

## Legislative Council

Tuesday, 18 August 1981

The PRESIDENT (the Hon. Clive Griffiths) took the Chair at 4.30 p.m., and read prayers.

### WATER RESOURCES

#### *Kendenu: Petition*

**THE HON. TOM KNIGHT** (South) [4.31 p.m.]: I wish to present a petition from concerned members of the Kendenu community regarding an extension of the comprehensive water scheme to Kendenu. I move—

That the petition be received and read.

Question put and passed.

**THE HON. TOM KNIGHT** (South) [4.32 p.m.]: The petition contains 196 signatures and bears the Clerk's signature that it is in conformity with the Standing Orders. It reads as follows—

To the Honourable The President and Honourable members of the Legislative Council—

We the undersigned members of the Kendenu community (including the following—

#### KENDENU

Parents and Citizens  
Country Women's Association  
Primary Industry Association  
Fire Brigade  
Community Grounds Committee  
Cricket Club  
Tennis Club  
Hockey Club  
Badminton Club  
Golf Club

petition the WA State Government to extend the comprehensive water scheme to Kendenu promptly, and your Petitioners will ever pray.

I move—

That the petition be ordered to lie upon the Table of the House.

Question put and passed.

*The petition was tabled (see paper No. 314).*

### QUESTIONS

Questions were taken at this stage.

## LEGAL PRACTITIONERS AMENDMENT BILL

### *Second Reading*

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney General) [5.06 p.m.]: I move—

That the Bill be now read a second time.

This Bill deals with two matters involving the legal profession.

The first amendment proposes an increase in the number of elected members of the Barristers' Board from the present seven to nine. When the Legal Practitioners Act was first enacted in 1893, it provided for five elected members. The number was subsequently increased to seven in 1973. Since 1973 the number of practitioners on the roll has increased from less than 600 to more than 1 300 and the numbers in practice from about 400 to more than 900.

An increase from seven to nine elected members will allow a more adequate representation of the profession and also make easier the task of finding sufficient members to constitute a quorum for disciplinary inquiries. The number of inquiries and the length of time they take are each increasing, and it is a constant strain on the present membership of the board to provide a quorum at all times.

The quorum for a meeting of the Barristers' Board is currently four and this will remain.

The second proposal is to repeal the present requirements of sections 9(a) and 15(1) that an articulated clerk and a candidate for admission as a practitioner must respectively be British subjects.

The Barristers' Board has adopted a policy, developed in consultation with most admitting authorities in Australia, which requires an overseas lawyer to have an acceptable standard of legal training in the common law tradition and a demonstrated knowledge or experience in basic areas of law sufficient to fit the person to practise in those areas in Australia.

The Barristers' Board has, therefore, formed the view that the requirement that an articulated clerk or candidate for admission be a British subject is no longer a necessary or appropriate requirement for the practice of law in Western Australia.

With the exception of Queensland—which has an alternative method of admission—other States and Territories in Australia no longer have a British subject requirement.

The board's view is that the removal of the British subject requirement will not produce any

flood of admissions of dubiously qualified lawyers to practise here.

The basic areas of law in which overseas lawyers seeking admission must demonstrate knowledge or experience are contract, tort, criminal law, real and personal property, and Australian constitutional law.

In addition, policy requires most overseas applicants to spend some time in a local law office before admission or before the applicant is free to practice on his or her own account. It will, therefore, be appreciated that the Barristers' Board now has a thorough and adequate basis on which to consider applications for admission.

Members would be aware that a committee under the chairmanship of Mr Justice Brinsden is inquiring into the future organisation of the legal profession, and the amendments proposed in this Bill are not intended in any respect to pre-empt the work of that committee.

Action is being taken now to ensure that the Barristers' Board is able to continue to operate effectively with the increasing demands presently being placed upon it.

I commend the Bill to the House.

Debate adjourned, on motion by the Hon. J. M. Berinson.

## LOCAL COURTS AMENDMENT BILL

### *Second Reading*

Debate resumed from 11 August.

**THE HON. J. M. BERINSON** (North-East Metropolitan) [5.09 p.m.]: This Bill deals with Local Court matters of an administrative nature only and, even then, within a very narrow compass. So as not to strain our friendship, Sir, I will resist the temptation to discuss other Local Court matters relating to more serious questions of procedure and jurisdiction; but I may perhaps be forgiven if I just mention one or two in passing.

For example, I again raise with the Attorney General the possibility of updating the jurisdictional limit of the court from the \$3 000 figure set five years ago. That would provide at least some relief to the District Court in regard to the backlog of cases with which that court is faced now and, even independently of other considerations, that should be something to prompt more and quicker action on this jurisdictional aspect.

As well as that, I would refer also very briefly to the potential for relieving the Local Court of its present pressures by providing a simpler and less costly process for the settlement of debt claims involving \$1 000 or less. That was, after all, an

election commitment by the Premier over 18 months ago and it would be nice, if I might suggest so, to see the Premier set himself a good example by honouring it.

As to the Bill itself, it will permit the destruction of Local Court records after 15 years or after three years where the files have first been microfilmed. The Opposition supports these proposals. They are based on a recommendation of the WA Law Reform Commission and, in our view, they are self-evidently reasonable and practical.

The proposals will free space which is apparently now cramped in the State's records repository and also they will allow some saving in costs, although I find, in looking through the reports of the commission, that those savings are rather less than might be anticipated just on a guesswork basis. If anything, the savings in costs, given the mass of material involved, would suggest that larger savings might be available. As the report points out, in 1977 alone the Local Court saw 39 806 actions commence. That is to say, it saw 39 806 files opened in one year alone.

From what I understand from the remarks made by the Attorney General in his second reading speech, these files of the Local Courts, as now stored, stretch back to time immemorial or whatever the relevant time is for this State and the mind really boggles at the number, weight, and sheer volume of papers involved. As I suggested a moment ago, one would think that, given that enormous mass of paper which must be stored, the saving in disposing of all but the last 15 years' accumulation would be considerable.

