsletter?

Hon MAX EVANS replied:

I am advised:

- (1) The Office of Multicultural Interests' (OMI) newsletter HARMONY (formerly ACCESS) costs approximately \$12,000 per year in production costs. Distribution is not costed separately from other communication costs but is in the vicinity of \$1,200 per year for packaging and postage.
- (2) January 1992.
- (3) There have been 23 issues of the HARMONY (formerly ACCESS) newsletter.
- (4) ACCESS was distributed to ethnic community groups, government agencies, local governments, libraries, ethnic media outlets and community organisations. HARMONY's distribution has been expanded to include major business organisations and it is now available on the Internet.
- (5) By mail.
- (6) OMI maintains an extensive mailing list and promotes the availability of the newsletter through its website.
- (7) Office of Multicultural Interests.

MULTICULTURAL INTERESTS

State Support Implementation Teams

125. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) Can the Minister for Citizenship and Multicultural Interests advise whether the components of the specific project aimed towards migrant youth, likened to a "life -be-in-it" program has been initiated?
- (2) In reference to the relationship between ethnic youth and police, could the Minister specify which of the proposed initiatives and projects, to be undertaken by the State Support Implementation Teams ("SSIT"), have commenced?
- (3) How much has been allocated in the 1998/99 Citizenship and Multicultural Interests Budget specifically for this project?
- (4) For those initiatives that have not yet commenced, can the Minister advise when they will be initiated and how much has been allocated in the 1998/99 Citizenship and Multicultural Interests Budget?

Hon MAX EVANS replied:

- (1) No. Discussions will commence with the Office of Youth Affairs and other relevant organisations to determine initiatives in this area during the second year of the Strategy.
- (2) The Western Australian Police Service (WAPS) has advised that the State Support Implementation Team, in conjunction with its strategic partners, has commenced a number of initiatives/projects to facilitate the implementation of the ten recommendations from the First National Summit of Ethnic Youth/Police Relations.

WAPS (Ethnic Affairs Unit) has indicated that it would be pleased to provide details of these initiatives and projects.

- (3) Allocation of funding will be dependent on further discussions with Office of Youth Affairs and WAPS.
- (4) It is anticipated that work on most on the remaining initiatives in the Living in Harmony Strategy will commence either in the second year (from October 1998) leaving the last year for evaluation and consolidation, or they may be refined and redirected if this is considered necessary after consultation with the relevant bodies.

One of *Living in Harmony's* core strategies is to act as a catalyst for other organisations to develop initiatives which foster community harmony and therefore budget responsibility would be with those undertaking the initiative.

LIVING IN HARMONY PROGRAM

Cross-cultural Training Programs

126. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:
- (1) Can the Minister for Citizenship and Multicultural Interests advise whether the cross-cultural training programs have commenced as outlined in the "Living in Harmony Strategy"?
 - (2) If so, how much has been allocated in the 1998/99 Citizenship and Multicultural Interests Budget for cross-cultural training programs?
 - (3) Is the cost included within the initial monetary outlay for this strategy or will additional funding be required?
 - (4) Have the expected outcomes been achieved?

Hon MAX EVANS replied:

I am advised:

- (1) The Office of Multicultural Interests has entered into partnership with the Equal Opportunity Commission for it to develop and deliver a training course on diversity which will enhance and support the Western Australian Government's Multicultural Policy, *WA ONE*. The draft course was piloted on 6 July 1998 and is to be offered as part of the Commission's internal 1999 training calendar. External training will be offered in the latter half of 1998, subject to completion of resource materials.
- (2) Not applicable. The course will be delivered by the Equal Opportunity Commission.
- (3) Not applicable.
- (4) The pilot course was well received by representatives from both the community and public sectors.

LIVING IN HARMONY PROGRAM

Valuing Diversity Information Kit

127. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:
- (1) Has the information kit adjunct to *Valuing Diversity* as outlined in the "Living in Harmony Strategy" been produced yet?
 - (2) If not, when will the information kits be produced and distributed?
 - (3) If yes, how many information kits have been produced and at what cost?
 - (4) How many information kits have been distributed to schools, community organisations and the private sector respectively?
 - (5) Does it appear likely that more information kits will be produced?
 - (6) How much has been allocated in the 1998/99 budget for the production of information kits?

Hon MAX EVANS replied:

I am advised:

- (1) Yes, launched on 3 June 1998.

- (2) See above
- (3) 600 copies at a cost of \$23,000.
- (4) The Information Kits were targeted at Government agencies, Members of Parliament, and service providers. 580 have been distributed.
- (5) Yes.
- (6) Production of future information kits will be on a cost recovery basis.

LIVING IN HARMONY PROGRAM

Working Party and Inter-council Community Relations Committees

128. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:
- (1) Can the Minister for Citizenship and Multicultural Interests clarify whether a working party has been established as outlined in the "Living in Harmony Strategy", to encourage and assist councils?
 - (2) If yes, have the community relations committee, and the inter-council community relations committee also been established?
 - (3) How many committees are there and who is on these committees?
 - (4) How often do each of the committees meet?
 - (5) Are sitting fees paid to members of committee meetings?
 - (6) If so, could you supply all records of fees paid to members?

Hon MAX EVANS replied:

I am advised:

- (1) Yes.
- (2) No. The working party consisting of representatives from the Office of Multicultural Interests, the Western Australian Municipal Authority, the Ethnic Communities Council Inc., the Department of Local Government and the City of Melville has only recently been established. The Office of Multicultural Interests is also working with and represented on a number of Local Government Multicultural Committees and forums including the City of Melville Multicultural Advisory Committee and a Local Government Multicultural Network.
- (3) Only one local government working party or committee is co-ordinated by the Office of Multicultural Interests.
- (4) The working party meets bi-monthly.
- (5) No.
- (6) Not applicable.

LIVING IN HARMONY PROGRAM

Multicultural and Citizenship Advisory Council

129. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:
- (1) Can the Minister for Citizenship and Multicultural Interests advise if he has appointed a Multicultural and Citizenship Advisory Council to date as outlined in "Including the Community" "Living in Harmony Strategy"?
 - (2) If not, when will the council be appointed?
 - (3) If yes, what strategies will be employed to increase wide community participation in strengthening community relations?
 - (4) What strategies will be employed to give significance and meaning to citizenship?

Hon MAX EVANS replied:

I am advised:

- (1) No.

- (2) Now that portfolio restructuring to include 'citizenship' has been formalised, the Council will be appointed.
- (3)-(4) The role of the Council will be to advise the Minister on:
strategies which will encourage participation by the wider community in initiatives which strengthen community relations;
ways of giving significance and meaning to the concept of citizenship.

LIVING IN HARMONY PROGRAM

Multicultural and Citizenship Advisory Council

130. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

In relation to the appointment of a Multicultural and Citizenship Advisory Council as outlined in "Including the Community" "Living in Harmony Strategy" can the Minister for Citizenship and Multicultural Interests advise -

- (1) How much has been allocated in the 1998/99 budget for this project ?
- (2) Who has been appointed to the council?
- (3) How often has the council met ?
- (4) Are sitting fees paid to members of council?
- (5) If so, could the Minister supply a schedule of fees and or records of fees paid to members so far?

Hon MAX EVANS replied:

I am advised:

- (1)-(5) Now that portfolio restructuring to include 'citizenship' has been formalised, the Western Australian Multicultural and Citizenship Council will be appointed. An budget allocation of approximately \$10,000 has been made to cover sitting fees for the Council for 1998/99.

LIVING IN HARMONY PROGRAM

Multicultural and Citizenship Advisory Council

131. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

I refer to the establishment of the Multicultural and Citizenship Advisory Council as outlined in the "Living in Harmony Strategy" -

- (1) Has the council liaised with media to encourage a more accurate portrayal of issues associated with multiculturalism and the promotion of this strategy in general?
- (2) If so, what has been the outcome of these discussions?
- (3) If not when are these discussions likely to occur?
- (4) The "Living in Harmony Strategy" states that the council ensures it will appropriately consult with youth - what will this appropriate consultation entail?
- (5) How much has been allocated in the 1998/99 Budget for this project ?
- (6) If consultation will be utilising human resources, has the financial cost to achieve this outcome been included within the original outlay?

Hon MAX EVANS replied:

I am advised:

- (1)-(6) Now that portfolio restructuring to include 'citizenship' has been formalised, the Western Australian Multicultural and Citizenship Council will be appointed.

Consultation will take place with youth by means of the Youth Advisory Council network which has been established around Western Australia.

MULTI-CULTURAL 1998 CALENDAR

132. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) Has the Minister for Citizenship and Multicultural Interests commissioned the production of a multi-cultural 1998 calendar?
- (2) What was the budget allocation for this tender?
- (3) Was the tender open to the public to bid?
- (4) If not, why not?
- (5) Who won the contract?
- (6) Will the Minister provide details of the successful contract including the value of the contract and number of calendars produced and distributed?
- (7) Who is eligible to receive a calendar?
- (8) Were any of the costs recovered from the recipients of the calendars?

Hon MAX EVANS replied:

I am advised:

- (1) No. A Calendar of Days of Cultural Significance for the 1999 Year might be produced closer to the end of this year when all of the dates of moveable feasts have been determined.
- (2) No specific budget allocation has been made for the production of the Calendar. It is anticipated that this will be funded through cost recovery from sales.
- (3) The production of a Multicultural Calendar will not be of sufficient value to warrant a tender process. Quotes will be obtained in accordance with State Supply Commission guidelines.
- (4)-(5) Not applicable.
- (6) Not available until production of Calendar occurs.
- (7) The Calendar has traditionally been distributed to ethnic communities, Government departments, Local Governments, media outlets, community groups and, on request, to the general public.
- (8) A future Calendar might be distributed on a cost recovery basis.

LIVING IN HARMONY PROGRAM

Multicultural and Citizenship Advisory Council

133. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Citizenship and Multicultural Interests:

- (1) In reference to the "Living in Harmony Strategy" - "Including the Community", what corporate support is the Multicultural and Citizenship Advisory Council intending to provide to businesses which identify themselves as multicultural businesses?
- (2) What is the cost of providing this support to businesses?
- (3) How much money has been allocated in the 1998/99 Budget for this project ?
- (4) Have these costs been provided for within the initial outline of expenditure of the overall strategy?

