

Legislative Council

Thursday, the 22nd September, 1977

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 2.30 p.m., and read prayers.

QUESTIONS WITHOUT NOTICE

Questions without notice were taken at this stage.

ADJOURNMENT OF THE HOUSE: SPECIAL

THE HON. G. C. MacKINNON (South-West—Leader of the House) [2.38 p.m.]: I move—

That the House at its rising adjourn until Tuesday, the 4th October.

Question put and passed.

THE HON. R. H. C. STUBBS

Impaired Hearing: Statement

THE HON. G. C. MacKINNON (South-West—Leader of the House) [2.39 p.m.]: Mr President, I seek leave of the House to make a personal statement.

The PRESIDENT: The Leader of the House seeks leave to make a statement. As there is no dissentient voice, leave is granted.

The Hon. G. C. MacKINNON: I thought it might be of interest to members to learn that a very good friend of all of us has been granted a great deal of pleasure. I refer to the Hon. Claude Stubbs. We are all aware that he has suffered with impaired hearing for a number of years as a result of his work in the mines and in other such fields. This has made it extremely difficult for him to join in ordinary social activities and, indeed, to follow a great deal of conversations.

Recently he noticed in a newspaper an article about an overseas development, which he was able to follow up. Also recently he had occasion to tell me quite joyfully that he could now follow not only personal conversations but also a great deal of the proceedings of the House. I think it would be difficult for us who have full hearing to appreciate what a tremendous amount of joy this must give to the honourable member. I think all of us, with our very friendly and affectionate regard for the honourable member, would like to join in his joy at now being able to hear his friends talk and to hear the normal conversation that goes on around him. We are all happy

with his improved hearing, and I am quite sure that he would be glad to know we join with him in his pleasure.

THE HON. R. H. C. STUBBS (South-East) [2.41 p.m.]: Mr President, I should like to reply by thanking the Leader of the House very much for the sentiments he expressed. I do get great joy now, and with this instrument I have I can hear everyone quite well.

The Hon. G. C. MacKinnon: I thought I ought to tell the honourable member that it was really a secret warning!

The Hon. R. H. C. STUBBS: As a matter of fact, it has been embarrassing, because in the past to find out what members said about me I had to look at *Hansard* a week later. Now I certainly can hear and I appreciate very much what the Leader of the House has said and I shall follow the debates with much more interest. I thank honourable members.

EDUCATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st September.

THE HON. R. F. CLAUGHTON (North Metropolitan) [2.42 p.m.]: It was with some surprise that I found this Bill was No. 1 in the Orders of the Day. It has left me with not quite the amount of time I should have hoped for to prepare my material for the debate in this Chamber. However, it has been made quite clear that the Labor Party opposes the pre-primary scheme brought into being by this Government. We could see little sense in it at the beginning and I am sure that many of the people closely involved in this area of education would continue with that judgment.

The Government has been forced into adopting many procedures, and it would have denied that it was its intention to adopt those procedures at the time it initiated the scheme. For example, it claimed it was going to adhere to APA standards and, of course, it is well known that that has not happened. It is interesting to note the remarks of the present Director-General of Education in discussions with the Western Australian State School Teachers' Union as reported in *The Western Teacher* of Thursday, the 9th December, on pages 19 and 20. He said—

Although at the outset it had been considered desirable for APA standards to be met, experience now shows, together with advice from other sources, that this is not a sound proposition . . .

That is a very subjective opinion on his part, but it quite clearly indicates that the Government and the department quite wilfully have flushed those standards down the drain. In order to bring the scheme into effect as quickly and as widely as they could they have used all sorts of buildings to house these children with very little regard, I believe, for the effect it may have on the children.

While the Labor Party continues to oppose the scheme, it is not so unrealistic to believe that it could immediately be reversed without bringing about some of the damaging effects that accompanied its introduction. In our policy we recognise that because of the degree to which the scheme has advanced a continuing dual scheme would have to operate.

The Government has claimed that it supports a dual scheme; that is, a system of community-based kindergartens and pre-schools alongside those operated by the Education Department. I think that sort of assertion by the Government must be viewed with as much doubt as one has viewed all the other claims it has made in the past.

The Hon. A. A. Lewis: The secret is that the scheme has been so successful because you have—

The Hon. R. F. CLAUGHTON: I know that the Hon. A. A. Lewis would be most anxious to find justification for what has happened. There can be very little satisfaction for him, however, to see some of the conditions under which these centres and pre-primary schools operate. The Government and the department, I believe, have undertaken no studies as to the value being gained by forcing children into these sorts of conditions.

The object of the standards adopted by the Australian Pre-School Association was to ensure that the children who attended the centres gained benefit from the experience they had in them, and a great deal of emphasis was placed on the physical environment that they encountered in them as well as on the style of programme which was adopted. If we consider the arrangements for remote centres which the Government has entered into, where children are put into one-teacher schools and two-teacher schools, with the best will in the world the teachers in those centres cannot possibly give sufficient time to providing programmes such as those which were provided in the pre-school system formerly adopted by the Kindergarten Union and later by the Pre-School Board.

The main job of those teachers is the primary standard education of the bulk of the children in those schools, and although they do a magnificent job in teaching all primary school grades

a great deal of their time is involved in planning the daily programme and in supervising the children. Only those who have worked in a pre-school centre would understand the demands of time and attention which these very young children make on the people in charge. It is not the sort of thing that fits easily into a standard primary classroom style of activity.

