

Legislative Assembly

Thursday, the 31st July, 1980

MEETING OF THE ASSEMBLY

The Legislative Assembly met at noon.

PROCLAMATION

The Clerk of the Assembly (Mr B. L. Okely) read the Proclamation of His Excellency the Lieutenant-Governor and Administrator (the Honourable Sir Francis Theodore Page Burt, K.C.M.G.) summoning the first session of the Thirtieth Parliament.

OPENING PROCEEDINGS

Message from the Lieutenant-Governor's Commissioner

A Message from His Excellency's Commissioner (His Honour Mr Justice Lavan) requested the attendance of members of the Legislative Assembly in the Legislative Council Chamber. Members accordingly proceeded to that Chamber; and, having heard the Commission to do all things necessary for the opening of Parliament, returned to the Legislative Assembly Chamber.

SWEARING-IN OF MEMBERS

His Honour, Mr Justice Lavan, Senior Puisne Judge of the Supreme Court of Western Australia, having been commissioned by His Excellency the Lieutenant-Governor, entered the Chamber to administer to members the Oath of Allegiance to Her Majesty, or the affirmation required by law, and was conducted to the Chair. The Commission to swear-in members having been read, the Clerk produced the writs for the general election, held on the 23rd February, 1980, showing names of the members returned. These members—with the exception of Mr Taylor—took and subscribed the Oath, or made and subscribed the affirmation required by law, and signed the Roll.

The Commissioner then retired from the Chamber.

ELECTION OF SPEAKER

SIR CHARLES COURT (Nedlands—Premier) [12.43 p.m.]: The House being duly constituted, I move—

That Mr Ian David Thompson do take the Chair of this House as Speaker.

MR O'CONNOR (Mt Lawley—Deputy Premier) [12.44 p.m.]: I second the motion.

MR THOMPSON (Kalamunda) [12.45 p.m.]: I submit myself to the will of the House.

MR STEPHENS (Stirling) [12.46 p.m.]: I move—

That Mr Walter Raymond McPharlin do take the Chair of this House as Speaker.

MR COWAN (Merredin) [12.47 p.m.]: I second the motion.

MR McPHARLIN (Mt. Marshall) [12.48 p.m.]: I submit myself to the will of the House.

THE CLERK (Mr B. L. Okely): There being more than one nomination for the position of Speaker, the House is required, under Standing Order No. 14, to proceed to a ballot.

The procedure will be as follows: Bells will be rung in the same way as for the holding of a division. Ballot papers will be provided to each member. On this ballot paper each member will write the name of the candidate of his or her choice. The Standing Order requires all members present to vote.

The ballot papers will be collected and brought to the Clerk's table. The votes will be counted by myself and the Clerk Assistant. The member for Murray and the member for Canning are invited to be scrutineers.

I will announce the name of the candidate with the highest number of votes, if that candidate also has an absolute majority of the votes of the members present. If no candidate has such absolute majority the name of the candidate having the smallest number of votes shall be withdrawn and a fresh ballot shall take place.

This procedure shall be followed as often as necessary until one candidate is declared to be elected as Speaker by an absolute majority of the votes of the members present.

[A ballot was taken.]

The result of the ballot is that Mr Thompson has been elected Speaker of this House by an absolute majority of members present.

[The Speaker was conducted to the Chair.]

THE SPEAKER (Mr Thompson) [12.56 p.m.]: I thank members for the signal honour they have conferred upon me, and will now assume the Chair of this House.

SIR CHARLES COURT (Nedlands—Premier) [12.57 p.m.]: Mr Speaker, I take this opportunity to congratulate you on your re-election as the Speaker of the Legislative Assembly of the Parliament of Western Australia. You have made history in some ways because I think it is more than 70 years since there has been an election for the position of a Speaker. It has always been regarded as something of a formality, but I do congratulate you, for on this occasion you have been re-elected by ballot to the position which you have held over the last few years with distinction. You have had a considerable amount of experience and have had some very difficult situations to deal with and this, of course, adds to the knowledge and wisdom you can bring to bear on this very important position. It is an office which is vital in the life of the Parliament, in this country and this State, and we wish you well in your position as well as congratulate you on your re-election.

MR DAVIES (Victoria Park—Leader of the Opposition) [12.58 p.m.]: Mr Speaker, I would like to offer my personal congratulations and those of my colleagues to you on this special and unique occasion. As the Premier has pointed out, this is the first time we have had a secret ballot for more than 70 years. I hope actual elections are a little more secret than this one was, because we have had people peering down on us to see which way we voted. Of course, I have my staff up in the gallery to see which way my members voted!

Mr Bryce: So we don't have to show you our ballot papers.

Mr DAVIES: I am glad we did not have to declare the ballot null and void because one member opposite showed his ballot paper to one of his colleagues.