Hon MAX EVANS replied:

I am advised:

- (1) The pamphlet entitled 'Including the Community' which comprises part of the Living in Harmony Strategy outlines the 'advice and assistance' the Western Australian Multicultural and Citizenship Advisory Council will provide to leading Western Australian companies to encourage them to develop strategies which will enhance their recognition as multicultural companies. These include:

displaying a Living in Harmony Charter and logo in a prominent place;

nominating a company officer responsible for liaising with the Council;

taking part in community relations activities during *Celebrate WA* or other appropriate celebrations such as Australia Day.

- (2) The cost is minimal and is mainly confined to the provision of promotional materials produced as part of the *Living in Harmony* campaign.
- (3)-(4) No specific allocation has been made in the 1998/99 budget. Costs will be met out of the budget allocation for promotional materials from Output 2 (Information to the Community).

ANIMAL WELFARE BILL

136. Hon NORM KELLY to the Minister for Transport representing the Minister for Local Government:

- (1) When does the Minister for Local Government expect the *Animal Welfare Bill* to be introduced to Parliament?
- (2) What has been the reasons for the delay in this Bill being introduced?

Hon M.J. CRIDDLE replied:

- (1) A Green Bill has been drafted and final consultations on its contents are occurring now. As soon as these consultations are concluded the Green Bill will be tabled.
- (2) A proposed time line for tabling the Green Bill has been extended because of extensive consultation within Government on the contents of the document.

POLICE SERVICE

Section 8 Dismissals

137. Hon NORM KELLY to the Attorney General representing the Minister for Police:

How many police officers have been dismissed from the Police Service, using the provisions of Section 8 of the *Police Act*, for each of the years since 1987?

Hon PETER FOSS replied:

A total of 27 officers have been dismissed under the provisions of Section 8 of the Police Act since 1987.

CALENDAR YEAR	NO. OF DISMISSALS - SECTION 8
1987	1
1988	3
1989	3
1990	3
1991	4
1992	2
1993	0
1994	1
1995	4
1996	4
1997	2
1998	0
TOTAL	27

ANIMAL EXPERIMENTATION ETHICS COMMITTEES

139. Hon NORM KELLY to the Minister for Transport representing the Minister for Health:

- (1) How many Animal Experimentation Ethics Committees operate in Western Australia?
- (2) Who are the members of each of these committees and what is the basis of each member's representation (according to the categories in the Australian Code of Practice)?

Hon MAX EVANS replied:

- (1) The Health Department is aware of nine Animal Experimentation Ethics Committees operating in Western Australia.
- (2) The Department is not aware of the details of membership of the Committees.

LAW REFORM COMMISSION

Report on the Sale of Goods Act

146. Hon N.D. GRIFFITHS to the Attorney General:

- (1) Has the Law Reform Commission of Western Australia submitted its final report with respect to the *Sale of Goods Act*?
- (2) If so, when?
- (3) If not, when is it anticipated the final report will be submitted?

Hon PETER FOSS replied:

The Law Reform Commission completed the report on Project 89 *The Sale of Goods Act 1895* prior to 30 June 1998. The Report was delivered to my office on 20 August 1998.

LAW REFORM COMMISSION

Cost of Consultants

149. Hon N.D. GRIFFITHS to the Attorney General:

With respect to the terms of reference of the WA Law Reform Commission into the Criminal and Civil Justice System -

- (1) What consultants have been engaged by the WA Law Reform Commission?
- (2) In each case -
 - (a) for what term of reference was the consultant engaged;
 - (b) on what date was the consultant engaged;
 - (c) when is it anticipated the consultant will report to the WA Law Reform Commission; and
 - (d) what is the budgeted cost to the WA Law Reform Commission of the consultancy?
- (3) What timetables have been established for the handing down of interim reports?

Hon PETER FOSS replied:

- | (1) | (2)(a) | (2)(b) | (2)(c) |
|---------------|--------------------|--------------|-----------------------------------------|
| K Martin QC | Review of the | 18 May 1998 | At scheduled meetings of the Commission |
| N Johnson | Criminal and Civil | 18 May 1998 | At scheduled meetings of the Commission |
| M Jordan | Justice System | 16 June 1998 | 3 times prior to 30 November 1998 |
| Prof S Parker | | 16 June 1998 | 3 times prior to 30 November 1998 |
| N Keating | | 16 June 1998 | 3 times prior to 30 November 1998 |
| L Kennedy | | 16 June 1998 | 3 times prior to 30 November 1998 |
| D Lieb | | 11 June 1998 | at least weekly |
| C MacFarlane | | 9 June 1998 | at least weekly |
| A Yardley | | 4 May 1998 | at least weekly |
- (2) (d) The Law Reform Commission's budget for contract/consulting services for the current financial year is \$400,000.
 - (3) No interim reports are scheduled to be handed down by the Commission.

LAW REFORM COMMISSION

Criminal and Civil Justice System Report

151. Hon N.D. GRIFFITHS to the Attorney General:

With respect to the terms of reference to the WA Law Reform Commission into the Criminal and Civil Justice System -

- (1) Is the commission still to report no later than November 30, 1998?
- (2) If not, what extension of time has been given and when was such extension given?

Hon PETER FOSS replied:

- (1) Yes.
- (2) Not applicable.

SPENTA TRADELINKS

Export Licence for Logs

152. Hon CHRISTINE SHARP to the Minister for Finance representing the Minister for the Environment:

Mr Homee Wadia trading as Spenta Tradelinks was issued with an export license on April 1, 1997 to export from Western Australia 24 000 tonnes of logs comprising a mixture of softwood logs from private plantations and reject hardwood logs (marri and karri) from State forests -

- (1) Has delivery of any of these logs commenced?
- (2) What grades and tonnages of each species of logs were specified in the contracts or applications for the export license?
- (3) for what use were the logs being sought?
- (4) What volumes and species of logs have been exported via Spenta Tradelinks to date?
- (5) With whom did Spenta Tradelinks enter contracts for the supply of these logs?

Hon MAX EVANS replied:

- (1)-(5) The Department of Conservation and Land Management has not entered into a contract or issued a licence under the CALM Act for the sale of log timber to Mr Wadia or Spenta Tradelinks. The Department has no record of log sales from private property to Mr Wadia or Spenta Tradelinks. Export Licences are issued by the Commonwealth Department of Primary Industries and Energy and questions regarding export licences should be directed to the relevant Commonwealth Government Minister.

MR S. KEAN

155. Hon Tom Helm to the Minister for Finance representing the Minister for the Environment:

I refer to question without notice 74 of March 17, 1998 -

- (1) Can the Minister for the Environment state why "the inability to locate the correspondence may have caused Mr S Kean some inconvenience"?
- (2) If not, can the Minister explain why?

Hon MAX EVANS replied:

- (1) The inconvenience acknowledged relates to Mr S Kean not having correspondence replied to, being advised that it was not received (in the first instance) and having to write other correspondence to follow this all up.
- (2) Not applicable.

MR S. KEAN

156. Hon TOM HELM to the Minister for Finance representing the Minister for the Environment:

I refer to the Ministerial apology dated Tuesday, March 10, 1998 by the Minister for Finance representing the Minister for the Environment -

- (1) Does the Minister for the Environment recognise and realise the level of undue inconvenience that has been caused to Mr S Kean as a result of the answer to question 1103 which was misleading?
- (2) If not, why not?
- (3) If yes, can the Minister explain why?

Hon MAX EVANS replied:

- (1) The inconvenience to Mr S Kean is acknowledged, and a more secure system has been put in place by the Department of Environmental Protection (DEP) in relation to all correspondence marked "private and confidential".
- (2) Not applicable.
- (3) The inconvenience of not having correspondence replied to, being advised that it was not received and having to write other correspondence to follow it up is recognised.

ANIMAL WELFARE BILL

160. Hon J.A. SCOTT to the Minister for Transport representing the Minister for Local Government:
- (1) Will the Minister for Local Government table and *Animal Welfare Green Bill* during this Spring session?
 - (2) If so, when?
 - (3) Will the Minister table an *Animal Welfare Bill* (not the Green Bill) before the end of 1998?
 - (4) If not, when will the Minister table this Bill?

Hon M.J. CRIDDLE replied:

- (1)-(2) A Green Bill has been drafted and final consultations on its contents are occurring now. As soon as these consultations are concluded the Green Bill will be tabled.
- (3)-(4) A three month consultation period for the Green Bill is proposed. As soon as the public submissions have been analysed and any amendments to the legislation have been made, the Animal Welfare Bill will be tabled. It is most likely that this will occur in 1999.

POLICE SERVICE STOCK SQUAD

Budget Allocation

164. Hon TOM STEPHENS to the Attorney General representing the Minister for Police:
- (1) What was the budget allocated for the Western Australian Police Service Stock Squad in -
 - (a) 1996/97; and
 - (b) 1997/98?
 - (2) What funds have been allocated to this squad in the 1998/99 Budget?

Hon PETER FOSS replied:

- (1)
 - (a) \$54,000.
 - (b) \$45,800.
- (2) \$41,000.

MINES SECURITY TRUST ACCOUNT

165. Hon TOM STEPHENS to the Attorney General representing the Minister for Police:
- What funds were received from member companies contributions to the Mines Security Trust Account in -
- (a) 1996/97; and
 - (b) 1997/98?

Hon PETER FOSS replied:

- (a) \$614,805.60.
- (b) \$415,616.97.

MR GEOFF PADDICK

Government Consultancy Contracts

177. Hon KEN TRAVERS to the Leader of the House representing the Premier:
- In relation to former Liberal Party director Mr Geoff Paddick -
- (1) Has Mr Paddick, or any company he is associated with, undertaken any consultancy work for the Government since June 30, 1996?
 - (2) If yes to (1) above -
 - (a) which consultancy contracts has Mr Paddick received since June 30, 1996;
 - (b) what work did the contracts involve;
 - (c) what remuneration did he receive; and
 - (d) what were the terms of employment?