We could instance some of the schools where these APA standards do not exist. I have already spoken about the Doubleview Primary School in my electorate where the parents—despite a denial by letter to me from the Minister—are forced to accept these sorts of conditions. Those parents have even been told that they have no right to object, or to demand that something be provided for their children. By no stretch of the imagination can the sort of experiences available in a centre planned under the advice of the Pre-School Board be seen to operate in that particular centre. I inform members in this House that the teacher at the centre does an extremely good job within the limitations under which she has to work. Normally, the children at that school would be very well provided for, but within the limits in which the teacher has to work it is not possible for her to provide a programme of the scope which is available in a centre built to APA standards.

In the report I quoted earlier from *The Western Teacher* there is mention of the Carine Primary School where the pre-primary classes are temporarily accommodated in the schoolrooms. The report also mentions the disturbances to other classes while the pre-primary children are present, and it points out that the situation at that school is another example of where the Government has reneged on its previous assurances that this sort of thing would not occur.

The Teachers' Union is justifiably concerned at what has taken place, and is concerned with the lack of faith shown by the Government in bringing about this scheme. I do not intend to dwell at great length on this particular issue. A great deal has been said about it, and no matter what objections are raised this Government has shown that it intends to implement its policy regardless of the effect on the children involved or on the people who have to work in these centres.

An excellent scheme was operating in this State—one which was a model and which could have been used in other areas of education as well as in other areas of Government activities. The scheme allowed the people directly concerned to have a say in the management of those matters which affected their children. There is a far

higher level of interest by parents at the pre-school level than there is at any other level of the education system. Under the pre-primary scheme this close and intimate involvement by parents in the education of their children will be lost.

A less direct line of communication has been created between the teacher and the people in charge. Under the Pre-School Board system it was quite a simple matter for a teacher to get in touch with her seniors, to whom she was responsible. She was able to obtain advice and assistance, and have matters attended to very quickly. As a result of the changes which have taken place the teachers now become part of a rather large bureaucracy in the Education Department, and the lines of communication have been attenuated by that system. A teacher is not able to get in touch with her seniors in the same sort of way when things go wrong, or if maintenance is required on equipment or buildings. The teacher must now approach a series of people, and fill in the necessary forms in order to have a job done, whereas under the previous system she was able to get action quickly. That sort of administrative procedure makes the task of the teacher that much more difficult, and lessens her ability to provide the maximum time to the welfare of the children.

In respect of five-year-olds, the Government has run into a problem of which it was not even aware. The original programme of the Government was to attract children one year below primary school age. Of course, children two years younger and sometimes three years younger than the primary school age have been attending Pre-School Board centres. The Education Department did not realise that those young children were involved at all until it commenced to take over the centres. One of the reasons for the legislation now before us is that the Government found it was faced with this problem, and it is now trying to find a way to get out of the situation in which it has landed itself.

The Government is to set up an early childhood section, and that is a name which exists elsewhere in Government departments. There is a possibility of confusion there. It is not yet clear what the responsibilities of the new section will be; that has not been worked out. A committee was set up recently to try to find a solution to the problems and a way to handle them. That is a bare expression of the rather *ad hoc* way—the unthinking and unknowing way—this Government has blundered into the area of pre-school education. The Government has not really known what it was all about.

It has been very difficult for anyone directly involved in pre-school education to understand precisely why the Government entered into this field in the first place, and upset such an admirable scheme which was operating successfully and expanding at a fast rate. The system certainly did not have the problems which have now been created.

I will conclude on that note. I have enough material to enable me to carry on for some time, but all that can be said has already been said elsewhere. I simply wish to express my objection to what has taken place. I trust that not too much damage is caused to the children under the new scheme. The Government has not made any move, or set in train any sort of investigation, to observe the effect on the children who are being placed in these less satisfactory centres. I refer to those who do not even nearly approach the Australian pre-school standards.

In the case of some remote schools it may be desirable to have additional children in the schools. That is, as far as the numbers go, and by increasing the number of children in the school it may be possible to obtain an extra teacher.

In respect of children of the age with which we are now dealing, other considerations should be taken into account. It may well be that it is better for those children to remain at home, but we do not know the answer to that proposition unless some investigation is made. One thing which this Government should do is to carry out some form of investigation to determine the effect of this programme on the children.

When the Americans began their "head start" programme in that country, the advantage of having pre-school experience was of value over the first two years of primary schooling; but after that it levelled out. With that sort of information in mind we need to be very careful about what we are doing to the children in placing them into less satisfactory situations.

I know that in the main the teachers involved are very dedicated people, and they carry out their tasks satisfactorily. On their part I regret that they have had to come into this sort of system which has been introduced by the Government; I regret also that community efforts have been removed in the way that happens under this system. I know the Government will deny that.

The Hon. A. A. Lewis: It is no use talking to you. We tried for three years to convince you, but in no way can we seem to get through to you.

The Hon. R. F. CLAUGHTON: The honourable member does not want to appreciate the difference between the role played by the parents in the community-based school, and the role of a pre-primary centre attached to a State school. They represent completely different sorts of situations.

The Hon. A. A. Lewis: You are making the statement, but I deny it.

The Hon. R. F. CLAUGHTON: I would expect the honourable member to deny it. I assert that he does not want to appreciate the difference between the two. He wants to believe that what his Government has done is good. The honourable member can rationalise for all he is worth in order to justify his stand. I shall not even try to convince him, because it would be a fruitless exercise and a waste of effort that could be better spent in other directions.

The points I have made remain valid, despite the comments of Mr Lewis. According to the Leader of the House, the Government is starting a programme in the schools—I have not checked the Minister's speech to get the exact details—whereby funds are allocated to the schools, and the parents are expected to decide how the money is to be spent.