To my surprise, however, I find that the commission suggested the cost of storing records of both the Courts of Petty Sessions and the Local Court amounted to only \$9 200 in 1978. I really find myself wondering whether those costs included any imputed cost for State-owned storage space, because I would have thought the lease costs alone for the sort of space required for the storage of such bulky material would amount to at least \$9 000, if not much more.

Be that as it may, there will be some small saving of costs; there will be some worthwhile advantages in storage space; and, above all, we will avoid the continued practice of accumulating material which does not need to be accumulated. The destruction of the material in those circumstances speaks for itself.

I support the Bill.

**THE HON. I. G. MEDCALF** (Metropolitan—Attorney General) [5.14 p.m.]: I thank the Opposition for its indication that it supports the Bill.

The questions raised by the honourable member are receiving attention.

Space is the major concern in this matter and I am not aware of the costs involved. I doubt whether the estimate of cost saving provided is basically correct. It may be based on salary; but obviously some allowance would have to be made for space, and space is all-important in this connection.

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. I. G. Medcalf (Attorney General), and transmitted to the Assembly.

## ROAD TRAFFIC AMENDMENT BILL

### *Second Reading*

Debate resumed from 12 August.

**THE HON. D. K. DANS** (South Metropolitan—Leader of the Opposition) [5.17 p.m.]: The Opposition understands some of the problems confronting the Government; no doubt in order to maintain revenue at previous levels it must increase charges. However, we simply must oppose this Bill.

The Bill provides for an increase in motor vehicle driver's licence fees from \$7 to \$10 a year. Despite the mental gymnastics of the Minister in trying to tell us that the pensioners will remain on a relative level, the cold, hard fact is that a pensioner will have to pay an extra \$2 a year for his driver's licence; in other words, a pensioner will now pay 50 per cent of the licence fee applying generally in the community.

Like many other people in the community, I am starting to wonder just when we are to leap into the eighties. Almost daily—indeed sometimes three or four times a day if we include the activities of the Federal Government as well as those of the State Government—we hear announcements of increased charges.

Let us look at some of the increased charges which people must face up to. The people who will be hardest hit by these increases are the low income earners—the increases will hit them

where it hurts. If my memory serves me correctly, in the last few days I read that some committee reported that approximately 1.25 million people in Australia are living below the poverty line.

The Hon. G. C. MacKinnon: What is the poverty line?

The Hon. D. K. DANS: I am not quite sure—I just read the newspaper report. However, to answer the interjection, Mr Deputy President (the Hon. V. J. Ferry), one would not need to be very bright to realise that the poverty line would be in the vicinity of a weekly wage of \$160 a week.

The Hon. G. C. MacKinnon: Are you saying you are not very bright?

The Hon. D. K. DANS: I heard the Federal Treasurer say last night that the average weekly wage is \$300—I gather people all across the country must have burst their sides laughing at that statement. Certainly no member sitting in this Chamber would agree with him. Let members go out into their electorates and discover how many people are earning \$300 a week.

The Hon. N. E. Baxter: He is talking about the average.

The Hon. D. K. DANS: One can do anything with averages. If the Treasurer's salary and the salaries of a few members of Parliament were added in, it would raise the average a great deal. What a misleading statement to make! It is a patent lie to say that the majority of people earn an average weekly wage of \$300.

The award wage for a fitter and turner is in the vicinity of \$220 a week; that is his wage after he has served a five-year apprenticeship. He may receive some other over-award payments or loadings, but the vast majority of fitters and turners work in ordinary machine shops and receive the award wages. So people such as these will be facing a hike in their driver's licence fee from \$7 to \$10 a year, and there is no guarantee that it will not rise again. Are we now to find that the pensioner will pay 50 per cent of the licence fee, whatever it rises to?

Whatever one does with the figures, the fact is that pensioners will now pay another \$2 a year.

The Hon. P. G. Pental: That is 6c a week.

The Hon. D. K. DANS: That is 6c out of the meagre pension, and one must remember that all charges have been increasing. If the Hon. Phillip Pental wishes to make a speech after I sit down, he can stand up to tell members that the pensioners are not worried about another 6c a week. It is no good being cynical and callous.

The Hon. P. G. Pental: I am not being cynical and callous.

The Hon. D. K. DANS: Of course the honourable member is being cynical and callous.

The Hon. R. G. Pike: Of course he is not.

The Hon. P. G. Pental: You even have a smile on your face when you say it.

The Hon. D. K. DANS: That weekly figure must be multiplied by 52. As well as this increase, people are facing increases in water charges, electricity charges, local government rates, transport costs, education costs—and at the same time a reduction in the standard of education—and steep increases in health costs. We will know the full extent of the increases in health costs in the not-too-distant future, and perhaps we will be able to unravel some of the gobbledygook.

An article appeared in this morning's issue of *The West Australian* which would lead us to believe that we will pay only 20c a week more. Needless to say, that article was very misleading. We were told that somehow or other in the sweet by-and-by the taxpayers will receive back 32c in the \$1 paid for health insurance. The fact is that the people who have to pay these increased charges want the money now to keep body and soul together.

Rental charges for State Housing Commission homes have increased, and that includes pensioner accommodation. Certainly interest rates have not yet stopped rising. I notice in tonight's edition of the *Daily News* that the paper is advising people to rent rather than to buy.

The Hon. G. C. MacKinnon: Not the paper.

The Hon. D. K. DANS: That interjection demonstrates the Government's cynical and callous disregard for the ordinary men and women in our community.

The Hon. G. C. MacKinnon: It is not the paper advising them.

The Hon. D. K. DANS: Mr MacKinnon is being smart.

The Hon. I. G. Pratt: How do you hang that together?

The Hon. D. K. DANS: Here is Mr Pratt coming in with the same comment. He should get to his feet.

The Hon. I. G. Pratt: I am asking you.

The Hon. D. K. DANS: I am making the speech.

The Hon. I. G. Pratt: You can't hang it together, can you?

The Hon. D. K. DANS: I notice, Mr Deputy President (the Hon. V. J. Ferry) that Mr Pratt

jumps in and out. When I am ready to answer him I will.

The Hon. I. G. Pratt: You won't.

The Hon. D. K. DANS: Let me remind the honourable member that I am exercising my right under Standing Orders to make a speech, and that interjections are out of order.