Hon N.F. MOORE replied:

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

MR GEOFF PADDICK

Membership of Government Boards

178. Hon KEN TRAVERS to the Leader of the House representing the Premier:

With regards to former Liberal Party director Mr Geoff Paddick -

- (1) Is Mr Paddick a member of any Government boards?
- (2) If yes to (1) above -
 - (a) what Government boards is Mr Paddick member of;
 - (b) what positions does he hold;
 - (c) when was he appointed to these boards;
 - (d) when do his appointments cease;
 - (e) what remuneration does he receive for these positions; and
 - (f) what specific skills and background does Mr Paddick possess in relation to each board?

Hon N.F. MOORE replied:

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

MR CHILLA PORTER

Membership of Government Boards

179. Hon KEN TRAVERS to the Leader of the House representing the Premier:

With regards to former Liberal Party director Mr Chilla Porter -

- (1) Is Mr Porter a member of any Government boards?
- (2) If yes to (1) above -
 - (a) what Government boards is Mr Porter member of;
 - (b) what positions does he hold;
 - (c) when was he appointed to these boards;
 - (d) when do his appointments cease;
 - (e) what remuneration does he receive for these positions; and
 - (f) what specific skills and background does Mr Porter possess in relation to each board?

Hon N.F. MOORE replied:

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

MR CHILLA PORTER

Government Consultancy Contracts

180. Hon KEN TRAVERS to the Leader of the House representing the Premier:

In relation to former Liberal Party director Mr Chilla Porter -

- (1) Has Mr Porter, or any company he is associated with, undertaken any consultancy work for the Government since June 30, 1996?
- (2) If yes to (1) above -
 - (a) which consultancy contracts has Mr Porter received since June 30, 1996;
 - (b) what work did the contracts involve;
 - (c) what remuneration did he receive; and
 - (d) what were the terms of employment?

Hon N.F. MOORE replied:

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

MR DAVID HONEY

Government Consultancy Contracts

181. Hon KEN TRAVERS to the Leader of the House representing the Premier:

In relation to former Liberal Party President Mr David Honey -

- (1) Has Mr Honey, or any company he is associated with, undertaken any consultancy work for the Government since June 30, 1996?
- (2) If yes to (1) above -
 - (a) which consultancy contracts has Mr Honey received since June 30, 1996;
 - (b) what work did the contracts involve;
 - (c) what remuneration did he receive; and
 - (d) what were the terms of employment?

Hon N.F. MOORE replied:

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

MR DAVID HONEY

Membership of Government Boards

182. Hon KEN TRAVERS to the Leader of the House representing the Premier:

With regards to former Liberal Party President Mr David Honey -

- (1) Is Mr Honey a member of any Government boards?
- (2) If yes to (1) above -
 - (a) what Government boards is Mr Honey member of;
 - (b) what positions does he hold;
 - (c) when was he appointed to these boards;
 - (d) when do his appointments cease;
 - (e) what remuneration does he receive for these positions; and
 - (f) what specific skills and background does Mr Honey possess in relation to each board?

Hon N.F. MOORE replied:

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

ZOOLOGICAL GARDENS

Membership

204. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for the Environment:

In relation to appointments to the governing board of the Zoological Gardens Board -

- (1) What are the criteria for appointments?
- (2) Who is responsible for appointments?
- (3) What are the full names and ages of the current members?
- (4) When was each member appointed?
- (5) What are the educational or professional qualifications of each member?
- (6) When does the term of each member expire?
- (7) To what fees or other payments are board members entitled for performing their roles on the board?

Hon MAX EVANS replied:

(1) Zoological Gardens Board members are appointed by the Governor in accordance with s6 of the Zoological Gardens Act 1972.

(2) The Minister for the Environment makes recommendations through Executive Council.

(3) Name	Position	Date of Birth
MacKinnon, Mr Charles William	President	04/01/1946
Bradshaw, Prof Sidney Donald	Vice Pres.	22/07/1941
Howell, Prof John McCormack	Member	05/10/1932
Hardwick, His Worship John E	Member	01/08/1939
Day, Ms Carol Margaret	Member	27/07/1939
Nadebaum, Ms Margaret	Member	29/11/1942
Bull, Mr Edward	Member	29/05/1944

(4) Name	Original Board Appt.
MacKinnon, Mr Charles William	01/03/1994
Bradshaw, Prof Sidney Donald	20/02/1995
Howell, Prof John McCormack	13/06/1994
Hardwick, His Worship John E	16/10/1995
Day, Ms Carol Margaret	06/05/1997
Nadebaum, Ms Margaret	06/05/1997
Bull, Mr Edward	06/05/1997

(5) Name	Current Occupation
MacKinnon, Charles	Managing Director
Bradshaw, Donald	Professor
Howell, John	Professor
Hardwick, John	Mayor, City of South Perth
Day, Carol	Consultant
Nadebaum, Margaret	Principal, Methodist Ladies Collage
Bull, Edward	Radio Broadcaster

(6) Name	Current Term Expiry
MacKinnon, Mr Charles	22/01/2000
Bradshaw, Prof Sidney	20/02/2000
Howell, Prof John	20/02/2000
Hardwick, His Worship John	31/08/2000
Day, Ms Carol Margaret	06/05/1999
Nadebaum, Ms Margaret	06/05/1999
Bull, Mr Edward	06/05/1999

(7) President - Fee \$4500 per annum plus \$600 expense of office allowance
All other Members - \$73.00 per half day meeting sitting fee

ZOOLOGICAL GARDENS

Meetings and Code of Conduct

205. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for the Environment:

In relation to appointments to the governing board of the Zoological Gardens Board -

- (1) What is the attendance record at meetings of the board of each member in the last financial year?
- (2) How frequently is the board required to meet?
- (3) How frequently did the board meet in the last financial year?
- (4) What procedures govern the conduct of the business of the board?
- (5) Are these procedures in written form?
- (6) Are minutes taken of each board meeting?
- (7) To whom are those minutes distributed?
- (8) Has the board a "code of conduct" or "code of ethics" to govern the conduct of either members of the board or staff of the organisation?
- (9) Has the board a register or record of the directorships or other positions held by members which the board uses to determine likely conflicts of interest between members and the organisation?

- (10) Has any member of the board declared any conflict of interest or pecuniary interest during the last financial year?
- (11) What procedures apply if a member of the board declared such an interest or if the board determines a member has such an interest?
- (12) What induction or other procedures exist to acquaint incoming board members with their statutory obligations and other duties as board members?
- (13) Are these induction or other procedures contained in any document or manual?
- (14) If yes, will the Minister for the Environment table the relevant document?

Hon MAX EVANS replied:

- | | | |
|-----|--------------------|-----------------------------|
| (1) | Name | Number of Meetings Attended |
| | MacKinnon, Charles | 10 |
| | Bradshaw, Donald | 7 |
| | Howell, John | 8 |
| | Hardwick, John | 10 |
| | Day, Carol | 10 |
| | Nadebaum, Margaret | 7 |
| | Bull, Edward | 9 |
- (2) The Board holds such meetings as are necessary for the performance of its functions.
 - (3) On ten occasions.
 - (4) Requirements of the Zoological Gardens Act and normal meeting procedures. An Agenda and Reports are circulated prior to the meeting and Minutes produced of issues and actions.
 - (5) Requirements of the Zoo Act are specified. Normal guide to meeting procedures are followed.
 - (6) Yes.
 - (7) Minutes distributed to Board Members and the Zoo's Corporate Executive.
 - (8) All Board members have been provided with the PSMO document, (February 1997) "Getting on Board" - a guide to recruitment and induction of members of WA Government Boards and Committees. Staff are provided with the Perth Zoo's Code of Conduct 1997.
 - (9) Personal and business details are provided on application for enrolment to the State Register of Interested Persons. It is the Member's responsibility to declare conflict of interest.
 - (10) No.
 - (11) Member withdraws from Board discussion, consideration and resolution of the item.
 - (12)-(13) See answer to Question 8. In addition an induction interview is held between the Zoo's Chief Executive Officer and any new member. Plans, procedures and reports are circulated to members and a familiarisation tour of zoo grounds is provided.
 - (14) Not applicable.

ZOOLOGICAL GARDENS

Stakeholders

207. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for the Environment:

In relation to appointments to the governing board of the Zoological Gardens Board -

- (1) Has the organisation determined who its stakeholders are?
- (2) If yes, who are they?

Hon MAX EVANS replied:

- (1) Yes
- (2) Stakeholders identified by the Zoological Garden's Board are:
the community of Western Australia,
Government of Western Australia,
State Parliament,

National Tourists,
International Tourists,
Suppliers and the Business Community,
Education and Research agencies, and
World Zoo Associations

DISABILITY SERVICES COMMISSION

Membership

208. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Disability Services:

In relation to appointments to the governing board of the Disabilities Services Commission -

- (1) What are the criteria for appointments?
- (2) Who is responsible for appointments?
- (3) What are the full names and ages of the current members?
- (4) When was each member appointed?
- (5) What are the educational or professional qualifications of each member?
- (6) When does the term of each member expire?
- (7) To what fees or other payments are board members entitled for performing their roles on the board?