From my experience I know there is value in that sort of arrangement. It is not a new proposition that has been put to the Education Department. Similar propositions have been put to it, not just a couple of years back but further back than that. There is no special allocation under that scheme for the pre-primary section; the allocation of funds is decided for the whole school, and not just the pre-primary section. The Government has created problems in putting forward that sort of scheme.

The final point I wish to make relates to the size of the system. I suggest it is far preferable to operate it as a small unit than as a large unit. Members on the Government side keep on telling us how much better it is to have State Governments than to have one central Government, because by having State Governments we would get closer to the people. They seem to lose sight of the fact that the sort of philosophy they espouse in respect of State Governments has not been espoused by them in respect of pre-school education; they seem to use two different sorts of standards.

I oppose the legislation.

THE HON. W. M. PIESSE (Lower Central) [3.07 p.m.]: I have said before in this House that I am pleased the Government is turning its spotlight on early childhood education. It is a very important part of the education system.

I cannot agree with the previous speaker in this debate that any of the standards have gone down the drain; certainly in my area the standards have not gone down. It is true that in the early stages of the implementation of this particular legislation there was to some extent a breakdown in communication in many areas.

That was very unfortunate, and I think the anxiety experienced by the people in those areas was that this system would be a forerunner to lowering the chronological age for formal education of the children of this State. This is something which most investigations have shown to be quite unwarranted; in fact, in some cases shown to be quite undesirable.

However, the way in which this system is beginning to function is very pleasing to me. The facilities that are being used in many instances are the ones which were used previously. Where other facilities have been brought into being they have been of a very high standard, indeed. The only way we can bring about any balance in the facilities is to have this system under one administration.

I am aware that the standards under the previous system were of a high nature, and I believe that the current standards are equally high. To a certain extent, the facilities are important, but the crux of the whole matter is the ability and the dedication of the person who is in charge of the individual centre. In this respect I am not talking about the administration.

We may be able to put up with whatever type of facilities are provided, but if we do not have well qualified, well informed and able people in charge of the centres, the system will not succeed. It does not matter how good the facilities are. I am pleased to know that special courses have been introduced for some time to provide teacher training in early childhood education. This is a very special field, indeed.

A great deal of research has gone into the planning of these courses, and I am hopeful we will be able to provide even better trained staff for the children of this State in the future.

In regard to parent involvement, it is true parents are able to maintain their interest in these centres and they are still doing so, certainly in my own area. It is not as though the children were in formal school education. Even where the pre-primary centre is within the school grounds, the parents are still able to make contact with the person in charge of the centre and ensure their children are receiving the training they desire.

Teachers in some areas have expressed a certain amount of anxiety as to what their position will be, but the teachers in my area are now quite happy about the situation. It is true they must have certain qualifications. Early childhood education is not an area for completely unqualified and untrained personnel. The anxiety related purely to administrative arrangements, but I believe these now are being ironed out.

As regards the care of the centres, I do not think we need have any worry on this score. Renovations and repair work must wait their turn, but this is so in all organisations.

The PRESIDENT: Order! Would the honourable member who has just left the Chamber please close the Bar of the House as he goes through? The Hon. W. M. Piesse.

The Hon. W. M. PIESSE: All facilities must take their turn with regard to renovations and repairs. Parent involvement is still welcomed and the parents are able to have provided, or to provide for themselves, facilities that they desire.

I am pleased to note in the Bill the situation in regard to children younger than five years. That situation is being looked at. It is a very specialised area which requires great planning, and I am hopeful this is being carried out.

I am quite happy with the way things are going at the present time.

Debate adjourned, on motion by the Hon. R. Hetherington.

CHILD WELFARE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st September.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [3.13 p.m.]: The Opposition supports this Bill. It will be a great relief when the Child Welfare Act is reprinted. It is quite an exercise to consult it at the moment because it is so full of amendments and attached pieces of paper, that it is rather difficult to sort it out. I discovered this when I was attempting to relate my copy of the Act, which is full of bits and pieces, to the Bill now before the House.

Some of the amendments are merely corrections of a mammoth task which was carried out previously. For example, one clause amends section 129 of the Act, substituting the word "less" for the word "greater", which gave to the section a meaning that was not intended.

Social change has brought about a need for change in the law which is appropriate to some of the things I am trying to do while I am in

this House. The all-embracing term "the care, charge or custody of children" is to be substituted for the old-fashioned foster-mother concept, which is *passé* at this point of time, because if a child is taken into a home to be fostered and cared for the responsibility does not rest solely on the foster mother. It is a responsibility of the parents and the family with whom the child is living; and, as it should be with all children, it is also a responsibility of the community around that family which has taken on the very onerous task of looking after children whose natural parents cannot care for them permanently or temporarily. This updating of the Act is significant because it indicates the way social change must be understood by us as parliamentarians and by the law.

I understand the need for the department and the Minister to recommend inclusion in the Act of provision for police officers to enter premises where they suspect children are being maltreated or where the welfare of the child is in jeopardy. I am the National President of the Social Workers' Association, and I speak to this matter with every consideration for what social workers do in their spare time outside working hours, etc.; but I feel the time has come when social workers, particularly those in Government departments, should do more than a nine-to-five job. Police officers have expressed this view to me and I believe they are concerned because they are not qualified to do many of the things they are required to do after hours in their capacity as amateur social workers. Very often they meet with a situation which they do not know how to handle and in which they are embarrassed because of their lack of knowledge of techniques and lack of finesse, although they do an excellent job under the circumstances.

I think it was in August, 1975, that the first national conference on the battered child took place and I had the privilege of being responsible for the community stream at that conference. The police officers showed a great interest in this area because they were very concerned that they were responsible, in the main, for going into a house where a child was being abused and arresting the parents or the offending guardian of the child.