The Hon. I. G. Pratt: In other words he won't answer it.

The Hon. P. G. Pental: He is getting his facts a bit wrong there.

The Hon. D. K. DANS: If Mr Pental or Mr Pratt thinks I am getting my facts wrong, I will go for a wander through their electorates with them. We will do a little doorknocking, and ask their electors what they think of the increased taxes and charges.

The Hon. I. G. Pratt: You are welcome in my electorate at any time.

The Hon. D. K. DANS: I heard the Premier talking this morning about interest rates. He keeps telling us that if this and that happened interest rates would be way down. He must be demented! I would not even claim that if the Government were to change much could be done about interest rates. At least the leader of the State should understand what he is talking about. I know it is not much use going over old ground, and as I said, I appreciate some of the problems the Government is facing. However, the Premier should be truthful. It is not so many years ago he told us inflation could be beaten State by State. That was part of the Liberal Party's platform before a State election. We were told also that the Liberal Party would create 100 000 jobs—

The Hon. Peter Dowding: All lies.

The Hon. D. K. DANS: —and that interest rates would come down. We were told that before the last two elections. Informed sources in the country are saying that interest rates will reach 15 per cent this year.

If one adds all these increases to the 6c a week that Mr Pental harps on, it becomes a significant amount. Of course, at the same time, the economy is being eroded. The disposable income of the people is decreasing, and this has a snowballing effect.

Very shortly the community will commence to make a noise about the direction in which the nation is heading. The Government must take steps to halt the erosion of living standards and the destruction of the savings of the people.

Added to all these increases is the 6c a week.

The Hon. P. G. Pental: Who is harping on it?

The Hon. D. K. DANS: I am now. As well as this, as the parliamentary representatives of the people, we are failing in our duty to provide solid leadership. We heard the Premier say this morning that if only something else were happening, interest rates could come down. I had the pleasant duty to sit next to the Premier at a finance conference dinner. When he told the people that they had the means at their disposal to bring down interest rates, the president, who was sitting next to me, nearly fell off his chair laughing. He whispered to me, "He isn't serious?" I said, "I am afraid he is". I am very fortunate that I never used his firm of accountants, because I could have been in deep trouble.

The Hon. I. G. Medcalf: That is an unfair remark.

The Hon. D. K. DANS: It is not unfair at all.

The Hon. I. G. Medcalf: I think it is quite unfair to criticise a firm of accountants because you disagree with the Premier's opinion about interest rates.

The Hon. D. K. DANS: Let me put it this way, with the best intentions in the world, the Premier cannot wave a magic wand and bring interest rates down. If the Premier believes that, he is very misguided. A great number of people in this country are getting into very difficult circumstances because of constant increases such as this increase of 6c a week for pensioners.

This reminds me of the story I have told in this House before, of Gulliver travelling in the mythical land of Lilliput. Gulliver lay down and went to sleep, and when he woke up thousands of little people were tying him up with short pieces of wool, all labelled "6c". He thought to himself, "That can't hurt me", so he went back to sleep. When he woke again, he was bound so firmly that he could not move.

That is exactly what is happening to the Australian economy because of the slow, deliberate erosion of living standards by the Governments in Canberra and Western Australia.

I oppose the increase in licence fees.

**THE HON. P. H. LOCKYER** (Lower North) [5.31 p.m.]: I rise to support the Bill.

I agree, like Mr Dans, that it is desirable at times not to "hit the pensioners hard". This Government has been very fair to the pensioners for a long time. This is the first time since 1974 that the charge for a pensioner's driver's licence has risen.

The Hon. Peter Dowding: What about their electricity and their water?

The Hon. P. H. LOCKYER: I shall ignore the Hon. Peter Dowding totally, as I have done for the whole session. No matter what he says, I shall go on.

It is not an easy matter for any Government, whether it is Liberal, Labor, or whatever, to place extra burdens on the pensioners. However, in some areas the burden has to be spread more evenly.

This Government was the first to bring in 50 per cent concessions for water, sewerage, and local government rates for eligible pensioners. These people save thousands of dollars because of this. In effect, by this Bill the Government is bringing the charge system for pensioner driver's licences into line with other charges.

Most sensible, thinking people would realise that the State is faced with great problems in respect of its charges. Quite rightly and sensibly the Premier has been making clear to the public that they can expect extra charges.

The pensioners in particular have been dealt with very fairly. I know some people would say that the 6c a week, as suggested by the Leader of the Opposition, will affect pensioners. I agree. All increases affect their weekly use of the dollar. However, we all have to share some part of the burden.

I put to the House simply that these charges, and those in other areas, have to be increased. That is unfortunate. We all support the country, and perhaps the pensioners are the last ones who should be hit.

I am sure that before a decision on this matter was brought to the Parliament, a massive amount of thought was given to it. This is not a step that would be taken lightly.

I support the Bill.

**THE HON. G. E. MASTERS** (West—Minister for Fisheries and Wildlife) [5.34 p.m.]: Like Mr Dans, I am sorry increases must be made. We accept that the increases have been across the board; but they have been necessary, as the honourable member would well know.

We have no pleasure in applying charges to anyone, least of all to the pensioners. The Hon. Phil Lockyer is dead right when he says that we thought long and hard before we increased any charges to pensioners. I agree that whether the increase is 6c, 10c, 20c, or whatever, it has an effect on the people who are on limited incomes.

Nevertheless, when we do consider increased charges and increased rates, they have to be across the board, having due regard for the people who are in some difficulties. Therefore, we

thought that a \$2 increase—a 50 per cent increase—was reasonable in the circumstances, bearing in mind that the increased return to the pensioners over three years has been something like 67 per cent.

I know one can juggle percentages and figures. However, sooner or later one has to make a judgment: and this is what we have done.

The Hon. Des Dans spoke about leaping into the eighties.

The Hon. D. K. Dans: You just belly-flopped!

The Hon. G. E. MASTERS: We are seeking to make Western Australia and Australia better places to live. We know we are facing difficult times; but at least we are positive. We are seeking to apply ourselves to the challenges, given all the problems we face. We are trying to maintain our standard of living.