Hon MAX EVANS replied:

- (1) Appointments to the Board of the Disability Services Commission (DSC) are made according to the provisions of Section 7 of the Disability Services Act 1993 (attached). [See paper No 144.]
- (2) The Minister for Disability Services.
- (3)

Cross, Tracey Nicole	25 years
Eggleton, Ian	53 years
Harper, Marjorie Bernice	50 years
Kailis, Patricia Verne	65 years
Karasinski, Deborah Anne	46 years
Karlson, Kevin Gustav	61 years
Kerr, Christine	33 years
MacKinnon, Barry John	53 years
Walker, Leonie	54 years
- (4)

Ms Cross	appointed for current term 29.07.96
Professor Eggleton	appointed for current term 12.01.98
Ms Harper	appointed for current term 29.07.96
Dr Kailis	appointed for current term 16.03.98
Ms Karasinski	appointed for current term 23.12.96
Mr Karlson	appointed for current term 27.02.97
Ms Kerr	appointed for current term 27.02.97
Mr MacKinnon	appointed for current term 23.12.97
Ms Walker	appointed for current term 12.01.98
- (5)

Ms Cross	Bachelor of Laws (Murdoch)
Professor Eggleton	Bachelor of Commerce & Administration, University of Wellington Master of Business Administration, Doctor of Philosophy University of Chicago, Graduate School of Business
Ms Harper	Bachelor of Applied Science Physiotherapy (WAIT) Post Graduate Diploma in Health Administration (Curtin)
Dr Kailis	Bachelor of Medicine, Bachelor of Surgery, University of Melbourne
Ms Karasinski	Bachelor of Applied Science OT (Curtin) Master of Science, Health Education, Florida State University
Mr Karlson	Fellow of the Institute of Chartered Accountants Fellow of the Australian Society of Accountants
Ms Kerr	Bachelor of Applied Science (Recreation) West Australian College of Advanced Education
Mr MacKinnon	Bachelor of Economics (UWA)
Ms Walker	Junior Certificate (9 subjects) Methodist Ladies College
- (6)

Ms Cross	term expires 29.07.99
Professor Eggleton	term expires 12.01.99
Ms Harper	term expires 29.07.99
Dr Kailis	term expires 16.03.2000

Ms Karasinski	term expires 23.12.98
Mr Karlson	term expires 27.02.99
Ms Kerr	term expires 27.02.99
Mr MacKinnon	term expires 23.12.99
Ms Walker	term expires 12.01.99

- (7) (a) Board members who are eligible for payment receive \$4,800 per year.
- (b) Under the Disability Services Act 1993, the Chairperson of the Advisory Council for Disability Services must also serve as a Board Member of the DSC. In recognition of this dual role, remuneration is set at \$11,431.54 per year.
- (c) Remuneration for the Chairperson of the DSC is set at \$32,000 per year

DISABILITY SERVICES COMMISSION

Meetings and Code of Conduct

209. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Disability Services:

In relation to appointments to the governing board of the Disabilities Services Commission -

- (1) What is the attendance record at meetings of the board of each member in the last financial year?
- (2) How frequently is the board required to meet?
- (3) How frequently did the board meet in the last financial year?
- (4) What procedures govern the conduct of the business of the board?
- (5) Are these procedures in written form?
- (6) Are minutes taken of each board meeting?
- (7) To whom are those minutes distributed?
- (8) Has the board a "code of conduct" or "code of ethics" to govern the conduct of either members of the board or staff of the organisation?
- (9) Has the board a register or record of the directorships or other positions held by members which the board uses to determine likely conflicts of interest between members and the organisation?
- (10) Has any member of the board declared any conflict of interest or pecuniary interest during the last financial year?
- (11) What procedures apply if a member of the board declared such an interest or if the board determines a member has such an interest?
- (12) What induction or other procedures exist to acquaint incoming board members with their statutory obligations and other duties as board members?
- (13) Are these induction or other procedures contained in any document or manual?
- (14) If yes, will the Minister for Disability Services table the relevant document?

Hon MAX EVANS replied:

- (1) Of the 13 Disability Services Commission (DSC) Board meetings held during the 1997/98 financial year:

Ms Cross attended 10 meetings;
Professor Eggleton attended 10 meetings;
Ms Harper attended 11 meetings;
Ms Karasinski attended 13 meetings
Mr Karlson attended 13 meetings
Ms Kerr attended 9 meetings;
Mr MacKinnon attended 12 meetings;
Ms Walker attended 12 meetings.

Dr Patricia Kailis, the current Chairperson of the Advisory Council for Disability Services (ACDS) was appointed on 16 March, 1998 to the DSC Board. Dr Kailis attended all three DSC Board meetings for which she was eligible to attend.

Dr Louisa Alessandri, the immediate past Chairperson of the ACDS attended one DSC Board meeting during 1997/98, prior to a serious illness and her subsequent death. As Deputy Chairperson of the ACDS, Ms Maureen

Jewell represented that body during the period between Dr Alessandri's long illness and the appointment of Dr Patricia Kailis as Chair of the ACDS.

- (2) Subject to Schedule 3 of the Disability Services Act 1993 (DSA 1993), the Board of the DSC determines the procedure for convening its meetings. The DSC Board has determined that it will meet at least once each calendar month (except for the month of January) and will hold whatever additional meetings are needed throughout the year to consider urgent business.
- (3) During the 1997/98 financial year, the DSC Board met on 13 occasions.
- (4) The principles which govern the conduct of the business of the Board are detailed in four documents:
 - (a) *Roles and Responsibilities of Members of Governing Bodies of State Government Agencies*, issued by the Office of the Auditor General;
 - (b) *The Code of Ethics* issued by the Public Sector Standards Commission;
 - (c) *Getting on Board - A Guide to Recruitment and Induction of Members of Western Australian Government Boards and Committees*, issued by the Public Sector Management Office; and
 - (d) *DSC Code of Conduct* issued by the DSC.
- (5)(6) Yes.
- (7) Minutes are distributed to DSC Board members, the Chief Executive Officer of the DSC and the Minister for Disability Services. An abridged version of the minutes is provided to the ACDS and the DSC's Corporate Executive.
- (8) Refer to (4). The conduct of staff of the DSC is governed by the agency's Code of Conduct.
- (9) No.
- (10) Yes.
- (11) DSC Board members who declare an interest in any matter brought before the Board for consideration absent themselves from the Board meeting and take no part in discussion or decision making about the matter in question.
- (12) Board members are provided with copies of the documents referred to in (4) and (8).
- (13) Yes.
- (14) These documents are publicly available.

DISABILITY SERVICES COMMISSION

Insurance Policies for Members

210. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Disability Services:

In relation to appointments to the governing board of the Disabilities Services Commission -

- (1) Are members of the board the subject of any policies of insurance arranged by the board including indemnity insurance?
- (2) If yes -
 - (a) what is the nature of the policy and the liabilities covered by the policy;
 - (b) who is the insurer;
 - (c) what is the maximum liability of the insurer under the policy;
 - (d) what is the annual premium for the policy;
 - (e) who is responsible for disclosing any material matters to the insurer which might affect the obligations of the insurer to meet its liability under the policy; and
 - (f) has the board or any of its members made any such disclosures during the currency of any insurance policy?
- (3) Has the Government or the board provided any of its members with any indemnity other than through a policy of insurance?

- (4) If yes, when was the indemnity provided and why?
- (5) Who are the board's solicitors?
- (6) How does the board choose its solicitors?
- (7) What payment for legal advice and representation were made by the board in the last financial year?
- (8) Is the board or organisation required to publish an annual report?
- (9) When was its last report due?
- (10) When was its last report published?
- (11) When will its next report be published?

Hon MAX EVANS replied:

- (1) Yes.
- (2)
 - (i)
 - (a) Directors & Officers Liability.
 - (b) GIO Insurance Ltd.
 - (c) \$2,000,000.
 - (d) \$5,500.
 - (e) CEO.
 - (f) No.
 - (ii)
 - (a) Personal Accident.
 - (b) Riskcover.
 - (c) Capital sum of \$104,810.
 - (d) \$2,580.
 - (e) CEO.
 - (f) No.
 - (iii)
 - (a) Travel.
 - (b) Riskcover.
 - (c) Capital sum of \$158,000, Medical expenses of \$200,000, Personal liability of \$1,000,000
 - (d) \$3,800 covers all DSC officers including Board members.
 - (e) CEO.
 - (f) No.

*Section 51 of the Disability Services Act 1993 provides protection to members of the Board against civil proceedings for anything done or omitted to be done in good faith in the exercise of the functions of the Act.

- (3) No.
- (4) Not applicable.
- (5) Crown Solicitor.
- (6) Not Applicable.
- (7) Nil.
- (8) Yes.
- (9) 31 August 1997.
- (10) 21 October 1997.
- (11) 21 October 1998.

DISABILITY SERVICES COMMISSION

Stakeholders

211. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Disability Services:
In relation to appointments to the governing board of the Disabilities Services Commission -

- (1) Has the organisation determined who its stakeholders are?
- (2) If yes, who are they?

Hon MAX EVANS replied:

- (1) Yes.

- (2) People with disabilities, their families and carers, peak disability advocacy agencies, non government disability service providers and staff of the Disability Services Commission.

INSURANCE COMMISSION OF WA

Advertising Contract

221. Hon LJILJANNA RAVLICH to the Leader of the House representing the Premier:

In relation to the recent \$2m advertising contract for the Insurance Commission of Western Australia ("ICWA") -

- (1) Which companies tendered for the contract?
- (2) Which company was the successful tenderer?
- (3) Was the contract advertised?
- (4) If yes, where and when was it advertised?
- (5) If not, why not?

Hon N.F. MOORE replied:

Reply from the Minister for Finance :

The Insurance Commission of Western Australia has not engaged in any advertising campaign for \$2 million, or for a figure even close to this amount, at any time.

MINISTER FOR FINANCE

Trip to Hong Kong, Singapore and Malaysia

222. Hon LJILJANNA RAVLICH to the Minister for Finance:

With regard to the Minister's latest overseas trip -

- (1) Will the Minister table his itinerary for his trip to Hong Kong, Singapore and Malaysia?
- (2) If not, why not?

Hon MAX EVANS replied:

- (1) The itinerary for my trip to Hong Kong, Singapore and Malaysia is now tabled. [See paper No 145.]

The reason for the visit was primarily because of the specific request to me as the relevant Minister, from the WA TAB Board, to assist in meeting representatives of racing and totalisator boards in Hong Kong, Singapore and Malaysia. The executives of most of these organisations are well known to me from previous visits. The TAB are negotiating to beam racing pictures into Western Australia from this region, which is within the same time zone. The turnover of the TAB is influenced by quality racing. During the summer months, with three hours time difference, there is limited coverage from the Eastern States.

- (2) Not applicable.

BROOME REGIONAL PRISON

227. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask what educational facilities are available for prisoners at Broome Regional Prison?

Hon PETER FOSS replied:

One full time Education Officer with a sessional budget to contract in educational teachers and clerical support. External funds are accessed through the Department of Employment, Education, Training and Youth Affairs (DEETYA) because of the high Aboriginal population, this supplements the program delivery. One education office and an open plan classroom. Pentium computers, video camera and recorder, TV and educational books and resources. Covered verandah area adjacent to Education Centre provides an outside venue for art and musical courses. Under Section 94 regulations eligible offenders are able to access external education and vocational training facilities eg: TAFE. In July 1998 a demountable classroom has been purchased and is currently in transit to the prison from Perth for installation.