These incidents always seem to occur in the weekends or at night. The offending people often feel most stress at the end of a day after a hard day's work, and that is when they are more likely to lose their temper and their control, and abuse a child as an object of their aggression, and so on. The police frequently have to go into a tension-ridden situation where a child—even if we are considering only the child, and

not the whole family, as a problem—would be subjected to the additional trauma of seeing a policeman drag the parents away into a paddy-wagon or other vehicle to take them to the police station.

I should not let this opportunity pass without saying I believe the time has come when police officers should be relieved of this responsibility, so that this section of the Act will contain permission for police officers to enter premises only when social workers or others who are better trained to do this very delicate job are not available. I am sure members of the Police Force would be extremely grateful if that were done.

Furthermore, in particular instances, although the police may be suited for this type of work, the very sight of a uniform which is the symbol of authority we have come to expect as representing the implementation of the law itself, and not as a preventive factor, may cause a great deal of trauma to the children, embarrassment to the police, and anguish to the people who are being taken off for a crime considered reprehensible by the courts and the whole community. With that addition to the debate, I indicate the Opposition supports the Bill.

THE HON. M. McALEER (Upper West) [3.21 p.m.]: In rising to support the Bill, I should like to join with the Hon. Grace Vaughan in congratulating the Minister on his intention to update and reprint the Act so that the reprint will not be followed immediately by a series of minor amendments. It does seem that the reprinting of Bills is going on very gradually, and not as quickly as many of us would like. It has been suggested the delay is caused by insufficient staff in the Crown Law Department; they cannot employ one person continuously to update those Acts which have many amendments. In fact, we sometimes have a situation where Acts which have few or perhaps no amendments added to them over the last few years are reprinted simply because it is found it has been 10 years since the last reprint, whereas other Acts, such as the Liquor Act and the Local Government Act are left for reprinting, when there are slack periods within the department, and the staff can fit them in.

In referring to the Liquor Act and the Local Government Act, I mention only two Acts which are amended every year, and sometimes several times a year. Obviously, it would be too expensive to reprint such Acts yearly. However, they are used by a great number of people, both

professional and lay, and it is becoming extremely difficult to read these Acts in conjunction with the great number of amendments.

It has been suggested that the difficulty might be overcome by producing Acts in loose-leaf form, so that when a section or sections are amended, the relevant pages can simply be withdrawn from the Act and reprinted. I believe there would be very serious objections to this proposal because, firstly, the Act would not constitute an original record, and serious errors could arise as a result. However, I believe some compromise might be reached in that the reprinting of those Acts which are used very frequently could be carried out in loose-leaf form only for the public who use them, but the Act in its present form of printing would be the final authority.

To refer specifically to the Bill, both the Hon. Grace Vaughan and the Minister mentioned that a number of amendments were simply corrections of error or omissions. The Hon. Grace Vaughan referred at length to the proposal in connection with the police. I see a real need in country areas for the police to have this power to investigate cases where children are reported to be either destitute or ill used, and I imagine the police themselves perhaps have even asked for this power. In many country districts, community welfare field officers are not available, but the police are to be found in almost every town. I imagine it is the intention of the department to employ the police simply in those circumstances; perhaps the Minister could clarify this point in his reply.

The Minister referred to the proposed amendment of section 84 as a point of clarification, but I must say I do not quite understand the point of clarification and would be very glad to hear the Minister's comments. It is true that I imagine the Minister is referring to children whose date of birth has not been established by a birth certificate, such as occurred many years ago on the goldfields and perhaps as occurs amongst migrant children and Aborigines.

The Hon. D. J. Wordsworth: I missed the exact reference to the Bill.

The Hon. M. McALEER: I am referring to clause 7, which seeks to amend section 84 of the Act.

THE HON. N. E. BAXTER (Central) [3.26 p.m.]: It is not surprising there should be a few minor amendments to the Act at this stage after the very complex amendments which were placed before the House last year. A previous Minister (the Hon. Ron Thompson) was involved in the

drawing up of these amendments in conjunction with the departmental staff during his term as a Minister in the Labor Government; so one Minister cannot take all the credit for the legislation passed last year.

The Hon. R. Thompson: Has that been proclaimed?

The Hon. N. E. BAXTER: I am not too sure whether it needs to be proclaimed, or simply given assent; I will have to check that point. Certainly, we had to apply to Cabinet to have the Act reprinted, because the Treasury must give permission for the Government to bear the cost of reprinting. The Minister in his second reading speech referred to the fact that the Act will be reprinted.

As I say, it is not surprising to have these amendments before us now; what is surprising is that there are so few. Members who were in the Chamber last year when the Bill went through will recall that not a word was spoken on any clause of the Bill during the Committee stage; it went through without debate. The department had prepared a very comprehensive folder in explanation of the various amending clauses, but it was not used and I sent the folder back to the department for future record purposes.

Last year's amending Bill contained some oversights in regard to foster mothers. We used the passage, "and foster mothers and the care and" where apparently in some cases the passage should have read, "the care, charge or custody of children".

The Hon. M. McAleer raised a query in relation to clause 7, which proposes to delete the following passage—

unless the child has attained the age of seven years but has not attained the age of sixteen years;

The Bill seeks to substitute the following—

unless the child has attained the age of seven years and it appears to the panel that the child—

- (i) at the time of the commission of the alleged offence had not attained the age of sixteen years; and
- (ii) at the time of being dealt with by the panel has not attained the age of sixteen years and six months;

Under this amendment the panel can be assured it is dealing with an offence which was committed by the child before it reached the age of 16 years.