Many members have travelled overseas, and they have seen the standards of living in other countries. They have seen the problems suffered in many areas. At least we are enjoying a good standard of living; and we intend to maintain that standard of living.

Let us be honest and practical about it. There is no doubt the Hon. Peter Dowding and other members of his party would simply say, "Print money. You don't worry about where it comes from". Their criticism of lifting charges and lifting rates is simple; but not at any time has anybody suggested, "Don't raise the charges. Take the money out of welfare, take it out of health, take it out of education".

The Hon. D. K. Dans: You have got nothing in health; you have got no education, no housing. You have nothing left.

The Hon. G. E. MASTERS: The Government has a financial responsibility. It has to raise funds, and it has to take funds from Government departments where necessary. In accepting that financial responsibility, it has to impose charges on the public. It makes a judgment on where the charges are to come from—

The Hon. Peter Dowding interjected.

The DEPUTY PRESIDENT (the Hon. V. J. Ferry): Order!

The Hon. G. E. MASTERS: I do not need to talk about Mr Whitlam and his increases in the inflation rate of figures, or the fact that in the time Malcolm Fraser has been in power the Consumer Price Index has been kept well below 10 per cent, and inflation has been kept well below 10 per cent. Certainly there are financial problems in the world. Certainly we have difficulties in financing. However, the money has

to come from somewhere, and the Government has to make a decision about from where it will come. As a responsible Government—

The Hon. D. K. Dans: You squeezed it out of the pensioners.

The Hon. G. E. MASTERS: We did not. We took it across the board, as fairly as possible.

I am sorry the Opposition is opposing this Bill. I thank the Hon. Phil Lockyer for his comments; and I recommend that, as responsible members of the Parliament in this House, we support the Bill before us.

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. E. Masters (Minister for Fisheries and Wildlife), and passed.

#### RURAL HOUSING (ASSISTANCE) AMENDMENT BILL

*Second Reading*

Debate resumed from 11 August.

THE HON. Lyla ELLIOTT (North-East Metropolitan) [5.40 p.m.]: The Opposition is not opposed to this legislation.

The Act introduced originally in 1976 was designed to help farmers who needed finance for housing but who were not able to provide acceptable security to lending institutions. Initially, the scheme applied solely to bona fide farmers who wished to provide accommodation for themselves and their dependants. At that time, the Government excluded specifically the provision of housing for farm employees, but it said it would look at this question at some future date.

On that occasion, we supported the Bill, and we supported also the amendment in 1978 to extend the coverage of the Act to farmers whose holdings were the subject of a perpetual lease; for example, those who were allotted perpetual leases under war service land settlement schemes following the last war.

In addition to providing supplementary power for the Treasurer, this Bill is designed to extend the provisions of the Act to full-time employees and relatives who are members of family

partnerships on properties. The extension to employees is a response to the question the Government said it would consider when it introduced the 1976 Act.

This Bill also inserts a new section 18A to transfer the benefits under the Act to the successor in title of an approved farmer.

As we are examining the benefits under the legislation, this is a good opportunity for us to consider the funds that have been made available to date. Farmers are helped by the authority under the Act in two ways, firstly by providing direct advances, and secondly by providing indemnified assistance through building societies.

The last annual report of the Rural Housing Authority, for the year 1979-80, was issued in 1980. It reveals that \$1 million was made available in direct advances at a concessional rate of interest. Half of that money was borrowed privately under the semi-Government borrowing scheme, and the other half was provided under the Commonwealth-State home purchase assistance account. This enabled direct assistance to 39 farmers at interest rates commencing at 6 per cent for the Commonwealth-State money, and increasing at 0.5 per cent a year until it reached the long-term bond rate. The money obtained from private borrowings was made available to farmers at 8 per cent, increasing by 0.5 per cent until it reached 0.7 per cent above the borrowed rate.

The maximum amount allowed under the direct advance is a fairly modest one, ranging from \$30 000 to \$35 000 depending on the source of the money and on the area in the State where the farmer wishes to build the home.

In the same year, 1979-80, the authority approved 34 farmers for indemnified assistance for proposed advances totalling \$1 097 600 through the permanent building societies. The maximum amount allowed to be borrowed under the indemnification scheme is 90 per cent of the total cost of the house, with a limit of \$50 000.

In the financial year 1979-80 a total of 73 farmers were assisted by the authority to build new homes for themselves, either by direct advances or by indemnifying them through the building societies.

The annual report of the Rural Housing Authority shows photographs of buildings on farms before and after the benefits of the scheme have been experienced. Members would agree that the new buildings definitely were needed.

The authority has continued a policy of visiting country areas. In its report it states—

The Authority has noted that many farmers are still living in deplorable housing conditions both in sheds, makeshift housing and old and out-moded farm dwellings. The continuing need for rural housing assistance is clearly evident, not only for initial housing or additions but also for replacement or modernisation of existing houses.

In view of that observation and the fact that the number of applications is running at double the rate of approvals, it is obvious there is a real need for assistance in this area.

We support the Bill, but I ask the Minister to indicate to the House the criteria that are applied to determine who is and is not eligible for this finance. As far as I can see this has never been spelt out very clearly. There are provisions in the Act which state that certain farmers can apply, but the Act does not establish, for example, the financial criteria. This is something that should be spelt out clearly. I would like to know how the authority establishes eligibility.

**THE HON. W. M. PIESSE** (Lower Central) [5.46 p.m.]: I support this Bill and I feel I must make some comment about it because this is one piece of legislation which directly affects the lives of women in country areas. It is for country women that I am pleased to see this legislation before the House. I hope the matter will not finish here and that the Government will not take the attitude that it has provided assistance for housing women in country areas, and that is the end of it. Many improvements can be made.

The original legislation was the beginning of a change of circumstances in the lives of a great many women living well out from the metropolitan area, women who had gone onto properties as wives of farmers, prepared to live in the end of a shed for a few years in the expectation that, eventually, they would acquire a real home of their own. In fact it was a very long time before some of those women acquired a real home. It is due to legislation such as this that many of them have been given a comfortable dwelling in which to live.