BROOME REGIONAL PRISON

229. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What was the cost of transporting prisoners by road to and from Broome Regional Prison for the years -
 - (a) 1996;
 - (b) 1997; and
 - (c) to date for 1998?
- (2) Has a cost benefit analysis been carried out to compare the cost of driving prisoners to the use of charter flights for the same purpose?

Hon PETER FOSS replied:

- (1)-(2) The cost of transporting prisoners was not addressed in the report "Assessment of Existing Prison Infrastructure and the Projection of Future Needs". These services are being addressed as part of a joint WA Police Service and Ministry of Justice project currently examining the potential for private sector provision of services for prisoner movement, police lockup management, court custody and court security. The cost of transporting prisoners by road to and from Broome Regional Prison forms part of the service cost analysis for this project. The information sought is commercially sensitive, and its release at this time contravenes the probity safeguards applicable to the evaluation and subsequent negotiation phases of this undertaking.

CANNING VALE REMAND CENTRE

234. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Canning Vale Remand Centre?
- (2) What was the average daily muster at Canning Vale Remand Centre in 1997?
- (3) How many cells are being "doubled up" to meet the demand of the daily muster?
- (4) What is the standard bed capacity at Canning Vale Remand Centre?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 - 157.
- (2) As of 30 June 1997 - 165.
- (3) 25.
- (4) 149.

EASTERN GOLDFIELDS REGIONAL PRISON

235. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Eastern Goldfields Regional Prison?
- (2) What was the average daily muster at Eastern Goldfields Regional Prison in 1997?
- (3) What is the standard bed capacity at Eastern Goldfields Regional Prison?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 - 96.
- (2) As of 30 June 1997 - 104.
- (3) 95.

GREENOUGH REGIONAL PRISON

236. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Greenough Regional Prison?
- (2) What was the average daily muster at Greenough Regional Prison in 1997?
- (3) What is the prison's current maximum design capacity?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 - 163.
- (2) As of 30 June 1997 - 141.
- (3) 175.

KARNET PRISON FARM

237. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Karnet Prison Farm?
- (2) What was the average daily muster at Karnet Prison Farm in 1997?
- (3) What is the prison's current maximum design capacity?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 - 133.
- (2) As of 30 June 1997 - 131.
- (3) 110.

LONGMORE JUVENILE DETENTION COMPLEX

240. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask , what decisions have been made for the land and buildings at the decommissioned Longmore Juvenile Detention Complex in Bentley?

Hon PETER FOSS replied:

The Ministry for Justice is planning to sell this facility, however, no final decision has been made.

PARDELUP PRISON FARM

241. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Pardelup Prison Farm?
- (2) What was the average daily muster at Pardelup Prison Farm in 1997?
- (3) What is the prison's current maximum design capacity?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 - 61.
- (2) As of 30 June 1997 - 60.
- (3) 66.

ROEBOURNE REGIONAL PRISON

244. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Roebourne Regional Prison?
- (2) What was the average daily muster at Roebourne Regional Prison in 1997?
- (3) What is the prison's current maximum design capacity?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 – 119.
- (2) As of 30 June 1997 – 105.
- (3) 112.

ROEBOURNE REGIONAL PRISON

247. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What was the cost of transporting prisoners by road to and from Roebourne Regional Prison for the years -
 - (a) 1996;
 - (b) 1997; and
 - (c) to date for 1998?
- (2) Has a cost benefit analysis been carried out to compare the cost of driving prisoners to the use of charter flights for the same purpose?

Hon PETER FOSS replied:

- (1)-(2) The cost of transporting prisoners was not addressed in the report "Assessment of Existing Prison Infrastructure and the Projection of Future Needs". These services are being addressed as part of a joint WA Police Service and Ministry of Justice project currently examining the potential for private sector provision of services for prisoner movement, police lockup management, court custody and court security. The cost of transporting prisoners by road to and from Roebourne Regional Prison forms part of the service cost analysis for this project. The information sought is commercially sensitive, and its release at this time contravenes the probity safeguards applicable to the evaluation and subsequent negotiation phases of this undertaking.

WOOROLOO PRISON FARM

251. Hon LJILJANNA RAVLICH to the Minister for Justice:

I refer to the report "Assessment of Existing Prison Infrastructure and the Project of Future Needs" provided to your department in November 1996 and ask -

- (1) What is the current average daily muster at Wooroloo Prison Farm?
- (2) What was the average daily muster at Wooroloo Prison Farm in 1997?
- (3) What is the prison's current maximum design capacity?

Hon PETER FOSS replied:

- (1) As of 30 June 1998 – 167.
- (2) As of 30 June 1997 – 167.
- (3) 192.

PRISON MUSTERS

253. Hon LJILJANNA RAVLICH to the Minister for Justice:

- (1) What proposals, if any, are there to increase the musters in each prison in Western Australia?

- (2) Are female prisoners to be moved from their present accommodation, increasing musters in other prisons?
- (3) If yes, which prisons will be affected and by what number of prisoners?

Hon PETER FOSS replied:

- (1) Negotiations are occurring between WAPOU and Offender Management to increase musters in the following prisons as a short term initiative:
- Albany 12 additional beds
Bunbury 24 additional beds
Greenough 8 additional beds
- (2) Yes.
- (3) Ten (10) female prisoners are to be moved to Greenough Regional Prison from Bandyup Prison on Tuesday 18 August 1998 increasing the overall muster for Greenough to 180 for that day.

GOVERNMENT VEHICLES

Health Department

256. Hon JOHN HALDEN to the Minister for Finance representing the Minister for Health:

What was the cost of the provision of vehicle leasing and how many vehicles were leased by the Health Department of Western Australia for the financial years -

- (a) 1993/94;
(b) 1994/95; and
(c) 1995/96?

Hon MAX EVANS replied:

	VEHICLES	COST
(a)	285	\$ 940,597
(b)	573	\$2,239,486
(c)	1038	\$3,584,314

KALYEEDA PASTORAL LEASE

Koorabye Community's Excision Application

257. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Lands:

- (1) When will the Minister for Lands excise land from the Kalyeeda pastoral lease for the Koorabye Community to guarantee land tenure for the community so that they can gain secure land title that will enable them to invest community and ATSIC funds in much needed community infrastructure?
- (2) Is there any justification for further delay of this excision application?

Hon MAX EVANS replied:

- (1) The agreed location for the proposed lease and easement was resolved between parties earlier this year and compliance with the future act processes of the Native Title Act were concluded on 20 May 1998.
- (2) The grant of the lease and easement is pending ATSIC arrangements for agreed funding for survey definition, fencing and grading of an access track.

CONTAMINATED SITES, LEGISLATION

262. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

- (1) When does the Government intend to introduce legislation to regulate the clean-up of contaminated sites?
- (2) Will the legislation include standards for site remediation?
- (3) If not, why not?
- (4) Why has this legislation taken so long to finalise?

Hon MAX EVANS replied:

- (1) The Government is aiming to introduce such legislation in this year's spring session of Parliament. However given the extensive consultation required on the whole of this legislation, it may be 1999.
- (2) The proposed legislation will prescribe investigation criteria for a range of contaminants and different land uses. Contamination detected above those criteria will trigger a requirement for detailed site investigation and site specific risk assessment. The risk assessment will determine the need for remediation on a site specific basis. This is consistent with the Australia New Zealand Environment Conservation Council (ANZECC) approach to contaminated sites assessment and management.
- (3) Not applicable.
- (4) The proposed contaminated sites legislation is part of a major amendment Bill for the *Environmental Protection Act 1996* presently being drafted. The contents of the Bill and the contaminated sites provisions are wide ranging and complex in nature and have required considerable public consultation in developing them.

PINUS RADIATA AND PINUS PINASTER PLANTATIONS

265. Hon CHRISTINE SHARP to the Minister for Finance representing the Minister for the Environment:

- (1) How many hectares of -
 - (a) Pinus radiata; and
 - (b) Pinus pinaster,
 located in the South West of Western Australia are -
 - (i) publicly owned on freehold title managed by the Department of Conservation and Land Management ("CALM");
 - (ii) privately owned and managed by CALM;
 - (iii) privately owned and managed by others;
 - (iv) on State Forest title and managed by CALM; and
 - (v) any other tenure?
- (2) Of all those plantations publicly owned and managed by CALM how many hectares are there in each 10 year age class from 1 year to 50 years of -
 - (a) Pinus radiata; and
 - (b) Pinus pinaster?
- (3) Will the Minister for the Environment table maps showing the -
 - (a) extent;
 - (b) location; and
 - (c) age class,
 of all pine plantations the South West of Western Australia?

Hon MAX EVANS replied:

- (1) (a)-(b)
Area by ownership and species:

	(a) Pinus radiata	(b) Pinus pinaster
(i) CALM freehold	13 389	29
(ii) CALM Sharefarms	7 261	961
(iii) privately owned	18 761	1935
(iv) CALM State forest	22 817	25 523
(v) other tenure	778	0

Total	63 006	28 448
-------	--------	--------

*CALM does not have statistics on private plantations. This data in this answer is determined by the difference between the CALM Annual Report data and from the National Plantation Inventory (1997). It provides an area as at 1995, whereas

the other includes 1996 plantings. Data for 1997 plantings will be available shortly when CALM's Annual Report for 1997/98 is finalised.

- (2) (a)-(b)
Area by age class and species (CALM managed plantations only)

Age class	(a) Pinus radiata	(b) Pinus pinaster
40+	29	3 368
31-40	2 875	4 629
21-30	11 374	9 834
11-20	16 029	6 428
<10	13 938	2 254
Total	44 245	26 513

- (3) The maps are in preparation and I will table them when available.

ATTORNEY GENERAL

Trip to North America and the United Kingdom

266. Hon LJILJANNA RAVLICH to the Attorney General:

Will the Attorney General table an electronic disk version of his Report of his visit to North America and the United Kingdom of which the hard copy was tabled last week?

Hon PETER FOSS replied:

No.

FORESTS AND FORESTRY

Number Employed

279. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

- (1) Further to question on notice 946 of 1996, the Minister for the Environment provided information regarding direct employment in -

- (a) plantation and farm forestry management - estimated 450;
 - (b) plantation and farm forestry logging (falling and hauling) - 100; and
 - (c) processing plantation and farm forestry logs - milling 335; processing included elsewhere,
- will the Minister now provide up to date figures for each of the above categories?