It is a little difficult to understand this confusing issue. Under the legislation the panel can deal with children under the age of 16 years and that is why the amendment has been made.

Clause 9 refers to the Yaandina Babies and Childrens Centre which I opened when I was Minister. The reference to this centre is to be deleted because it is not purely a babies' centre. It had to be made clear that it came under the category shown in the Bill.

The man who did a great deal of work on this Bill was the deputy director. He realised the errors as he went through the legislation thoroughly after it was passed to ascertain if anything had been overlooked. He has done a very good job for which he is to be congratulated. The legislation is a great advance in the interests of child welfare, and I support it.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) (3.32 p.m.): I thank the various members for their support of the Bill. The Hon. Grace Vaughan referred to the police and I know she has had a great deal of experience in community welfare. The provision is designed for remote areas. I think the Hon. M. McAleer has pointed out that there are no social workers in those areas and obviously someone has to be able to act fairly quickly, which is the intention of the amendment.

The Hon. M. McAleer also raised the question of the reprinting of various Acts, and I could not agree with her more. Amongst the Acts I administer is the Taxi-cars (Co-ordination and Control) Act which is in desperate need of reprinting. It had been drafted piecemeal and was overdue for reprinting. However, the Crown Law Department has worked its way through the alphabet and is now back to the Cs, so perhaps we are catching up. It is hard to do anything about this because, in the case raised, those involved desired to reprint the Act themselves, but that would be illegal. Unfortunately, we must wait until the printer himself is able to do it. I hope that extra staff will be appointed by the Crown Law Department in order that the Acts might be reviewed quickly.

It is noteworthy that we have two previous Ministers in the Chamber who have administered the Welfare Act and they have contributed to the great amount of work done on it. We must congratulate them. The point raised by the Hon. M. McAleer about the 16½ years has been covered by the Hon. N. Baxter. The panel could not sit in judgment on someone who had reached the age of 16 years, but had committed a breach before reaching that age. That covers that point.

I thank members for their support, and commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Transport), and passed.

FERTILIZERS BILL

Second Reading

Debate resumed from the 21st September.

THE HON. R. T. LEESON (South-East) [3.38 p.m.]: The Bill seeks to make substantial alterations to the legislation dealing with fertilizers. The second reading speech notes the Minister made available detailed the history of fertilizers in Western Australia over the past 30 years and then indicated that it was necessary to control bulk superphosphate which until now has not been covered.

Clause 3 of the Bill deals with the repeal of the fertilisers Act. However, the Minister has not expressly stated in his second reading speech that the Bill is in effect a completely new piece of legislation. No doubt the experts have recommended that the alterations be made in the interests of the industry concerned and so the Government has introduced the Bill before us which we, on this side of the House, support.

THE HON. D. J. WORDSWORTH (South—Minister for Transport) [3.39 p.m.]: When I gave the introductory second reading speech my first sentence commenced—

This Bill seeks to repeal the Fertilisers Act, 1928-1973, and to enact new legislation...

As the honourable member has said, this is an entirely new piece of legislation, not an amending Bill. I thank the honourable member and the House for their support of it.

Question put and passed.

Bill read a second time.

In Committee

The Chairman of Committees (the Hon. V. J. Ferry) in the Chair; the Hon. D. J. Wordsworth (Minister for Transport) in charge of the Bill.

Clause 1—

The Hon. G. C. MacKINNON: May I draw your attention, Mr Chairman, to Standing Order No. 253. Having listened to the debate which has taken place, it is my opinion that this may be an occasion on which the recent amendment to Standing Orders can be used. Standing Order No. 253, in part, reads—

In Committee, unless it is agreed that the Bill shall be taken as a whole, when the question shall be put by the Chairman "That the Bill stand as printed"...

It seems to me we might have an ideal opportunity to put that particular question to the Committee. It would shorten proceedings considerably. Perhaps the Leader of the Opposition would comment.

The Hon. D. K. DANS: I do not disagree with the proposed procedure. I agree this is an ideal opportunity to test the validity of the Standing Order.

The CHAIRMAN: It is my intention to put the Bill as a whole. Is there a dissentient voice? The question is that the Bill stand as printed. Question put and passed.

Report

Bill reported, without amendment, and the report adopted.

Third Reading

Bill read a third time, on motion by the Hon. D. J. Wordsworth (Minister for Transport), and passed.

Sitting suspended from 3.44 to 4.02 p.m.

QUESTIONS ON NOTICE

Questions on notice were taken at this stage.

PUBLIC SERVICE ARBITRATION ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st September.

THE HON. D. W. COOLEY (North-East Metropolitan) [4.08 p.m.]: This Bill is to amend the Public Service Arbitration Act by giving to certain Government officers the right to appeal against dismissal. As a consequence of the introduction of this measure, the Government has found it will be necessary to amend three other Acts to consolidate all the appeal provisions into the one Act.

Of course, the Opposition supports such a measure which will give to workers—and after all Government officers are workers no matter

how high their standing—a right to appeal against dismissal. This right was taken away from these people by a conservative Government in 1963 when the Industrial Arbitration Act was amended, and for 12 long years the Industrial Commission laboured under a disadvantage as it did not have the power to reinstate a dismissed worker, no matter how unjust his dismissal might have been.

The Tonkin Government saw the injustice of the situation, and it amended the Industrial Arbitration Act. It is to the credit of this House that, with a conservative majority, it agreed to that amending legislation to give members the right to appeal against dismissal.