It has been stated already that 202 farmers have been assisted in one way or another with housing finance. Some of the far-out places in which farmers have received assistance include Augusta-Margaret River—which is way down the south coast—Denmark, Esperance, Gnowangerup, Lake Grace and Ravensthorpe. The women on farms in those areas would have had no chance of living in reasonable accommodation without this assistance.

The other thing I am pleased to see is that assistance is given also to improving homesteads already built, and those of us who have lived in the country know that many of these were built as long ago as just after World War I. Improvements have not been made to many of these dwellings because the money has not been available.

One of the reasons there is still a long waiting list of people wanting assistance is that money is in short supply.

The PRESIDENT: Order! Honourable members will refrain from their audible conversations, because the speaker is difficult to hear.

The Hon. W. M. PIESSE: I support the Bill.

THE HON. V. J. FERRY (South-West) [5.50 p.m.]: I support this legislation. I believe the Rural Housing Authority is one of the great success stories of our State. It took many years and a good deal of heartache and research to establish a system to bring better housing to people who lived on farms in rural areas. The Hon. Win Piesse has mentioned that the authority has been a boon to the women and their families. This is ever so true. What could be said of the womenfolk in our country areas and the things they have had to put up with in an effort to provide some sort of comfort for their families is one of the sagas of this country.

In the south-west of this State in the 1920s a lot of land was opened up under the group settlement scheme and a few of those original homes are still standing. I have a list of the approvals for assistance for the Shire of Augusta-Margaret River for 30 June 1981 and it shows there were 25 approvals for assistance to farmers in that area. This shire was one of those which was well- and truly developed by the group settlement schemes of the 1920s.

The Hon. J. M. Brown: Were there any for Westonia?

The Hon. V. J. FERRY: There was one.

The authority has been the means of assisting a number of farmers in many districts of the State. This is certainly a great scheme. It is to the credit of the authority that it is working effectively. Its members visit farms to see for themselves that there is a need to replace many of the old buildings. They then return at a later stage to see the new dwellings. The authority has made itself completely familiar with the problems confronting the farmers and their families.

I have much pleasure in supporting the Bill.

THE HON. NEIL OLIVER (West) [5.52 p.m.]: This legislation was incorporated in our platform for the election of the Court Government in 1974. The only criticism I have is that it took till 1976 to be implemented. I was fortunate in being on the committee which dealt with the original Bill. The need for the legislation arose because of the inability to advance second mortgages under the Building Societies Act for rural properties. That is how the Rural Housing (Assistance) Amendment Bill came into effect.

As the Hon. Win Piesse has said, the authority has been able to assist people who developed farms under the war service and land settlement schemes. Indeed, it has helped many out of very tragic circumstances. I have spoken previously about the general problems of housing affecting my electorate, in areas such as Toodyay, Wundowie and Wooroloo where such properties are in existence.

I am critical of the Opposition because it is critical of the amount of funds to be made available.

The Hon. D. K. Dans: We are supporting the Bill.

The Hon. NEIL OLIVER: Yes, but the Opposition is critical of the amount of funds being made available. When Opposition members were in Government prior to 1974 they gave no thought to this situation.

The Hon. J. M. Brown: That is not correct.

The Hon. NEIL OLIVER: Now that they have had the opportunity to produce their Labor Party policy document and examine their rural vote, they find they are in no position to obtain that vote.

The Hon. Peter Dowding: Don't talk rubbish.

The Hon. NEIL OLIVER: They also have researched and found that it is not necessarily the farmer within the rural community who does not support the Labor Party. They have found a large proportion of people earning below award wages do not support the Labor Party.

Several members interjected.

The PRESIDENT: Order!

The Hon. Lyla Elliott: We support the Bill.

The PRESIDENT: Order! I ask the honourable members interjecting to refrain from doing so, and I ask the honourable member addressing the Chair to direct his comments to the Bill.

The Hon. NEIL OLIVER: I repeat the fact that my only criticism of the Government is that it took from 1976 till now to introduce this legislation. Further, I take exception to the Labor



Party's criticism of the amount of funds being made available, criticism made in order to obtain political advantage in an endeavour to win the hearts of rural people—something the Opposition has no hope of doing.

**THE HON. G. E. MASTERS** (West—Minister for Fisheries and Wildlife) [5.55 p.m.]: I thank honourable members from both sides of the House for their support of the legislation. We all recognise the importance of the work the authority does and the importance of the rural community to this State.

In reply to the Hon. Lyla Elliott's query, I do not have a list of the things the authority would look for when considering eligibility, but I guess it would make a judgment of the people concerned in respect of their family background, their ability to farm, the state of their farming enterprise, whether it is a new or established farm, and their ability to produce crops to pay for the loans and the guarantees given.

The Hon. J. M. Brown: They prefer new farms.

The Hon. G. E. MASTERS: If the Hon. Lyla Elliott is looking for a more detailed list I could undertake to obtain one for her. In the main, the authority tries to assist wherever possible.

Again, I thank all members for their support.

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. E. Masters (Minister for Fisheries and Wildlife), and passed.

*House adjourned at 5.59 p.m.*

## QUESTIONS ON NOTICE

### RECREATION: FOOTBALL

#### Anzac Day

348. The Hon. TOM McNEIL, to the Minister representing the Deputy Premier:

- (1) Would the Deputy Premier—
  - (a) confirm that the four WAFL games played on Anzac Day this year sustained an overall loss and that as a result no payment was made to the Anzac Day Trust;
  - (b) provide a breakdown of the figures of expenditure as forwarded by the WAFL;
  - (c) confirm that the attendances at the four games were approximately 38 000; and
  - (d) confirm that the WAFL directors committed a breach of the Anzac Day Act by not furnishing a return to the trust within one month?
- (2) As a result of the league's failure to provide a return on time, is it the intention of the Deputy Premier to—
  - (a) carry out the provision of the Act and fine each league director \$400; and
  - (b) if "No", why not?
- (3) Is it the Deputy Premier's intention to direct the directors of the league to send their cheques for \$400 each direct to the Anzac Day Trust to offset the fact they had no benefit from the games played?