Nevertheless, we have had the ballot, despite the strange feature that we were not given the figures. Another strange feature was that the National Party candidate did not have a scrutineer witnessing the count.

However, the Speaker has been elected with an overwhelming vote of confidence. I am delighted to see you have been returned for your second term as Speaker of this House. It is a most important position and one in which you have made some changes during the three years you have been Speaker. I think the changes have been changes for the good. You have tried to bring some of the tradition of the Westminster parliamentary system to Western Australia. I do not know that that has been all that successful; nevertheless, on ceremonial occasions, it has added dignity to the workings of the House.

We have had disagreements at times—it would be quite strange if there were not disagreements between the Opposition and the Speaker—and the Government and the Speaker have also disagreed.

The Opposition has admired the way you have handled your job and I am sure the vote which has returned you for your second term of office is a vote of confidence in you. I offer you my congratulations.

MR COWAN (Merredin) [12.59 p.m.]: I want to offer my congratulations. It was the National Party that brought about the ballot. We make no apology for that, but you, Mr Speaker, have taken the Chair knowing you are the first Speaker in 76 years to have won that position in a secret ballot. It is our belief that having won the seat in that form it really has added to the prestige and the dignity of the position.

THE SPEAKER (Mr Thompson) [1.00 p.m.]: Might I say firstly that I would just as soon not have been in the situation of contributing to history! Although I felt reasonably confident that I would be returned to the position of Speaker, one does not know until the numbers actually are counted.

I thank the Premier, the Leader of the Opposition, and the Leader of the National Party for their congratulations.

I say to all members of the House that I will endeavour to discharge my duties as fairly and as competently as I can. Having had three years' experience in the office, I am a little more aware of its problems than I was three years ago. I certainly hope I am able to draw on that experience which I have gained during the past three years, and do everything I can to enhance the reputation and the standing of this institution.

Government members: Hear, hear!

PRESENTATION OF SPEAKER

SIR CHARLES COURT (Nedlands—Premier) [1.01 p.m.]: I desire to announce that His Excellency, the Lieutenant-Governor and Administrator, will be pleased to receive the Speaker-elect and such members as desire to accompany him at 2.15 p.m. this afternoon.

Sitting suspended from 1.02 to 3.00 p.m.

PRESENTATION OF SPEAKER

THE SPEAKER (Mr Thompson): I desire to report that this afternoon, accompanied by the member for Kimberley, the member for Fremantle, the member for East Melville, and the member for Roe, I submitted myself to His Excellency, the Lieutenant-Governor and

Administrator, and on behalf of the House, laid claim to its undoubted rights and privileges, and prayed that the most favourable construction be placed upon its proceedings. His Excellency has been pleased to express his satisfaction at the choice of the Assembly in the following terms—

Mr Speaker,

It is with much pleasure that I learn that you have been elected by the Members of the Legislative Assembly to the high and honourable office of Speaker of that House.

I have every confidence that you will fill the office in a worthy and dignified manner.

(Sgd.) Francis Burt,

Lieutenant-Governor and Administrator.

SPEAKER'S COMMISSION

THE SPEAKER (Mr Thompson): I wish to report also that I have received from His Excellency a Commission to swear in honourable members and this I hand to the Clerk to read to the House.

The Commission was read.

SWEARING-IN OF MEMBER

The Clerk announced the return of the writ for the electorate of Cockburn.

Mr Taylor took and subscribed the Oath of Allegiance, and signed the roll.

SUMMONS FROM THE LIEUTENANT-GOVERNOR AND ADMINISTRATOR

The Speaker and members, in response to summons, proceeded to the Legislative Council Chamber and, having heard His Excellency deliver the opening Speech (*vide* Council report *ante*), returned to the Legislative Assembly Chamber.

AGED PERSONS

Northam Permanent Care Centre: Petition

MR McIVER (Avon) [3.49 p.m.]: I have a petition to present to the House. It is addressed as follows—

To the Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled. We, the undersigned residents in the State of Western Australia, do herewith pray that Her Majesty's Government of Western Australia will take the necessary action to have the former nurses quarters, known as Harrison House situated at Chidlow Street Northam, developed into a permanent care centre as

the present centre is unsuitable and inadequate. Your petitioners therefore, humbly pray that you will give this matter earnest consideration and your petitioners as in duty bound, will ever pray.

The petition contains 319 signatures and I have certified that it conforms with the Standing Orders of the Legislative Assembly.

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

(*See petition No. 1.*)

QUESTIONS

Questions without notice were taken at this stage.

STOCK (BRANDS AND MOVEMENT) AMENDMENT BILL

Leave to Introduce

SIR CHARLES COURT (Nedlands—Premier) [4.04 p.m.]: In order to assert and maintain the undoubted rights and privileges of the House to initiate legislation, I move—

That leave be given to introduce a Bill for "An Act to amend the Stock (Brands and Movement) Act, 1970-1979".