Although I have no knowledge of this matter, and I am relying on the Minister's second reading speech, apparently in 1975 this provision of appeal against dismissal was put to the test in the Industrial Appeal Court. In effect, that was a Supreme Court decision, and it upheld the Act saying that provisions in the Industrial Arbitration Act gave the worker the right to appeal against his dismissal and that the commission had power to order reinstatement.

This meant, of course, that all the awards and agreements covered by the Industrial Arbitration Act embracing a large number of Government employees gave these employees a right of appeal against dismissal. However, in his second reading speech the Minister referred to section 61(2)(f) of the Industrial Arbitration Act which excludes certain Government officers from the provisions of that Act, and it is on behalf of those officers that the State Civil Service Association made representations to the Government to give them the right of appeal.

Of course, that is the correct and proper course to take, and perhaps I might be permitted, Mr Deputy President, to refer to an incident in this building some weeks ago when a girl was dismissed from her employment here quite summarily. I do not say she did not deserve dismissal; perhaps she did. On the indications I had of the case, and if what I read in the Press is correct, I would have felt inclined to dismiss her myself. However, the girl was dismissed, and she had no access to a union, to an award, or even to the Industrial Commission, to appeal against the dismissal. That is a very unfair position. I hope it will never happen again.

In fact, I would like to see a situation where all Government employees, regardless of their status—and I understand not everyone in this building has these privileges—should have some

protection of this type. In fact, it is my firmly-held belief that the workers here should have union protection, if they desire it. The Government has said it believes in responsible unions, and in my opinion employees in this building should be given an opportunity to join a union.

The Hon. W. R. Withers: If they wish.

The Hon. D. W. COOLEY: Yes, if they wish. I believe that situation applies with most unions. I understand there is some sort of prohibition, although I do not think it is a legal one, which discourages people in this building from joining a union.

The Hon. H. W. Gayfer: You do not regard yourself as an employee of the Government, if you are dismissed?

The Hon. D. W. COOLEY: We are in a different situation altogether. Our tenure of employment is a risky business, but we know what we are in for when we come to this place.

The Hon. R. Hetherington: Perhaps we could get danger money.

The Hon. R. G. Pike: It is not risky in the East Metropolitan Province—even the street trees vote Labor there!

The Hon. D. W. COOLEY: This Bill makes it possible to repeal altogether the Public Service Appeal Board Act, and the provisions of that Act will be consolidated into the Act we are now amending. It is a sensible move, and one with which we have no argument. A number of essential features in that Act need to be retained, and they will be included in the Public Service Arbitration Act.

Eventually we will come to the situation where there are uniform appeal-against-dismissal provisions for everyone employed in Government service. I would like to add this: I hope the Minister handling the Bill will look at the situation to see whether uniform provisions can be incorporated for all Government workers. I say this quite seriously, because some people in high places in Government do not have the same conditions as people in, what we might call, lesser employment have. When we see injustice we seek to remedy it, and the Government is doing that. That is good. However, there are gross anomalies in several other areas of employment in the Government service, and the Government should look at this position to see whether it can bring about uniform provisions in respect of conditions of workers in that area.

I refer to the discrepancy in long service leave. A salaried officer in the service of the Government qualifies for long service leave after seven years, whereas a wages employee qualifies after

10 years. We find the conditions for sick leave are vastly superior in the case of salaried officers as against wages employees. Again, in respect of public holidays, a number of statutory holidays are laid down for salaried officers which are not enjoyed by wages employees.

The Hon. G. E. Masters: That hasn't got much to do with the Bill.

The Hon. D. W. COOLEY: At the outset I asked the Deputy President if he would be tolerant with me in dealing with these Bills. However, it has something to do with the Bill because we are talking about uniform provisions and rectifying the injustice suffered by some people.

The Hon. G. E. Masters: You are pretty grudging in your praise.

The Hon. D. W. COOLEY: These Bills are in the best interests of the people concerned. I believe most of them are members of the Civil Service Association, and that association requested the Government to amend these Acts in the manner indicated.

I give notice that I am formally supporting the subsequent three Bills on the notice paper and that it is not my intention to speak to them, because all four Bills are interrelated.

We support the Bill.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.17 p.m.]: I thank the honourable member for his support of the Bill. I appreciate the tremendous predicament in which he finds himself, because once again he is in a situation of having to admit that what he calls the conservative side of politics has accomplished what he, in his revolutionary zeal, has been unable to do. We accept his grudging praise graciously.

The Hon. R. Hetherington: Or you accept his gracious praise grudgingly!

The Hon. G. C. MacKINNON: I think it is only fair I should point out that some of the statements made by Mr Cooley were not factual. Perhaps I should indicate the actual situation with regard to the discharge of the lady to whom he referred, because it might be helpful to him and to other members in the House, and it might also be an exercise in honesty as far as the media is concerned.

In fact, the lady concerned had a very strong conviction that she ought to be able to address letters to women as "M/s" if she did not know whether they were married. The person for whom she was working did not think she should do that, and he said she should use the title "Mrs" or "Miss" but certainly not "M/s", which is a fairly new idea. An altercation ensued and the

lady tendered her verbal resignation on the spot. Her employer gave her two weeks' notice.

The Hon. D. W. Cooley: That is an odd situation, to resign and then be given notice.

The Hon. G. C. MacKINNON: Her employer was a Liberal and, as all Liberals are, he was kind hearted, and so he gave her a couple of weeks' notice to tidy things up.

The Hon. R. Hetherington: He was also fairly conservative, wasn't he?

The Hon. G. C. MacKINNON: The employer then told the lady that in the meantime she would address the correspondence as he wished her to. She said she would not, and said she would take up the matter with the Women's Electoral Lobby. She threatened her employer.