The Hon. G. E. MASTERS replied:

- (1) (a) Yes. \$
- (b) Club match expenses 49 930
- Ground rent 18 523
- Gate staff 3 676
- Ground development levies 11 133
- Umpires fees 2 250
- Administration 500
- (c) Not confirmed as figures not given to the trust.
- (d) Yes.
- (2) (a) No.
- (b) In view of submission of the return, no action is contemplated.
- (3) Answered by (2).

369. *This question was postponed.*

## HOUSING: RENTAL

### Waiting Period

378. The Hon. F. E. McKENZIE, to the Minister representing the Minister for Housing:

- (1) What currently is the waiting period for State Housing Commission rental homes in the metropolitan area of Perth—
  - (a) north of the river; and
  - (b) south of the river;
 for—
  - (i) two bedroom houses;
  - (ii) three bedroom houses;
  - (iii) two bedroom town houses; and
  - (iv) three bedroom town houses?
- (2) What was the waiting period for the same type of accommodation in the same areas at 30 August 1978?

The Hon. G. E. MASTERS replied:

- (1) (a) and (b) The current month of allocation for applicants on the waiting list for State Housing Commission rental homes is—

Region	2 Bedroom house	3 bedroom house	2 bedroom town house	3 bedroom town house
Metro-North	June 1976	Sept. 1979	Jan. 1979	April 1981
Metro-South	Feb. 1978	June 1980	May 1978	Aug. 1980

- (2) The month of allocation for the same type of accommodation in the same regions as at 30 August 1978 was—

Region	2 bedroom house	3 bedroom house	2 bedroom town house	3 bedroom town house
Metro-North	Oct. 1974	Feb. 1977	Not Available	Not Available
Metro-South	July 1975	April 1977	Not Available	Not Available

## EMU BARRIER FENCE

### Cost

379. The Hon. TOM McNEIL, to the Minister representing the Minister for Agriculture:

What is the final breakdown of costs on the erection of the emu barrier fence?

The Hon. D. J. WORDSWORTH replied:

Costs of the realignment of the emu barrier fence at 30 June 81 were—

	Total
	\$
Wages	6 064
Allowances	13 434
Fares	1 424
Vehicle repairs	8 741
Vehicle fuel and oils	11 192
Miscellaneous	4 384
Materials (non capital)	363 243
Radio repairs	304
Freight and transport	26 627
Plant (capital)	11 791

	\$
Contracts	230 091
Survey	82 441
Compensation and related costs	11 940
	\$771 676

Estimates of outstanding items are survey costs (\$7 000) and payment on a cancelled contract (\$1 500).

### APPRENTICES

#### *Government Departments and Instrumentalities*

380. The Hon. D. K. DANS, to the Minister representing the Minister for Labour and Industry:

Which Government departments or instrumentalities, that employ apprentices, require, as policy, that upon the completion of the apprenticeship the apprentices' services are terminated?

The Hon. G. E. MASTERS replied:

Generally the Government departments and instrumentalities will retain the services of their apprentices if, at the completion of their indenture period, appropriate vacancies are available within the departments and instrumentalities' labour force.

### RECREATION: FOOTBALL

#### *Grand Final*

381. The Hon. TOM McNEIL, to the Minister representing the Minister for Recreation:

- (1) Would the Minister advise the capacity of the Subiaco football ground and its ability to handle the probable 50 000 plus attendance at this year's grand final?
- (2) Would the Minister advise—
  - (a) the likelihood of the WAFL making it an all-ticket grand final, with seating and standing room tickets sold prior to grand final day; and
  - (b) that in the event of all tickets being sold, and a capacity crowd assured, the league would also televise the grand final live to the south-west and metropolitan areas in order to promote Australian rules football?

The Hon. D. J. WORDSWORTH replied:

I am advised as follows—

- (1) The Subiaco Oval has the capacity to adequately handle a crowd of 50 000.

(2) (a) The WAFL does not intend to organise an all-ticket grand final. The sale of standing room tickets is not justified as it does not ensure a prime position.

(b) Direct televising of the grand final to south-west and metropolitan areas cannot be pre-determined. It has been the practice to make such decisions on the day, depending on attendance. On this basis the grand final has been televised for the past three years.

I am assured by the WAFL that with advance notice a complimentary ticket can be made available to the member to ensure that he maintains his interest in Australian rules football.

382. *This question was postponed.*

### INDUSTRIAL SAFETY

#### *Industrial Foundation for Accident Prevention: Allocation*

383. The Hon. D. K. DANS, to the Minister representing the Minister for Labour and Industry:

- (1) How much does the Government allocate to the Industrial Foundation for Accident Prevention in respect to industrial safety?
- (2) When was that allocation fixed?
- (3) Is it intended to increase the amount, and if so—
  - (a) when; and
  - (b) to what extent?
- (4) If not, why not?

The Hon. G. E. MASTERS replied:

- (1) to (4) Last year a grant of \$20 000 was made. The matter of the amount of grant for this year is under review.

### GAMBLING: CLUBS

#### *Government Policy*

384. The Hon. PETER DOWDING, to the Minister representing the Chief Secretary:

I refer to his answer to question 326 concerning prostitution asked on Tuesday, 11 August 1981, and ask—

- (1) Do similar provisions exist in relation to gambling clubs?

- (2) On what basis are gambling clubs tolerated?
- (3) How many gambling clubs operate in the Perth metropolitan area?
- (4) Are all gambling clubs owned by different proprietors, or run by different entrepreneurs, and if not, how many entrepreneurs or owners are there?

The Hon. G. E. MASTERS replied:

The Minister for Police and Traffic advises that, as in relation to all matters of law enforcement, the policies and practices pursued are for the determination of the Commissioner of Police within the law as expressed in the Statutes of this Parliament, the common law and other applicable legislative provisions. It has long been recognised by the most eminent authorities in relation to police practice and law enforcement that the exercise of a proper discretion by police officers is an essential part of law enforcement.