Question put and passed; leave granted.

Introduction and First Reading

Bill introduced, on motion by Sir Charles Court (Premier), and read a first time.

LIEUTENANT-GOVERNOR AND ADMINISTRATOR'S SPEECH

Distribution of Copies

THE SPEAKER (Mr Thompson): Accompanied by members of this Chamber, I attended His Excellency the Lieutenant-Governor and Administrator in the Legislative Council Chamber to hear the Speech which His Excellency was pleased to deliver to members of both Houses of Parliament. For the sake of greater accuracy, I have caused printed copies of the Speech to be distributed among members of this Chamber.

ADDRESS-IN-REPLY: FIRST DAY

Motion

MR HERZFELD (Mundaring) [4.06 p.m.]: I move—

That the following Address-in-Reply to His Excellency's Speech be agreed to—

May it please Your Excellency: We, the Legislative Assembly of the Parliament of the State of Western

Australia in Parliament assembled, beg to express loyalty to our Most Gracious Sovereign, and to thank Your Excellency for the Speech you have been pleased to address to Parliament.

In moving the Address-in-Reply, I have been afforded the opportunity to be one of the first in this Chamber to congratulate you, Mr Speaker, on your appointment to your high office. I do so warmly and with pleasure, in the knowledge that you will continue to lend firmness, fairness, and dignity to the office.

It is also appropriate for me to acknowledge my pleasure at being given the opportunity to move the Address-in-Reply to His Excellency's Speech. Few members are given this honour; fewer still when they have been in this place for some time. For this reason it is to the electors of Mundaring that I direct my gratitude, not only for being instrumental in giving me the opportunity to receive this honour but, more importantly, for expressing their confidence in my stewardship as their representative by returning me to this place for a second time.

The calling together of a new Parliament is a time for anticipation, a time to contemplate the future, and a time to set a course for that future. Consideration of what lies ahead is particularly relevant to this the Thirtieth Parliament since the granting of responsible government to Western Australia, because we face a new decade—one which is likely to bring significant and beneficial changes to the State and its people.

Ninety years ago, when opening the first session of the First Parliament, the then Governor (Sir William Robinson), having noted the historic nature of the occasion, went on to say—

It is unnecessary for me to remind you of the many benefits which may be expected to follow on the change of Constitution. But you will allow me to express to you my earnest hope that your highest anticipations may be realized, and that while ever remaining as you are today, one of the most loyal provinces of the Empire, the principles of self Government may be so administered as to promote in the heart of every citizen those sentiments of self respect and true patriotism which purify political life and can make a community great.

Those simple but profound words reflect the optimism, confidence, and determination of a fledgling community of some 46 000 people as they faced the future. They were challenging words because they placed the responsibility for creating a great community squarely on the

shoulders of the assembled legislators. Sir William spoke of the benefits of responsible government, and with the advantage of hindsight we can attest to the accuracy of his words.

Ninety years later we have grown into a community of 1.25 million people, sustaining living standards comparable with anywhere else in the world, and we are proud of our attainments. We can point to great achievements in almost every field of endeavour: In commerce, in industry, in agriculture, in the applied sciences, in the arts, and even in sport. With ample space and abundant natural resources, our future prospects promise to exceed our past achievements.

But prospects by themselves do not lead to achievement unless the proper stimulation is provided to them. Unless policies to provide that stimulation are acceptable to our society, the full potential of our State will remain unrealised.

The decade just passed was dominated by economic considerations as a recession succeeded the buoyant 1960s, and frustration at the inability of the Government to find quick solutions led to increasingly organised and militant opposition against those charged with government. In the industrial area, the long-established procedures of conciliation and arbitration were increasingly discarded in favour of direct strike action. Militancy by industrial activists spread beyond industrial issues, and many of the issues should more properly have been confined to the province of the political arena. Political activists also became increasingly militant and took their protests into the street, adopting mass demonstration techniques as they tried to fire public passion for their causes. Marches, public meetings, and even civil disobedience increasingly became the order of the day.

The seventies were turbulent, dominated by those who saw turmoil as the way to head our society into a new direction.

It is not my purpose to comment on the issues which were used to justify militancy during those years; it is sufficient to say that our progress suffered irreparable damage as a consequence of them.

Dissent in a free and democratic society can be a stimulus to progress. What happened in the seventies had quite the reverse effect. It created confusion, and it polarised society; as indeed it was planned to do. It attempted to tear down democratic concepts of social order, the rule of law and accountability. The militants claimed they were fighting for the right of the individual to be heard. In fact their real purpose was to attempt to impose minority views on the majority.

Mr Tonkin: You did that with the Electoral Districts Act.