The Hon. D. W. Cooley: You are taking the word of the man who sacked her.

The Hon. G. C. MacKINNON: I happen to have not only his word, but that of a witness, whereas Mr Cooley has only the newspaper account to go on; therefore, I am a mile in front of him. The employer then suggested that the lady, in all conscience, should leave straight away if that was the way she felt. She left. She was not discharged.

The Hon. D. W. Cooley: I think she was.

The Hon. G. C. MacKINNON: She was not discharged. In the time I have been here I have never had reason to doubt the word of Mr Cooley; I would tell anyone that I believe him to be an honest man. I hope he might have occasion to say the same thing about me.

What I am telling him is the truth; what he read in the newspaper was not the truth. Let that be an indication to him of how careful one must be about accepting statements in the Press. I always tend to think it is not true when I read something like this about people, because my experience of people has been that in the main they are very decent. My experience in respect of men is that in the main we are kind to women, animals, and small children. I think even Mr Cooley would fit into that category.

The Hon. D. W. Cooley: I think I saw her on television saying she was dismissed.

The Hon. G. C. MacKINNON: Then that was not true, and I can produce at least one member of this House, whom Mr Cooley knows exceedingly well and whom he knows to be a truthful person, to back up what I am saying.

I only instance that matter, which has nothing whatsoever to do with the Bill, to indicate that some of Mr Cooley's research was not as good as it might have been.

Nevertheless, I am grateful for his support of this and the subsequent Bills. I accept his rather quiet plaudits in respect of the Government bringing in this forward-looking measure which will be of great assistance to those he categorises as "the workers".

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Leader of the House), and passed.

PUBLIC SERVICE ACT AMENDMENT BILL

Second Reading

Debate resumed from the 21st September.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.25 p.m.]: Mr Cooley was kind enough to indicate that as the Public Service Arbitration Act Amendment Bill, the Public Service Act Amendment Bill, the Public Service Appeal Board Act Repeal Bill, and the Government Employees (Promotions Appeal Board) Act Amendment Bill are all interrelated, he is supporting them without speaking further. I thank him very much indeed for his examination of the Bills and his agreement with them.

I commend the Bill to the House and indicate that I will not rise to speak to the following two Bills.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Leader of the House), and passed.

PUBLIC SERVICE APPEAL BOARD ACT REPEAL BILL

Second Reading

Order of the day read for the resumption of the debate from the 21st September.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

THE HON. G. C. MacKINNON (South-West—Leader of the House) [4.30 p.m.]: I move—

That the Bill be now read a third time.

Those of us at present in this Chamber have just seen history made. To my knowledge that was the first Bill ever to have passed through all stages at one sitting without comment.

THE HON. D. W. COOLEY (North-East Metropolitan) [4.31 p.m.]: The Minister has spoilt that excellent record by making a comment on it.

Question put and passed.

Bill read a third time and passed.

GOVERNMENT EMPLOYEES (PROMOTIONS APPEAL BOARD) ACT AMENDMENT BILL

Second Reading

Order of the day read for the resumption of the debate from the 21st September.

Question put and passed.

Bill read a second time.

In Committee, etc.

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

Third Reading

Bill read a third time, on motion by the Hon. G. C. MacKinnon (Leader of the House), and passed.

House adjourned at 4.33 p.m.

QUESTIONS ON NOTICE PRE-PRIMARY EDUCATION

Salmon Gums

151. The Hon. D. W. Cooley (for the Hon. R. H. C. STUBBS), to the Minister for Transport, representing the Minister for Education:

- (1) Is the Minister aware that the Health Surveyor of the Dundas Shire Council inspected the pre-primary centre at Salmon Gums recently and reported adversely on many aspects of the building and conveniences, namely—
 - (a) No kitchen sink provided where food is prepared;

- (b) water has to be carted in buckets to the building;
 - (c) only one door in the building, and it must be kept open;
 - (d) gas heater sited too close to the door, and provides inadequate heating because of the need to leave the door open;
 - (e) gas bottles adjacent to the only door, and require re-siting to conform with the relevant code;
 - (f) gaps in floor boards allow building to be very draughty;
 - (g) hand basin exterior not correctly fixed, and drain malfunctioning, because of lack of flushing, filth and moisture accumulating;
 - (h) evidence of the roof leaking;
 - (i) septic tank requires sealing and mosquito proofing; and
 - (j) many other defects too numerous to mention at this stage?
- (2) Further, is the Minister aware that the Minister for Education advised on the 19th July, 1976, that he was appalled at the condition of the building at Salmon Gums?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes.
- (2) No.

COCKBURN CEMENT WORKS

Dust Problem

152. The Hon. F. E. McKENZIE, to the Minister for Transport representing the Minister for Health:
- (1) Has the Public Health Department recently installed equipment for monitoring dust fall-out and chemical emissions in the vicinity of Cockburn Cement Ltd. at Cockburn?
 - (2) What is the type and name of equipment being used?
 - (3) In view of the large number of complaints being received from residents adjacent to Swan Portland Cement Ltd. at Rivervale, will the Public Health Department monitor the Rivervale area in a similar manner to that adopted at Cockburn?
 - (4) Will the Public Health Department advise the Belmont Shire Council on a monthly basis the results of the tests?

The Hon. D. J. WORDSWORTH replied:

- (1) Yes, some additional equipment has been recently installed. Dust monitoring has been carried out in the vicinity of Cockburn Cement Ltd. for several years.
- (2) (a) Static dust gauges called Central Electricity Research Laboratories directional gauges; and
 - (b) dynamic high volume particulate samplers called E.P.A. (Environmental Protection Agency of U.S.A.) Reference Method high volume samplers; and
 - (c) 24 hour sequential sulphur dioxide monitors based on the E.P.A. Reference Method.
- (3) Dust gauges have been sited in the Rivervale area since 1971. Results have been published in the Annual Reports of the Public Health Department.
- (4) Yes.