This view is endorsed by the report of the Royal Commission into Matters Surrounding the Administration of the Law Relating to Prostitution 1975-76 by the Honourable J. G. Norris, ED, QC, formerly a Judge of the Supreme Court of the State of Victoria. In his concluding remarks, His Honour said, amongst other things—

"It is a common experience in Australia and elsewhere that the extent of enforcement of some laws regulating such matters as prostitution and gambling must as a matter of practicability vary according to circumstances including time and place. The existing statutory provisions do furnish an effective means of control. The discretionary but not capricious manner of enforcement adopted has kept the State of Western Australia relatively free from the evils which may be associated with prostitution."

He also quoted two passages from an article on the subject of discretion in law enforcement by Chief Inspector I. T.

Oliver, LLB of New Scotland Yard in *1975 Criminal Law Review* 313. Chief Inspector Oliver says at pp. 314-315—

"There is no doubt that a large measure of discretion plays an important part in police activity for without that practice there would be an increasing irritation with the administration of the Law."

At p.315 he says further—

"Despite the obvious need for some individual discretion, there is the equally obvious need for an overall policy guided discretion... To be effective, a Chief Officer must lay down certain policies, not with the intention that they will be rigidly followed, without consideration of individual circumstances, but merely as a guide to the relative importance of the matter concerned. In turn, the individual Constable must follow the guidelines and exercise his discretion in good faith."

In this context, the Minister for Police and Traffic advises in relation to the specific questions raised by the Hon. Peter Dowding concerning in question 326 the subject of prostitution and now in this question 384 the subject of gambling, that his advice from the Commissioner of Police is that there has been no change in the long-standing practices and policies of law enforcement pursued by the Western Australian Police in relation to these matters.

The Commissioner of Police has advised that—

- (1) No.
- (2) Their existence is acknowledged and prosecutions are instigated subject to obtaining evidence. There are no unlawful games in the Statutes of Western Australia other than "Thimblereg" and "Games of Chance" in a public place. Therefore, evidence has to be obtained over a period of time to establish that the premises are used as a common gaming house on each occasion.
- (3) Six are believed to operate.
- (4) Different proprietors.

The Hon. Peter Dowding: The same old rubbish.

The Hon. P. G. Pental: Ask a stupid question!

The Hon. Peter Dowding: And you get a stupid answer.

The PRESIDENT: Order!

The Hon. Peter Dowding: Patent lies.

*Withdrawal of Remark*

The PRESIDENT: I ask the honourable member to withdraw that statement.

The Hon. PETER DOWDING: Which one? That the statement was untrue or—

The PRESIDENT: I ask the honourable member to be seated.

He will withdraw the comment that that was a patent lie.

The Hon. PETER DOWDING: I withdraw it in deference to you, Sir.

*Questions (on notice) Resumed*

**HEALTH: MEDICAL TREATMENT**

*North-west Travel Scheme*

385. The Hon. PETER DOWDING, to the Minister representing the Minister for Health:

- (1) Has there been any recent change concerning the approval for travel by patients from the north-west and Kimberley to Perth for medical treatment under the north-west travel scheme?
- (2) Have hospital administrators been requested to limit the availability of the scheme?
- (3) Is the Minister aware whether people have been encouraged to take their annual leave at the time they need medical treatment so as to travel to Perth other than at the expense of the Government?
- (4) Has any move taken place to seek the transfer of the responsibility of the patient's travel from the State to the Commonwealth isolated patients travel and service scheme?
- (5) Has there been any consultation between the Commonwealth and State Governments on this matter?

The Hon. D. J. WORDSWORTH replied:

- (1) The north-west assisted patient transport scheme will be abolished from 1 September 1981. Persons may take advantage of the Commonwealth's isolated patients travel and accommodation assistance scheme as occurs in other parts of the State.
- (2) Hospital administrators have been advised of the changes to take place from 1 September 1981.
- (3) No.
- (4) and (5) The Commonwealth Minister for Health has made an approach to me for the State to accept responsibility for the administration of the isolated patients travel and accommodation assistance scheme. I have declined this offer since there is no guarantee of continued funding by the Commonwealth if the State accepts responsibility to administer this scheme for the whole of the State.

**HEALTH**

*Health and Medical Services Department: Aboriginal Employees*

386. The Hon. PETER DOWDING, to the Minister representing the Minister for Health:

- (1) Is it a fact as reported in *Hansard* page 766 in answer to question 394 that the sum of \$6 257 000 was received by the State Government from the Department of Aboriginal Affairs' allocation for health for the financial year 1980-81?
- (2) Is the Minister aware that the Federal Minister for Aboriginal Affairs had advised the allocation and payment to the State Government for this period was in fact \$6 464 700?
- (3) Is the Federal Minister's information or the State information correct?
- (4) If the Federal Minister's information is correct, what happened to the balance of the funds?

The Hon. D. J. WORDSWORTH replied:

- (1) to (4) Subsequent to the reply to question 394, a further sum of \$262 000 was received from the Department of Aboriginal Affairs' allocation for health for the financial year 1980-81. The revised allocation being \$6 519 000 whereas the level of cash release, or actual payment to the State of \$6 464 700 is derived as follows—

	\$
1980-81 programme	6 519 000
1979-80 shortfall adjustment	75 700
	<u>\$6 594 700</u>
Deduct—proceeds from sale of vehicles	130 000
	<u>\$6 464 700</u>

By virtue of the additional allocation, a surplus balance of funds did not occur.

387. *This question was postponed.*

#### PUBLIC HOLIDAYS

##### *Kimberley and Pilbara*

388. The Hon. PETER DOWDING, to the Minister representing the Minister for Labour and Industry:

Since the answer to question 328 asked on Wednesday, 12 August 1981, reveals an anomalous situation penalising public servants in—

- (a) Broome;
- (b) Marble Bar;
- (c) Tom Price;
- (d) Wyndham; and
- (e) Newman;

who do not get a public holiday on race day or its equivalent—will the Minister create a special allowance or holiday to compensate them?

The Hon. G. E. MASTERS replied:

- (a) to (e) No; however, every application for a public or bank holiday will be considered on its merits.

#### QUESTIONS WITHOUT NOTICE

#### COURTS: SUPREME AND DISTRICT

##### *Delays*

139. The Hon. H. W. OLNEY, to the Attorney General:

Quite apart from the constraints imposed by the current lack of available funds does the Attorney General

consider that the present establishments of the Supreme Court and the District Court benches are adequate to handle with reasonable despatch the volume of business presently before those courts?