Mr HERZFELD: Their very actions destroyed their credibility as, one by one, their true motives were exposed.

Earlier this year, at the State election, Western Australians were offered Liberal policies which promised new initiatives to take advantage of opportunities for progress. In our policy, we said—

We must put the accent on firm, decisive, innovative and united action.

This is the time to go forward together to take a confident leap into a new future.

We offer the leadership that will take us into that future and make it both certain and secure.

Western Australians accepted those commitments on the 23rd February. In doing so they decisively rejected the divisive past and gave notice that a return to lawful democratic process was a prime requirement for the future. They had recognised the fabricated issues of the past for what they were: hollow and unconvincing. They wanted realism and practical solutions for our most pressing problems. Western Australians called for stability and united action based on mutual trust at the polls on the 23rd February. It now remains for the Government to justify the trust of the people, to meet its commitments, and to turn policies into results.

Let me draw on a specific example to summarise what I have been saying to this point. No single issue is more likely to repeat the turmoil of the seventies than the question of whether or not we should turn to nuclear energy for power generation. The battle lines have been drawn for some time. Opponents of nuclear energy have been working at a frenzied pace to polarise public opinion against its use, despite the fact that no decision is needed or, indeed, is likely to be made, for another four or five years.

Despite an unblemished safety record—

Mr B. T. Burke: At Three Mile Island!

Mr HERZFELD:—spanning a quarter of a century of use, despite the fact that some 500 nuclear reactors are either in operation, under construction, or on order throughout the world, despite the fact that there are indisputable economic and environmental reasons for using this energy resource, opponents continue to pour out emotive arguments against its use.

Mr Bryce: They have closed down 10 since Three Mile Island.

Mr HERZFELD: We see prime examples of this on the other side of the Chamber.

Mr Bryce: Would you be happy to have a facility at Mundaring?

Mr HERZFELD: The campaign against nuclear energy has been cleverly orchestrated. Little opportunity is given to the community to weigh up the merits of each side of the argument. With the Press and the media being ever willing to sensationalise any incident likely to help the anti-nuclear cause, only the arguments of opponents are coming through to the man in the street. The man in the street deserves better than that; he is entitled to hear both sides of the question before he finally makes up his mind.

It is interesting to note that where the implications of not going nuclear have been allowed to be heard, the majority of people have chosen the benefits of nuclear power. I refer to referendums in Sweden, Switzerland, and in a number of the American States as explicit examples.

Mr Tonkin: With equal television advertising on both sides?

Mr HERZFELD: Having said that, I believe that if—and I use that word advisedly, because we heard from the Premier only a few moments ago that Western Australia is merely making plans—a nuclear facility is proposed, the people of Western Australia should be permitted to weigh up the case against nuclear power and balance it with the future they would face without it, just as has occurred in other countries where referendums have been held.

A referendum is the only situation of which I can perceive which would force the electronic media and the Press to give equal time and space to both sides of the argument in an equitable manner. It would permit Western Australians to balance the case against nuclear power with the prospect of the future they would face without it. It would give them the opportunity to judge the matter not merely on emotive grounds but on practical, down-to-earth grounds as well. Such a referendum would require a commitment by all political parties to abide by the umpire's decision. In other words, they would have to abide by the will of the people.

Mr Jamieson: That sounds like W. W. Mitchell's speech.

Mr HERZFELD: If the Government accepted this proposal, the referendum would be a symbolic and practical gesture of its commitment to its election call for united action based on mutual trust.

Mr Speaker, in concluding I return to the words of Sir William Robinson when he was addressing the First Parliament. He called for—

... self Government to be so administered as to promote in the hearts of every citizen those sentiments of self respect and true patriotism

Those words are as relevant today as they were nearly a century ago. His call was for leadership motivated by goodwill and honesty of intent; for wisdom and understanding by those who govern; for equality under the law; and for democratic processes to prevail.

Mr Tonkin: In Western Australia?

Mr HERZFELD: With the policies which have been enunciated by His Excellency this afternoon, these principles provide the framework within which a certain and secure future may be built for Western Australians in the decade ahead.

MR TRETOWAN (East Melville) [4.20 p.m.]: I formally second the motion.

MR DAVIES (Victoria Park—Leader of the Opposition) [4.21 p.m.]: Usually on opening day, and at this stage, we adjourn the House until the following Tuesday. That has become the tradition. However, we have already broken tradition once today, and I propose to break it a second time for a very real and appropriate purpose. It is appropriate when the member for Mundaring has been speaking about democracy and our rights under the law. My comments fall very neatly in with what has been said about the Parliament.