EDUCATION

Guidance Counselling Assistants

153. The Hon. W. M. PIESSE, to the Minister for Transport representing the Minister for Education:
- (1) How many Guidance Counselling Assistants are expected to complete their training at the end of this year?
 - (2) What is the anticipated intake to commence training next year?
 - (3) Of those who complete their training, how many will be attached specifically to—
 - (a) primary schools;
 - (b) high schools; and
 - (c) others?

The Hon. D. J. WORDSWORTH replied:

- (1) 18.
- (2) The intake will consist of eight positions additional to the establishment plus the number needed to offset losses.
- (3) Precise information cannot be provided until late in the year but most appointments will be to high schools and district guidance offices.

PRE-PRIMARY EDUCATION

Salmon Gums

154. The Hon. D. W. Cooley (for the Hon. R. H. C. STUBBS), to the Minister for Transport representing the Minister for Education:

Further to the reply to question No. 25 on the 3rd August, 1977, in reference to the building housing the pre-primary class at Salmon Gums—

- (1) What quotes have been received for repairs and alterations to the building?
- (2) Were any of the quotes accepted by the Education Department?
- (3) If so—
 - (a) what quote or quotes were received; and
 - (b) when will the work be completed?
- (4) If the answer to (2) is "No"—
 - (a) what is to be done about the repeated requests for either extensive repairs to the building to be carried out; or
 - (b) a new transportable building being provided?

The Hon. D. J. WORDSWORTH replied:

- (1) and (2) One quote was received by the Education Department last week and is being considered.
- (3) and (4) Salmon Gums has been listed for a transportable building as soon as funds permit.

HOUSING

Ashfield Estate

155. The Hon. F. E. McKENZIE, to the Attorney-General representing the Minister for Housing:

- (1) Would the Minister advise if the State Housing Commission has any plans for re-development of the SHC area in the Ashfield Estate?
- (2) If not, would the Minister advise when the Commission intends to upgrade the standard of these homes as has been done in some other areas?

(3) As some considerable time has elapsed since general maintenance on homes in this area has been carried out, can he provide a date on which it is anticipated this work will be—

- (a) commenced; and
- (b) completed?

The Hon. G. C. MacKinnon (for the Hon. I. G. MEDCALF), replied:

- (1) Yes, but redevelopment will not be in the immediate future.
- (2) and (3) In view of the deferment of redevelopment, the State Housing Commission is currently examining the aspects of upgrading and general maintenance that is necessary, and a programme will be implemented in the near future.

FOOTBALL MATCHES

Televising

156. The Hon. D. W. Cooley (for the Hon. R. H. C. STUBBS), to the Minister for Transport, representing the Minister for Cultural Affairs and Recreation:

In the event of the Western Australian National Football League Inc. agreeing to football matches, such as a Grand Final, being televised, and the Australian Broadcasting Commission Channel 2 agreeing to provide the facilities for the television coverage, is it possible technically to provide broadband or other TV transmission to places such as—

- (a) Newman and Geraldton, and adjacent places in the north of the State;
- (b) North Eastern goldfields, Kalgoorlie, Boulder, Kambalda, Norseman and Esperance, and adjacent places;
- (c) South West towns and adjacent places;

without allowing the metropolitan and near metropolitan areas to generally be able to pick up the programme?

The Hon. D. J. WORDSWORTH replied:

The Minister has been advised by the Australian Broadcasting Commission that it would be unable to meet conditions if asked to restrict coverage to remote areas as it is not possible to isolate individual transmitters.

However, direct descriptions of play would normally be available on radio and replay coverage would be provided in the evening.

HEALTH

Acupuncture

157. The Hon. LYLA ELLIOTT, to the Minister for Transport representing the Minister for Health:

Further to my question No. 146 on the 21st September, 1977, and the Minister's reply indicating three patients had been admitted to Fremantle Hospital with punctured lungs—after treatment by an acupuncturist—will the Minister advise—

- (a) who was the acupuncturist concerned;
- (b) what qualifications does he have to practise in this State; and
- (c) what action does the Minister intend to take in this matter?

The Hon. D. J. WORDSWORTH replied:

This matter has been referred to the Medical Board and since legal action may be pending, further comment would be inadvisable.

QUESTION WITHOUT NOTICE

HEALTH

Veneral Disease

The Hon. R. J. L. WILLIAMS, to the Minister for Transport representing the Minister for Health:

On page 11 of *The West Australian* newspaper today it is reported that the Federal

Director of Health, Dr Howells, in his annual report tabled in Federal Parliament, stated that 11 479 cases of gonorrhoea and 3 182 of syphilis had been notified. It is also stated that South Australia and the Northern Territory reported increases of more than 50 per cent. My question is—

- (1) What are the corresponding figures for Western Australia for the same period?
- (2) Do these figures represent a percentage increase or decrease and by how much?
- (3) What are the corresponding figures for Western Australia for the first half of this year 1977?

The Hon. D. J. WORDSWORTH replied:

(1) Gonorrhoea	1 947
Syphilis	643
Total	<u>2 590</u>

(2) Decrease 1.67%.

(3) January to June 1977—

854 notifications of gonorrhoea and syphilis.

January to June 1976—

1 509 notifications of gonorrhoea and syphilis; therefore percentage decrease equals 43.4.

The Hon. H. W. Gayfer: That's a sign of good government.