The Hon. I. G. MEDCALF replied:

I have already indicated that the question of delays which have been occurring or have been indicated to be occurring in the Supreme and District Courts and the Magistrates' Courts are under consideration. I do not believe it would be appropriate for me to add anything to that or to answer that question in the way that it has been put, because there are a number of issues surrounding this which might otherwise be prejudiced. The member must allow me some latitude in inquiring further into this matter. It is currently under consideration.

#### HERBICIDES: 2,4-D and 2,4,5-T

##### *Workers*

140. The Hon. PETER DOWDING, to the Minister representing the Minister for Agriculture:

I refer to the lead article in *The Western Mail*, Saturday, 15 August, relating to the people employed by the APB in Kununurra suffering severe skin burns in the course of their work with the department—

- (1) How did the injuries to these men occur?
- (2) Was the mixture which caused the injuries a mixture of 2,4-D and 2,4,5-T and diesel oil; if not, what was the mixture?
- (3) What safeguards, if any, were taken to protect the people involved in the use of the mixture from injury?
- (4) What compensation has been offered to these men; if none, why has no compensation been offered?
- (5) In the light of the material contained in the newspaper story, will the Minister undertake to compensate these men for their injury?

- (6) Has this mixture been used elsewhere; if so, where and for what purpose?

The Hon. D. J. WORDSWORTH replied:

There is no evidence that the skin complaints were caused by contact with 2,4-D or 2,4,5-T. Many people experience an allergic reaction to Noogoora burr and it is known that some people are affected by diesel fuel.

- (1) The afflictions are believed to be allergic reaction to the plant, Noogoora burr. Workers mentioned in the article were involved in hand-pulling and raking Noogoora burr early in 1980.
- (2) Trainees were generally only used to hand-pull and rake Noogoora burr. Several of those mentioned in the article were at other times involved in spray work using 2,4-D and water or 2,4,5-T and diesel mixes.
- (3) Those hand-pulling Noogoora burr are issued with long gloves to protect hands and arms. Workers involved in use of chemicals are issued with gloves. Other protective clothing is available if required.
- (4) Normal workers' compensation has been paid to three of the workmen mentioned, totalling \$1 667.77. This was paid for time lost and treatment for allergic reaction.
- (5) Further claim for compensation can be made if current ailments are related to employment with the Agriculture Protection Board.
- (6) 2,4-D and 2,4,5-T with water or diesel are widely used throughout Western Australia for general broadleaf and woody weed control.

#### HERBICIDES: 2,4-D and 2,4,5-T

##### *Workers*

141. The Hon. PETER DOWDING, to the Minister representing the Minister for Agriculture:

I would like to ask the Minister a supplementary question. Since the injuries sustained by these people were, in the main, blistering to the face and legs, was protective clothing to cover this situation issued; if not would the

Minister give consideration to whether it ought to be issued in those circumstances?

The Hon. D. J. WORDSWORTH replied:

As this matter is outside my ministerial field, I am not in a position to be able to outline exactly the protective clothing used; but clothing of a waterproof nature is available.

#### LEGISLATIVE REVIEW AND ADVISORY COMMITTEE

##### *Recommendations: Publication*

142. The Hon. H. W. OLNEY, to the Attorney General:

- (1) Is the Attorney General satisfied that the Legislative Review and Advisory Committee fulfils the function for which it was established?
- (2) Would it improve the operation of that committee if regulations were referred to it before being gazetted, so that the committee's recommendations could be considered before the regulations become law?
- (3) Would he agree that it would assist in the public dissemination of the committee's reports if they were published in the *Government Gazette*, especially when Parliament is not in session?

The Hon. I. G. MEDCALF replied:

- (1) Yes.
- (2) It may well be an advantage if the committee were able to examine the regulations in advance; but, of course, there are problems associated with this, particularly the fact that one would virtually have another body taking over the function of the Minister whose task it is to implement the regulations under the particular Act. There would be objections to this on a number of grounds. I cannot see that as being a practical outcome.
- (3) The report is directed to the President and Speaker, because it is a parliamentary committee. Publication of the report in the *Government Gazette* would short-circuit that procedure. It would entail a different approach to the committee's work and the legislation would need to be amended.

I am not aware there is any difficulty in obtaining copies of the report. If the member believes that is so, perhaps he could let me know and I will look into the matter. Certainly there is no intention to restrict publication of the reports in any way. It may be the reports could be published in the *Government Gazette* following their presentation to the President and Speaker and that is an aspect which could be examined.

#### LEGISLATIVE REVIEW AND ADVISORY COMMITTEE

##### *Recommendations: Publication*

143. The Hon. H. W. OLNEY, to the Attorney General:

This question is supplementary to the one just answered by the Attorney General. What I had in mind was the fact that, when Parliament is not sitting—particularly one year in three when Parliament does not sit for a number of months—the reports are not available and tabled in the Parliament. It could well be that a report which has been issued by the committee in, say, mid-December, does not come to light here until July of the following year. Such a report could contain recommendations for amendments to be made to regulations and I wonder whether some procedure could be devised whereby those recommendations

of the committee could be made known publicly before the expiration of that period of time?

The Hon. I. G. MEDCALF replied:

It is an interesting proposition. As I said previously, it would short-circuit some of our other procedures, particularly the procedure for gazetting the regulations and for the regulations to be tabled in Parliament. It is a matter which could well be looked into and one could perhaps obtain the view of the committee in this regard. I shall have a look at the comments made by the member and see whether further action might be taken to inquire into the suggestion.

#### INTEREST RATES

##### *Stamp Act*

144. The Hon. J. M. BERINSON, to the Attorney General:

- (1) In view of the current bout of interest rate increases, does the Government propose to increase the interest rate on which an additional 1½ per cent duty applies?
- (2) If so, by how much and when?

The Hon. I. G. MEDCALF replied:

- (1) and (2) I presume the honourable member is talking about the Stamp Act. That is a matter for the Treasurer and I shall refer the question to him.