This is a very appropriate time, just after we have all been sworn in, at a time when we have learnt what the Government's programme is to be; at the time when we have heard His Excellency address the Parliament and tell the Parliament the reasons for bringing it together. It is an entirely appropriate time, I believe, to bring forward this matter in a very serious manner. I want to make a very pertinent plea for electoral justice.

Had there been anything in His Excellency's Speech to give me hope that the Government would do something about the Electoral Districts Act and the malapportionment of electorates, I would not have taken this opportunity to speak today. Had there been some hope in the reply to the question I asked the Premier that there would be action taken to redistribute the existing electorates which are badly out of kilter, I would not have spoken today. However, I am speaking. I want to delay the Parliament and our guests about 10 minutes only to say what I believe are the very minimum things that should be done to

bring some kind of electoral justice into this Parliament. At the end of 10 minutes, I hope you will allow me, Mr Speaker, to move that I continue at the next sitting of the House. If you do not, I have enough material to keep going for about two hours.

Mr Blaikie: You will lose friends if you keep going for two hours.

Mr DAVIES: As members would know, it is not uncommon when speaking to the Address-in-Reply to move an amendment; and that might keep us here. I do not want either yourself, Mr Speaker, or our guests, to be held here too long.

I should explain why some of the members on this side of the House did not go to the Legislative Council this afternoon—why some of them sat in their seats, and some of them went about their normal business.

Mr Nanovich: They have done it in the past.

Mr DAVIES: I do not know if it has been done in the past. There was some sneering at the member who felt he had to express himself in this way. There was nothing said to members who went out of the Chamber and into the bar, but did not go to the Legislative Council. The member who stayed here made his formal protest, and his character was besmirched somewhat, in a most unfair way. He had the courage to stay here to indicate that he did not believe in what the Legislative Council stood for; and he made his protest that way. His gestures today were intended as a protest against the undemocratic nature of the Western Australian Parliament and, in particular, the Legislative Council and the malapportionment of the electorates in the State.

Goodness knows, we have brought this up on countless occasions, and there has not been the slightest bit of hope given to us by the Government. There has not been the slightest response from the Government.

There were demonstrations outside the Parliament and there were demonstrations down in the city, until section 54B of the Police Act was brought into operation. There could have been demonstrations today, but I said if I raised the matter in this way, it might have some added impetus because it is a serious matter.

We celebrate the opening of this Parliament with the extravagance and gaudy panoply of a military band, a naval guard, and a noisy 21-gun salute. I believe this is intended as a celebration of the virtue—"virtue" indeed—of the way we govern ourselves. We observe the traditions of the Mother Parliament. We do all these things because they tell us that we are better than other nations that we despise. We have the Westminster

system, which is something good and something to be proud of. Such things are familiar signs and symbols, and we are supposed to be fiercely independent and proud of them.

We have all the signs and symbols, but that is all Western Australia has ever had—the signs and the symbols. We have never had the substance.

Democracy has never been won easily. One only has to go back through history, but I am certainly not giving a history lesson today. One only has to consider what has happened in the Mother of Parliaments at Westminster over the years, and consider the way freedom has evolved.

In this twentieth century Parliament in Western Australia we still affect some of the offices and paraphernalia which ought to be powerful reminders of the struggle to create a decent and credible Parliament in England so many centuries ago. We have the Usher of the Black Rod, the Sergeant-at-Arms, the Mace, and the very office of Speaker itself. Of course, we have the restriction on the entry of the monarch or the monarch's representative into this Chamber. All of these traditions were brought down with the Westminster system. We retain in Western Australia the reminders of the struggle for parliamentary democracy in England, but we do not deserve them because we have never earned them. They are not appropriate. The battle for parliamentary democracy in Western Australia has not been won.

Mr Tonkin: Hear, hear!

Mr DAVIES: We in the Labor Party are determined to go on and fight the battle in this State. The gesture of some of our members in refusing to attend the Legislative Council this afternoon was a very small part of that battle. It is a gesture with a proud tradition, of course. When the earliest members of the Parliament at Westminster fought their battle for their Parliament, they did so by defying the monarch. They refused to accept his decrees automatically. They claimed stoutly and defended the right of the Parliament to make the decisions for the people; and that is how it should be. They protested against the attempts by the monarch to pervert the Parliament. They would not bow down. They did all this at great personal, physical risk.

The actions of our members today held no risk whatsoever; but their protest by staying here, and their refusal to bow down to the summons, were symbolic and in the same tradition as the protests of so long ago—long before the principles about which the member for Mundaring spoke were laid down. Like the protests of the earliest members of

the Parliament at Westminster, the protest today was to assert the right of the people to a proper Parliament.

As a result of the actions of the early Westminster parliamentarians, Britain changed from a totalitarian system of government to a parliamentary system and, finally, to a parliamentary democracy. We hope our actions here today will play their part in making Western Australia a parliamentary democracy, because it has never been one.