- (2) For each category, how many workers are employed in the -

- (a) Perth metropolitan area; and
- (b) South West?

Hon MAX EVANS replied:

- (1) (a) Plantation and farm forestry management - 430 to 450 full time equivalents.
- (b) Plantation and farm forestry logging (falling and hauling) - 100 to 120.
- (c) processing plantation and farm forestry logs -

milling 336
processing - incomplete data.

- (2) Data is not available for a detailed breakdown by locality across all the plantation and farm forestry sectors. However, as most of the plantations and the initial processing facilities are located outside the Perth metropolitan area the majority of the direct employment in (1) will occur outside the metropolitan area.

LEGAL AID WESTERN AUSTRALIA

Contract Manager

287. Hon N.D. GRIFFITHS to the Attorney General:

I refer to the restructuring of Legal Aid Western Australia and ask -

- (1) Has the position of Contract Manager been filled?
- (2) If not, when will it be filled and by whom?
- (3) What is the role of the Contract Manager?
- (4) What changes are to take place with respect to -
 - (a) duty lawyer services;
 - (b) legal advice services; and
 - (c) minor assistance services?

Hon PETER FOSS replied:

- (1) No position presently exists.
- (2) No timetable has been established.
- (3) Consideration is being given to establishing a position that will have responsibility for contracting legal assistance services other than grants of aid, however the duties and responsibilities of the position have not been finalised.
- (4) (a)-(c) Duty lawyer, legal advice and minor assistance services to clients are not expected to change, however the way in which they are managed and delivered may alter dependent on the outcome of (3) above.

WASTE PAPER RECYCLING

290. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

- (1) Is the waste paper recycling industry experiencing difficulty in Western Australia at present?
- (2) If yes, what is the cause of this problem?
- (3) What proportion of the waste paper collected by municipal recycling schemes is being dumped to landfill at present?
- (4) How does this dumping affect our commitments to the National Recycling Strategy?
- (5) How does Western Australia's performance in waste paper recycling compare with that of other Australian states?
- (6) Has the Government investigated possible alternative uses of waste paper besides exporting it?
- (7) If yes, what are the alternatives?
- (8) If not, why not?
- (9) What steps is the Government taking to ensure that the waste paper is not dumped at landfill sites indefinitely?
- (10) When does the Government plan to build the de-inking plant it promised whilst in Opposition?

Hon MAX EVANS replied:

- (1) Yes.
- (2) The problems are predominantly caused by the down turn in Asia and mostly affect the market for mixed waste paper (a mixture of newsprint and cardboard).
- (3) Not known but would not be a large proportion of the paper collected by local government for recycling. Viable markets still exist for newsprint and cardboard. Most of the paper that was dumped in landfill was from industry stockpiles of unmarketable mixed waste paper.
- (4) Western Australia Government is still committed to the nationally agreed ANZECC recycling targets. With respect to newsprint Western Australia has already achieved the recycling target of 60% by the year 2000.
- (5) For newsprint the Western Australia recycling rate in calendar year 1997 was 64.3% (second highest in Australia) compared to the national average of 59.4%. In 1996 it was 66.5% (highest in Australia) compared to the national average of 56.4%. The decline is due to the amount of newsprint in mixed waste paper that previously was marketable.
- (6) Yes. Other than for newsprint, Australian and local markets are the largest markets for waste paper. Local markets for waste newsprint are cellulose insulation, turf growing and spray seed mediums. The Department of Environmental Protection is investigating compost markets for mixed waste paper.

- (7) See above.
- (8) Not applicable.
- (9) In cooperation with the Publishers National Environment Bureau and West Australian Newspapers the Government is running a series of public education advertisements to encourage householders to separate their newspapers and cardboard for recycling.
- (10) The Government has no plans to build a deinking plant. However, the Government is prepared to facilitate the establishment of a private, commercially viable deinking plant. Such a plant may be eligible for assistance under the Investment Incentive Programs administered by the Department of Commerce and Trade or the Recycling Industry Program of the State Waste Management and Recycling Fund administered by the Department of Environmental Protection.

TYRE RECYCLING

295. Hon J.A. SCOTT to the Minister for Finance representing the Minister for the Environment:

- (1) Are used tyres currently recycled in Western Australia?
- (2) If yes, what is the proportion?
- (3) If not, why not?
- (4) Does the Government intend to implement a strategy for tyre recycling?
- (5) How many tyre dumps are operating in the metropolitan area and where are they located?
- (6) How many tyres were dumped in Western Australia over each of the last five years?
- (7) How does Western Australia's performance in tyre recycling compare with that of New South Wales and Victoria?

Hon MAX EVANS replied:

- (1) Yes. Used tyres are retreaded and small numbers go to beneficial uses mainly in drainage works. About 600 tonnes of tyre rubber reclaimed through the operations of retreading companies is recycled into various products.
- (2) The proportion of tyres recycled is estimated at about 20% consisting mainly of retreading.
- (3) The major impediments to the large scale commercial recycling of used tyres are a lack of economies of scale and poor markets.
- (4) The Government released a strategy in June 1995 and work is continuing on its implementation. Currently a small working group of Government officers from the Department of Commerce and Trade and the Department of Environmental Protection are investigating the possibility of recovering energy from scrap tyres in the manufacture of cement.
- (5) Tyres may be landfilled at any approved site or gazetted landfill. Generally few tyres are landfilled at municipal putrescible landfills due to landfill management considerations. Nearly all of Perth's tyres are landfilled at two private, inert landfills (Class 1) located at Flynn Drive Wanneroo and Thomas Road Kwinana.
- (6) It is estimated that about 660,000 passenger vehicle tyre equivalents (about 5,000 tonnes) are landfilled in Perth annually.
- (7) The recycling rate for used tyres in Western Australia is lower than Victoria and New South Wales. In Victoria energy is reclaimed from used tyres in the manufacture of cement. About 1.6 million tyres are used annually by Blue Circle Cement near Geelong. In NSW the recycling of used tyre rubber is relatively well advanced due to a commercially successful private operator.

QUESTIONS WITHOUT NOTICE

WORKSAFE WA

Workplace Health and Safety Matters - No Response Policy

112. **Hon TOM STEPHENS to the Attorney General representing the Minister for Labour Relations:**

- (1) On what date did WorkSafe WA first implement Mr Bartholomaeus' policy of not responding to union approaches on workplace health and safety matters?

- (2) On what date did WorkSafe cease to implement Mr Bartholomaeus' policy?
- (3) Was the decision to implement this policy taken or ratified at any meeting of the commission?
- (4) If yes, at what meeting?
- (5) Did the commission request or ask Mr Bartholomaeus to obtain legal advice on the appropriateness or lawfulness of the policy?
- (6) If yes, when?

Hon PETER FOSS replied:

- (1) WorkSafe Western Australia never implemented such a policy. Union approaches on workplace health and safety matters were always responded to. The only material change that occurred to WorkSafe Western Australia's operational approach after 26 June 1997 was that when a complaint from a union official or union representative was received by the inspectors they would, as far as practicable, make contact with the relevant workplace safety and health representatives before proceeding with investigation of the complaint.
- (2)-(6) Not applicable.

GOODS AND SERVICES TAX

LPG Powered Taxis

113. Hon TOM STEPHENS to the Minister for Transport:

- (1) What steps will the minister take to offset the impact of the proposed Howard GST tax package whereby the meters on LPG powered taxis will be required to charge higher fares than the meters on petrol and diesel powered taxis?
- (2) Does the minister accept that this is bad news for taxi owners who have incurred the cost of an LPG conversion?
- (3) Does the minister accept that as LPG is considered to be more environmentally friendly than petrol or diesel, this proposed differential between the two costs is effectively bad news for the environment?
- (4) When will the Minister for Transport accept his responsibility as Transport minister and criticise the damaging impact of these cost increases on the taxi industry?

Hon M.J. CRIDDLE replied:

- (1)-(4) I think there is a great deal of hidden information in that question that I need to research. All the initiatives on the impact on the environment and so on to be put in place will be thoroughly investigated. I am in the process of doing that and we will certainly hear about that in the near future.

The huge impact of gas on the taxi industry is something that we need to take into account also, including the impact of the gas on the reliability of taxis and other related issues. All those factors need to be taken into account when we consider these things. We have a long way to go before we come to a resolution on GST. It is something we will consider after the election and make those decisions at the time.

WORKSAFE WA

Workplace Health and Safety Matters - Legal Advice

114. Hon N.D. GRIFFITHS to the Attorney General:

- (1) Did the crown counsel provide legal advice to both the WorkSafe Commissioner or WorkSafe WA and to the Premier as Minister for Public Sector Management in relation to the lawfulness of the commissioner's decision to refuse to deal with trade unions?
- (2) When was advice provided to each client?
- (3) Did crown counsel at any stage give consideration as to whether the interests of the commissioner and the minister conflicted?
- (4) Does crown counsel continue to act for both clients in relation to this matter?
- (5) If not, when did crown counsel cease to act for either client and for which client does crown counsel now act?

Hon PETER FOSS replied:

- (1) No.

(2)-(5) Not applicable.

BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND BOARD

Appointment of Members

115. Hon HELEN HODGSON to the Leader of the House representing the Minister for Employment and Training:

In relation to the appointment of members to the Building and Construction Industry Training Fund Board I ask -

- (1) Have the appointments to the board been -
 - (a) announced; or
 - (b) decided?
- (2) If they have been decided, on what date was that decision made and who was the Minister for Employment and Training at that time?
- (3) Will the current Minister for Employment and Training act in accordance with the undertakings made in relation to the appointment processes by the former minister in respect of these appointments?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) The consultative processes in accordance with the undertakings had been completed by the former minister. The minister now responsible is considering the appointment of persons to the board.

FREMANTLE-ROCKINGHAM INDUSTRIAL AREA REGIONAL STRATEGY

Consultants' Report

116. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Has the 1998 draft Fremantle Rockingham Industrial Area Regional Strategy report been completed by the consultants?
- (2) If not, why is the report so far behind schedule and when is the estimated completion time?
- (3) If yes, has the report been forwarded to the FRIARS steering committee?
- (4) Has the steering committee approved the release of the FRIARS draft strategy?
- (5) When will the report be released for public comment?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Further work was required for economic, social, environmental and planning evaluation.
- (3) Not applicable.
- (4) No.
- (5) Before the end of 1998.