It is a fundamental principle of democracy—I will argue this with anyone—that every citizen should have an equal voice in choosing who is to run the affairs of the community. I ask you, Sir, is that reasonable? Everyone should have an equal voice; but, under the law in Western Australia, some citizens have a louder voice than others. If the will of the majority prevails after an election in this State, it is by coincidence, not because the system is fair, honest, and equitable.

It is possible some people do not realise that this situation arises because the law in Western Australia sets arbitrary boundaries which divide this State into three zones. In effect, every two electors living in the metropolitan zone are regarded as equivalent to one elector in what is quaintly called the "mining, agricultural, and pastoral zone".

In other words, every country elector is regarded as being worth two city electors, or a city elector is regarded as being worth only half a country elector. This law is ludicrous and undemocratic.

Mr Shalders: Why don't you just say that it means country and metropolitan electors have an equal voice in this Parliament?

Mr DAVIES: It means nothing like the situation suggested by the member for Murray who is parroting what has often been said on television by a member of the Liberal Party—he is either a research officer or Liberal Party spokesman—which is that we do not have a parliamentary democracy; we have a representative Parliament. Let us have democracy. We do not want a representative Parliament. We want one-vote-one-value.

I should like now to quote some figures. You have been very tolerant, Sir, and I will be brief. At the recent election in the Legislative Assembly, 715 222 electors were enrolled for the 55 seats; that is an average of 13 004 electors in every seat. In the metropolitan area the average enrolment was 17 407 and in the so-called non-metropolitan seats it was a mere 8 757. Therefore, there should be an average of 13 000 electors in

each electorate in metropolitan and country areas, when in fact there are approximately 17 400 in the metropolitan area and almost 9 000 in country electorates.

The seat with the biggest enrolment, that is Whitford—the member representing that electorate is in the House and I am sure he is aware of the situation—contained 27 944 electors. However, the smallest seat, which is Murchison-Eyre, contained only 2 013. I wonder whether the members' salaries will be adjusted accordingly. The member for Whitford represents the equivalent of two quotas of electors. The member for Murchison-Eyre represents approximately one-sixth of a quota.

At the last election 13.8 times as many people resided in the Whitford electorate as in Murchison-Eyre, but the two electorates have equal voting power in this Parliament. The votes of both members representing those electorates have exactly the same value in this House, but one member represents nearly 28 000 electors and the other approximately 2 000.

Mr Pearce: That is totally undemocratic.

Mr DAVIES: The metropolitan zone contains 65.7 per cent of all electors, but has only 49 per cent of the Assembly seats; that is, nearly two-thirds of the electors are represented by less than half the total number of seats. However, the non-metropolitan electors comprise only 34.3 per cent of all electors, but are represented by 51 per cent of the seats in this House. I ask you, Sir, where justice can be seen in that situation?

This means a party can win a majority of the Legislative Assembly seats and, therefore, form the Government of Western Australia, even though it is supported by only one-third of the electors.

In the Legislative Assembly the 245 216 so-called non-metropolitan electors have 28 votes on any issue, but the 470 006 metropolitan electors have only 27 votes.

Mr Blaikie: Would you repeat those figures please?

Mr DAVIES: Approximately one-quarter of a million of the electors in this State have 28 votes and approximately 500 000 have only 27 votes. I ask you, Sir, where is the fairness, justice, or democracy in that?

Mr Blaikie: It sounds as though you are disappointed that you lost the last election.

Mr DAVIES: The Premier was disappointed that there was not a swing to his party and in fact the swing came this way.

The perversions are even grosser in the Legislative Council.

Mr Blaikie interjected.

Mr DAVIES: At close of counting on election night we had nearly 52 per cent of the vote and we did not win one extra seat in the metropolitan area. I can understand why the Premier retains the system. He will not change it, because it is working very well for him.

Mr Bryce: He rigged it very well.

Mr Bateman: It is rigged!

Several members interjected.

The SPEAKER: Order!

Mr DAVIES: The perversions are even grosser in the Legislative Council where 65.7 per cent of electors elect only 37.5 per cent of members.

The biggest province, which is North Metropolitan, contains 96 791 electors and the smallest province, Lower North, contains 6 020 electors. Even though North Metropolitan Province contains 16 times as many people as Lower North, it sends only the same number of members to the Legislative Council.

Since every member of Parliament, no matter how many people he or she represents, has the same voting power in Parliament, the electors of Lower North Province have 16 times as much voice in determining the Government and the State's laws as the people of North Metropolitan Province.

Mr Crane: How about being factual?

Mr DAVIES: I am being factual. I am talking about democracy. Are members opposite proud to sit in a rigged Parliament? I know what members opposite are proud to do. They are proud to accuse people and then fail to stand up and substantiate their accusations.

On matters coming before the Council, the 245 216 so-called non-metropolitan electors are represented by 20 votes, but the 470 006 metropolitan electors are represented by only 12 votes. There is no justice or democracy in that situation.

Western Australia will be able to claim honestly that it is a democracy only when every elector has a vote of the same value as every other elector.

This is not only the view of the ALP in Western Australia; but it has also been referred to elsewhere. The United Nations Declaration on Human Rights, to which Australia is a signatory, says, in part, as follows—

The will of the people . . . shall be expressed in periodic and genuine elections

which shall be by universal and equal suffrage.

As I have shown, suffrage is far from equal in Western Australia.

The United States Supreme Court ruled many years ago that voting systems which did not give equal weight to every vote are undemocratic and are illegal in the United States of America.

Even a former president of the Liberal Party's South Australian Branch said as follows—

The essential feature of any fair electoral system must be that any party or coalition which obtains 50 per cent plus one of the two-party preferred vote should be able to form a Government.

Yet in Western Australia weighted voting ensures that a Government can be elected with substantially less than half the vote.

The arguments most often advanced to justify Western Australia's undemocratic system of weighted votes are that country people need extra representation because of their distance from the capital city and that, without it, country electorates would be unreasonably large.

These justifications ignore the crucial consideration which is that members of Parliament are elected to determine who shall form the Government, its policies, and what the State's laws shall be. That is what elections are about and what electors are deciding when they choose members of Parliament.

The role members play as unqualified social workers and useful community figures helping their constituents with problems and opening fetes and flower shows is important, but it is not the principle reason for electing them.

Every citizen is regarded as being equal before the law; therefore, fairness demands that every person should be equally represented in deciding what the law should be and which Government should administer it. This does not happen in Western Australia.

Members of Parliament should represent electors, not sheep, acres, or kilometres from the capital. Even if there were democratic validity in arguments based on distance, the Western Australian system makes a farce of these. At the last election, the Legislative Assembly electorate of Pilbara, which is many hundreds of kilometres from Parliament House, contained more electors than 13 electorates within 20 kilometres of Parliament House.

The boundary between so-called metropolitan electorates and so-called country electorates runs down the middle of a main street in Armadale.

People on one side of this suburban street have many times the voting power of people on the other side of the street. Yet this ludicrous anomaly also provides that Esperance people get no more voting power than those living on the country side of Armadale, even though they are hundreds of kilometres further from Perth. Our unfair electoral system does not even do the job its apologists claim it does.

If a citizen or group of citizens suffers a disability, whether it is geographic, social, medical or whatever, they are entitled to expect assistance from the community in overcoming it.

But, no disability is overcome by giving those who suffer it disproportionate power in running the affairs of the whole community.

There is no doubt that people living in remote areas suffer disabilities in communicating with their members of Parliament which are not suffered by city people, but the remedy does not lie in watering down the democratic rights of city people.

The disabilities of remoteness and difficult communications are not reduced one iota by having disproportionate power in shaping the State's laws and policies or in choosing the Government.

The only real remedy lies in giving members of Parliament and their electors greater access to the modern means of communication which will put them in touch with one another.

We in the Opposition call for an end to the hideous malapportionment of the seats in this Parliament.

We call for an inquiry by the Chief Justice of the State into the provisions of the Electoral Districts Act and for a report from him on how they measure up in their adherence to the principles of fairness and democracy. The Chief Justice, of course, is the Chief Electoral Commissioner, and I would still hope to see him inquire into the Electoral Districts Act.

Until every elector has a vote equal in value to that of every other elector, Western Australians will not have an equal say in choosing the Government, deciding Government policies or making the laws.

Until every elector has an equal say, this Parliament will be a meaningless sham and Western Australia will not be a democracy.

I thank the House and guests for their indulgence and attention.

Neither the Opposition nor I has embarked upon this unusual course lightly, but we firmly believe that it had to be done and that there is no

more serious matter calling for this Parliament's attention.

Leave to Continue Speech

Mr Speaker, I now move—

That I be given leave to continue my speech at the next sitting of the House.

Motion put and passed.

Debate thus adjourned.

**ADJOURNMENT OF THE HOUSE:
SPECIAL**

SIR CHARLES COURT (Nedlands—Premier)
[4.43 p.m.]: I move—

That the House at its rising adjourn until 4.30 p.m. Tuesday, the 5th August.

Question put and passed.

House adjourned at 4.44 p.m.

QUESTIONS WITHOUT NOTICE

ELECTORAL

Boundaries: Redistribution

1. Mr DAVIES, to the Premier:

- (1) In view of four Legislative Assembly seats being over permissible tolerance levels, and because six more are approaching permissible tolerance levels, will he move in both Houses of Parliament for a redistribution of electoral boundaries?
- (2) If "No", why not?