WORKSAFE WA

Workplace Health and Safety Matters - Findings of Public Sector Standards Commissioner

117. Hon KIM CHANCE to the Leader of the House representing the Premier:

In view of the findings of the Commissioner for Public Sector Standards on page 7 of his report that WorkSafe WA Commissioner, Neil Bartholomaeus' policy of refusing to deal with union representatives -

- (i) was unnecessary;
- (ii) effectively excluded information from WorkSafe relevant to WorkSafe's functions;
- (iii) comprised the performance of WorkSafe's public duties;
- (iv) did not comply with the Western Australian public sector code of ethics;
- (v) did not comply with WorkSafe's own code of conduct; and
- (vi) did not comply with section 9(a) of the Public Sector Management Act

what action will the Premier as Minister for Public Sector Management take to ensure WA employees' health and safety is not further compromised by Mr Bartholomaeus?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

The findings referred to in the question reached no conclusion and made no finding against Mr Neil Bartholomaeus. Rather the findings related to WorkSafe WA and the policy that WorkSafe WA found to have committed itself to. If it is intended to imply in the question that Western Australian employees' health and safety had been compromised by the policy, it should be noted that there was no such finding made by the Commissioner for Public Sector Standards and in fact there is no evidence referred to in the report to that effect.

Hon Ljiljanna Ravlich: This is in the report.

Hon N.F. MOORE: The fact is that the member, as the Attorney General said, has made a statement three times and now it is true.

Hon Ljiljanna Ravlich: The Leader of the House cannot rewrite history, so he is going to have to cop it.

The PRESIDENT: Order! This is questions without notice and at the moment the Leader of the House is answering a question from Hon Kim Chance.

Hon N.F. MOORE: The Premier has today written to Mr Bartholomaeus asking for an assurance that the policy did not in any way compromise workplace safety during the period that it was in force, and to confirm that the policy is now no longer in place. His response is attached. I seek leave to table the attached letter.

Leave granted. [See paper No 143.]

DENMARK

New High School and Agricultural Facilities

118. Hon MURIEL PATTERSON to the Leader of the House representing the Minister for Education:

- (1) When is the new high school in Denmark due for completion?
- (2) When will the new agricultural college facilities be completed?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1)-(2) The new Denmark High School is expected to be completed by the start of the 2000 school year. It will relieve pressure on the existing district high school, which has been experiencing enrolment growth for a number of years. The Denmark Agricultural College is currently on two sites - South Coast Highway and Jack Moore Avenue. The high school will be built on the South Coast Highway site, and the college facilities there will be relocated to Jack Moore Avenue. Some \$9m has been allocated for the construction of the high school and the first stage of the college relocation. The relocation of the college is expected to be completed by the end of 2001. The final result will be two superb educational facilities on sites appropriately distanced from each other within a specified educational precinct.

WORKSAFE WA COMMISSIONER

Legal Advice on Findings into His Conduct

119. Hon LJILJANNA RAVLICH to the Attorney General representing the Minister for Labour Relations:

I refer to the report that WorkSafe WA Commissioner Neil Bartholomaeus has legal advice in relation to the findings of the Public Sector Standards Commissioner into his conduct, and ask -

- (1) Did Mr Bartholomaeus pay for this legal advice or was it paid for using taxpayers' money?
- (2) If taxpayers' money was used, firstly, what was the reason for doing so; and, secondly, does the minister agree that this is a proper use of taxpayers' money?
- (3) Will such a facility be available to any public servant criticised in a formal inquiry into the performance of his or her duties?

President's Ruling

The PRESIDENT: Order! I intend to call on the Attorney General to respond; however, I remind the House that members are not able to seek an opinion, as the third part of the question seeks to do. The balance of the question is in order, but the final part is out of order.

Hon PETER FOSS replied:

Mr President, another problem with the question is that it assumes certain facts which are not correct. We have spent quite some time pointing out to this member that the basis of her questions is incorrect. I will pick that up in my answer.

Hon Ljiljanna Ravlich: Just tell us who paid for his legal fees.

Hon PETER FOSS: The answer is on the basis of what really happened, as opposed to what Hon Ljiljanna Ravlich has now said five times is true.

Hon Ljiljanna Ravlich: You're a lawyer.

Hon PETER FOSS: We will soon have Hon Ljiljanna Ravlich saying, "The snark was a boojum, you see."

- (1)-(2) The findings of the Public Sector Standards Commissioner were directed to the Department of WorkSafe Western Australia. The WorkSafe Commissioner obtained legal advice on behalf of the department. The cost of the legal advice was paid for by the department.

OAKAJEE

Dust Problems

120. Hon NORM KELLY to the minister representing the Minister for the Environment:

On 30 June 1998, north-easterly winds blew sand and soil, estimated at hundreds of tonnes, from the Oakajee site in Geraldton, into the ocean. Dust monitors had not detected this, as they are located only to the north, east and south of the site. The Department of Environmental Protection stated that the contractors were in breach of their works approval conditions.

- (1) How many other breaches have occurred?
- (2) Does the minister accept that the dust monitors of the Department of Environmental Protection are not ideally located?
- (3) How does the department propose to monitor dust blowing out to sea, so that such an environmental disaster cannot happen again?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The southern monitor indicated that dust standards were exceeded for a short period on Sunday, 6 September 1998. This matter is being investigated by the Department of Environmental Protection, the results of which will determine whether this event constituted a breach of the works approval conditions.
- (2) I am advised that the dust monitors are correctly located to measure dust lift-off from the site as it may affect nearby residents. Other requirements of the works approval address potential environmental impacts from dust lift-off in other directions.
- (3) This event is not an environmental disaster; however, the department believes it is unacceptable. In response to the event of 30 June 1998, the whole site was treated with a stabilising agent. The department is requiring the proponent to re-apply the stabiliser where appropriate and to monitor the effectiveness of this action. The department will determine what is an appropriate monitoring system for the western boundary of the site.

MAIN ROADS WESTERN AUSTRALIA

Payments to International Investigations Agency

121. Hon TOM HELM to the Minister for Transport:

- (1) To date how much has been paid to International Investigations Agency for work it performed for Main Roads Western Australia?
- (2) In addition to the above, are any accounts outstanding; if so, for what amounts?
- (3) Has International Investigations Agency now completed the work it was contracted to perform?
- (4) When was the contract between International Investigations Agency and Main Roads formally signed?

Hon M.J. CRIDDLE replied:

I am waiting for a full assessment of these costings and the relevant information. I will make sure the member gets them, if not tomorrow, as soon as possible.

PORT BEACH

Erosion

122. Hon GIZ WATSON to the Minister for Transport:

I refer to the beach erosion at Port Beach, Fremantle.

- (1) Is the minister aware of the Fremantle Port Authority receiving any opinions into the coastal erosion of Port Beach other than that provided by Halpern Glick Maunsell?
- (2) If so, what is the source of this opinion and what is its reference number?
- (3) Is the minister aware of the existence of a review by Halpern Glick Maunsell on the Port and Leighton Beach Coastal Study provided by the University of Western Australia Centre for Water Research?
- (4) If so, will the minister table this review?
- (5) If not, why not?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2) The references are as follows: Port and Harbour Consultants, report submitted 29 May 1997; Dr Charitha Pattiaratchie, Centre for Water Research University of Western Australia, report submitted May 1997; and Dr John Hsu, report submitted October 1997.
- (3) No. However, Halpern Glick Maunsell has provided a report which contains photographs of the sea wall referred to in its earlier report and dated 2 June 1997.

Sea walls are often exposed - for example, the sea wall at Rous Head - and it is unusual to have a sea wall which is buried. The sea wall was built where the coastline was in the 1950s and was later buried when the coastline expanded into the sea. The condition of the sea wall shown in the photograph must be viewed in the context of how it was originally built and does not show any evidence of a breach, but does show sand covering parts of the original sea wall.

WATER CORPORATION

"Greedy" Water Users

Hon KEN TRAVERS to the minister representing the Minister for Water Resources:

- (1) Does the minister agree with the assessment of Perth users by the Water Corporation Chairman as being greedy?
- (2) What sanctions, if any, are proposed to be placed on people who water during the day during summer?
- (3) What steps will the minister take to ensure that government departments and local government also do not water during the middle of the day and waste water in watering verges and streets?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The Chairman of the Water Corporation was commenting on the fact that some people use more water than necessary, while explaining that in the summer months up to 70 per cent of scheme water is used on gardens and lawns.
- (2) As a last resort, it is proposed to issue infringement notices to people who water outside the prescribed times.
- (3) The Minister for Water Resources is writing to all colleagues and councils advising them of the current situation in Perth and asking their cooperation in not watering during the day.

I do not know why local government authorities are still watering while it is pouring with rain at night.

HEALTH DEPARTMENT

*Local Area Network Switches Contract***123. Hon E.R.J. DERMER to the minister representing the Minister for Health:**

- (1) Will the minister confirm that, as reported in *The Australian* of 1 September, the Health Department has recently issued a \$500 000 tender for local area network switches which specified Cisco Systems Australia as the required brand for the tender?
- (2) If so, why is this tender restricted to a single vendor?
- (3) Was this restriction consistent with departmental policy for tenders?
- (4) Does the minister accept the reported explanation of the department's infrastructure services manager, Frank Gaglio, that "we needed to get these networks upgraded as quickly as we could, and that was the main reason we took the decision to restrict the market to Cisco"?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Yes. The value of this tender is estimated to be in excess of \$500 000. It has not yet been awarded.
- (2) The tender was restricted to a single vendor on advice from independent consultants. The major considerations were the degree of standardisation on Cisco equipment in metropolitan hospitals, and the requirement for a short implementation schedule.
- (3) Yes. The Health Supply Council, as is required, approved the restricted tender arrangements.
- (4) Yes.

HOMESWEST

*Racial Discrimination Complaints***124. Hon HELEN HODGSON to the Attorney General:**

I refer to the handling of complaints against Homeswest evictions by the Equal Opportunity Commission and the Equal Opportunity Commissioner.

- (1) How many complaints have been made alleging racial discrimination by, firstly, the Equal Opportunity Commission and, secondly, the commissioner?
- (2) Is a consultant conducting an inquiry into why Aboriginal complainants against Homeswest are not proceeding with their complaints?
- (3) If so, who is conducting this inquiry?
- (4) (a) What are the terms of reference of the inquiry, and by whom were they determined?
(b) Will the Attorney General table the terms of reference?
- (5) Do the terms of reference encompass only lapsed claims or do they also include claims that are discontinued for other reasons in early stages of the complaint process?
- (6) Will there be a call for open submissions to be made to the consultant conducting the inquiry?

Hon PETER FOSS replied:

- (1) The Commissioner for Equal Opportunity has no record of complaints alleging racial discrimination by the Equal Opportunity Commission or the commissioner.
- (2) No. The commissioner is conducting a review to ascertain why Aboriginal people do not proceed with their complaints irrespective of the respondent. Consultants are assisting in the gathering of data.
- (3) Helen Cattalini, Darryl Kickett, Quentin Beresford, Diane Potter and Irwin Lewis are the consultants assisting the commissioner.
- (4)
 - (a) The purpose of the project is to ascertain the reasons that influenced Aboriginal complainants during the complaint handling process, in particular their decision not to proceed with their complaints irrespective of whether they had obtained the material outcomes sought. The commissioner determined the terms of reference.
 - (b) No. The terms of reference are set out in (4)(a).
- (5) The terms of reference are set out in (4)(a).
- (6) Yes. The September issue of the newsletter "Opportunity Matters" called for submissions from interested persons and organisations.

ARTESIAN BORES

*Carnarvon Artesian Basin***125. Hon RAY HALLIGAN to the minister representing the Minister for Water Resources:**

I ask this question on behalf of Hon Greg Smith, who due to urgent parliamentary business is not in the House at the moment.

- (1) What, if any, restrictions exist on the sinking of artesian bores in the Carnarvon artesian basin for use on horticultural or pastoral properties?
- (2) Are any restrictions planned?
- (3) Are any controls likely to be placed on free flowing bores?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The Rights in Water and Irrigation Act 1914 requires that licences be obtained to sink or alter any artesian bores in the Carnarvon artesian basin. The Water and Rivers Commission attaches conditions to these licences. One of the conditions requires that bores be constructed and used in a manner that will protect the water resource, including providing a means to control the flow.
- (2) No.
- (3) Yes.

SPEED LIMITS

*Trial Increase***126. Hon BOB THOMAS to the Minister for Transport:**

Last week, the minister said on radio that he is not pushing for the trial of increased speed limits. However, 12 months ago he moved a motion in this House calling for precisely such a trial.

- (1) Does the minister stand by the position that he outlined to the House in 1997?
- (2) Has the minister had any discussions with staff members of his departments, requesting that they take action on the position he outlined in 1997 on the speed limit trials?

Hon M.J. CRIDDLE replied:

- (1)-(2) In the past few days, many discussions have been held about speed limits. My stance is well known, or was well known when I debated the matter in the House. As Minister for Transport, and as Chairman of the Road Safety Ministerial Council, it is my duty to ensure that the debate is carried out in a meaningful way, and I have expressed that view in public in recent times.

Hon Tom Stephens: Did you not do that when you were just an ordinary member?

Hon M.J. CRIDDLE: I will listen to all of the arguments that are being put forward.

Hon Bob Thomas: Do you stand by the remarks that you made last year?

Hon M.J. CRIDDLE: I am handling the issue as the Minister for Transport and Chairman of the Road Safety Ministerial Council. I spoke to the Road Safety Council as late as yesterday, and we had a very good discussion. The Road Safety Council has in recent times rejected the idea of raising the speed limits, as the member would know. However, I made the point that it is very good to have a public debate about the issue, because it brings forward all the issues of road safety. The Road Safety Council intends to hold three meetings throughout the State - in the north, in the central area, and in the south, in the member's area - and those meetings will go ahead soon. I hope the member will be involved in the debate, and that we will have a good result at the end of the day.

WORKSAFE OFFICER PETER GREEN

Williamstown

127. Hon GIZ WATSON to the minister representing the Minister for the Environment:

- (1) Has WorkSafe inspection officer Peter Green from the construction and engineering branch of WorkSafe Australia just visited Williamstown?
- (2) If yes, did Mr Green take from the area, supposedly cleared of asbestos, samples of material believed to be asbestos?
- (3) If yes, was all the material tested to establish if it was asbestos?
- (4) If not, why not?
- (5) If yes, was chrysotile or crocidolite identified as being present in the samples?

Hon MAX EVANS replied:

I thank the member for some notice of this question. I have the answer to two other questions but not to that question.

REGIONAL FOREST AGREEMENT

"Assessment of Protective Mechanisms for Natural Estate Cultural Heritage Values"

128. Hon NORM KELLY to the minister representing the Minister for the Environment:

Recommendation 16 of the draft report for the Regional Forest Agreement entitled "Assessment of Protective Mechanisms for Natural Estate Cultural Heritage Values" states that the Department of Conservation and Land Management should consider the immediate appointment of policy officers responsible for indigenous and non-indigenous cultural heritage.

- (1) Does the minister accept that if such a recommendation had already been adopted, the significant Aboriginal site in Dombakup 24 might not have been disturbed by pre-logging roadworks?
- (2) Will the minister take action to ensure that this recommendation is adopted as soon as possible?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) The recommendation will be considered in the development of the Regional Forest Agreement.

NORTHERN SUBURBS RAILWAY

Extension to Clarkson

129. Hon KEN TRAVERS to the Minister for Transport:

- (1) When is it expected that planning for the northern suburbs railway extension to Clarkson will be completed?
- (2) When does the minister expect construction of this extension will be completed?

Hon M.J. CRIDDLE replied:

Off the top of my head, I am not in a position to say. I know that some planning is in train. As to when that will be concluded, I will let the member know.

AGRICULTURE WA

*Land Care Research***130. Hon B.K. DONALDSON to the minister representing the Minister for Primary Industry:**

What funding has Agriculture Western Australia allocated to land care research, in particular research focused on the pastoral areas of the State?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

For 1997-98, relevant expenditure from the consolidated fund is estimated as follows -

	Pastoral	Agricultural
Related research and technology development	413 000	2 825 000
Monitoring and natural resource assessment	1 133 000	1 535 000
Total	1 546 000	4 360 000

In addition to the use of consolidated funds, the agency also directs the expenditure of considerable funding provided by the various research and development corporations; for example, Grains Research and Development Corporation, Land and Water Resources Research and Development Corporation, Rural Industries Research and Development Corporation, and the Commonwealth Natural Heritage Trust.

IMMOBILISERS

*Compulsory Fitting***131. Hon TOM STEPHENS to the Minister for Transport:**

With regard to the Government's plans for compulsory immobilisers for cars worth more than \$2 000 -

- (1) Will the Government guarantee that such a plan will not result in the cost of immobilisers increasing, and the increase being passed on to the consumer?
- (2) If not, why not?
- (3) If yes, how will it ensure that this occurs?

Hon M.J. CRIDDLE replied:

- (1)-(3) The figure of \$2 000 is not accurate. Only vintage-type cars will be exempt, so the \$2 000 figure is not envisaged to be introduced. I have no control over the price of immobilisers or anti-theft devices, but I hope that people will be reasonable when they make their decisions about pricing.

SHARPE FOREST

*Temporary Control Area Offences***132. Hon CHRISTINE SHARP to the minister representing the Minister for the Environment:**

- (1) Will the prosecution against the approximately 50 people charged with temporary control area offences in Sharpe Forest in 1995 be pursued by the Department of Conservation and Land Management following Donna Selby winning her Supreme Court case?
- (2) Will the minister supply the following information -
 - (a) How much it has cost CALM to administer, deliver and prosecute in the Albany courthouse the people charged with TCA offences in Sharpe Forest;
 - (b) how much it has cost CALM to continue with the prosecution of Donna Selby through two Supreme Court cases;
 - (c) what crime was allegedly committed; and
 - (d) how many hours of public servants' time has been taken up dealing with these offences?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The decision of the Supreme Court is still being studied by the Crown Solicitor's Office. A decision on other cases pending will be made in due course depending on the advice received.
- (2)
 - (a) This cost is still being determined.
 - (b) This cost is still being determined.
 - (c) Ms Selby was charged with contravening regulation 86 of the Forest Management Regulations, which prohibits entry to a temporary control area without the authorisation of the executive director or a forest officer.
 - (d) The time spent by public servants in dealing with these offences has not been separately recorded, so this information is not available.

HOSPITALS AND HEALTH SERVICES

Funding Offers

133. Hon KIM CHANCE to the minister representing the Minister for Health:

The former Minister for Health promised to provide the Parliament with details of financial allocations to each hospital and health service by 30 June this year. I ask -

- (1) Will the minister now table the funding offer made by the Health Department to each hospital and health service?
- (2) Will the minister name those hospitals and health services where agreement has not yet been reached?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Provisional agreements containing volumes of services to be purchased and prices to be paid for those services have been forwarded to all the health services. Health services are now looking at these and constructing their budgets, taking into account this and other potential sources of revenue. At the end of this process, it is expected that agreement will be reached. Following the completion of this process, the information requested will be tabled.
- (2) No, I do not believe that is appropriate, as any issues are to be resolved as part of the above process.

TOM PRICE YOUTH CENTRE

134. Hon TOM HELM to the minister representing the Minister for Family and Children's Services:

I refer to the possible closure of the Tom Price youth centre owing to the lack of funding from the federal, state and local governments and its recognition by Centrelink as a de facto branch and ask -

- (1) Can the minister confirm that the police have given credit to the centre for a dramatic drop in juvenile crime in the town in the past five years?
- (2) Can the minister also confirm that there are no other agencies in town to whom youth can be referred for counselling or employment and training advice?
- (3) What will the minister do to ensure this valuable service is not lost to the local community?
- (4) Will the minister approach Centrelink on behalf of the youth centre for assistance and funding, which it has refused to date?

Hon M.J. CRIDDLE replied:

I thank the member for some notice of this question.

- (1) The Tom Price youth centre plays an important part in crime prevention, as indicated by the local police.
 - (2) No.
 - (3) Funding to the service is assured for the next three years.
 - (4) An approach has already been made to Centrelink indicating a need for a visiting service or agency in Tom Price.
-