Sir CHARLES COURT replied:

- (1) and (2) There is no present statutory requirement for an electoral redistribution and it does not appear that there will be such a requirement at the earliest until after the next general election.

The Government has no present plans to circumvent the statutory process by moving in Parliament for an extraordinary redistribution to occur.

FUEL AND ENERGY

Nuclear: Policy

2. Mr JONES, to the Premier:

- (1) With reference to the Premier's policy speech statement, that nuclear power was the sole certainty for energy, is he aware that the Assistant Commissioner of the SEC (Dr Booth) has said that there was no certainty that WA would get nuclear power and the only thing certain was that Collie coal would be used as long as available?
- (2) In view of the recent finds of additional coal reserves at Collie and Dr Booth's comments that coal would be the preferred power-generating source whilst reserves were adequate, has the Government reconsidered whether it should pursue nuclear power?

Sir CHARLES COURT replied:

- (1) The honourable member is seeking to mis-quote and simplify statements made by the members of the Government and our advisers on this particular matter. In

the Government's policy statements a consistent policy was clearly laid down in relation to the future prospects for coal, oil, gas, nuclear, and other forms of satisfying the State's energy needs.

I made clear at the time that the Government was following the only responsible course of action in making all the necessary preliminary investigations in preparation for a decision on nuclear power, when the time comes for a decision. This policy has subsequently been re-stated by the Minister for Fuel and Energy. I also point out that the Government at this stage is getting ready—nothing more nor less—as any responsible Government should get ready.

- (2) The Government is aware of the prospect of additional reserves at Collie and there is a prospect of further discoveries of gas and hopefully oil within the State if exploration is allowed to continue unimpeded. The Government will continue to keep the situation closely under review but we remain firm in our belief that consideration for the introduction of nuclear power and examination of other forms of energy is the appropriate course of action at the present time.

ROAD

Blowholes Road, Carnarvon

3. Mr McIVER, to the Minister for Transport:

- (1) Would the Minister advise if a firm determination has been made on who is to be employed to upgrade the Blowholes Road, via Carnarvon?
- (2) Will it be by private contractors or Main Roads Department employees?
- (3) If private contractors, would not this decision have a great economic effect on the town of Carnarvon as 30 to 40 employees would be transferred to Sandfire, having regard to the fact that the Carnarvon region has been subject to heavy flooding?

Mr RUSHTON replied:

- (1) and (2) It is proposed to carry out this work by contract. Tenders have been called and close on the 5th August. It may take several weeks to make a full analysis of the tenders received.
- (3) No.

PERTH

Citizens: Protection from Nuclear Attack

4. Mr BRYCE, to the Premier:

In the light of the determination of the Fraser Government and his own Administration to make the Perth metropolitan area a prime nuclear target in the event of a nuclear war, what provisions are being made for the safety and protection of the 800 000 people who live in this city?

Sir CHARLES COURT replied:

In answer to the Deputy Leader of the Opposition—

Opposition members: No, no.

Sir CHARLES COURT: They change so often we cannot keep up with it.

Mr B. T. Burke: You cannot keep up with much at all at your age.

Sir CHARLES COURT: The honourable member is being quite irresponsible—

Mr Bryce: Here we go.

Sir CHARLES COURT: —in this scaremongering and trying to create in the minds of people a situation which does not exist. Be that as it may, I want to say quite emphatically the Government is right behind the defence policies of the Federal Government in respect of Western Australia. We welcome the upgrading of defence facilities and the further facilities to follow, and we believe this is the positive approach. If we accept the approach of the honourable member and, I believe, some of those who sit with him—

Mr Bryce: Do you know what it is?

Sir CHARLES COURT: —we would not have any defence at all, on the basis that if we did not take any action about

defence the Soviet and other potential enemies would just go away saying, "We can't touch those people because they are too friendly." We accept the Commonwealth Government's defence policies and have every confidence that it, in conjunction with us, will ensure that any protection that is necessary for the public will be provided.

LOCAL GOVERNMENT

Nedlands City Council

5. Mr JAMIESON, to the Premier:

In view of the fact that all local authorities except the Nedlands City Council have provided paintings typifying their local regions for the gallery of paintings at Parliament House, and as the City of Nedlands is within his electorate, will the Premier make representations to that council in an endeavour to complete the gallery?

Sir CHARLES COURT replied:

Some of the more "impoverished suburbs" have difficulty in providing these things and they say that because of their high valuations, which affect the amount of rates they have to pay in respect of water, sewerage, and drainage and other taxes, they cannot afford paintings. I can assure the honourable member it has not been forgotten. It is now some time since I was shown a potential picture from Nedlands to the Parliament, but I think wiser counsels prevailed and that particular picture was not offered. The matter will be taken up and, even if I have to pay for it myself, we will get one.

