



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
FIRST SESSION
1998

LEGISLATIVE COUNCIL

Thursday, 25 June 1998

THE PRESIDENT (Hon George Cash) took the Chair at 11.00 am, and read prayers.

BALLAJURA COMMUNITY COLLEGE MASTER PLAN

Petition

Hon Derrick Tomlinson presented the following petition bearing the signatures of 1 457 persons -

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

We, the undersigned petitioners call on the State Government to honour the commitment made in 1996 by the Education Department to the Ballajura community to fund stage 4 of the Ballajura Community College master plan so that the facilities are ready for occupation by our children in the year 2000.

In good faith the Ballajura community entered into a consultative planning and decision making process with the Department, to develop a quality education facility for the children of Ballajura. The Department has elected not to recognise the commitments made in the past and has stated that they want to renegotiate the completion of the previously agreed master plan.

This community will not enter into renegotiation of the master plan and compromise the educational outcomes of our children.

Your petitioners therefore humbly pray that the Legislative Council will ensure the commitment made to the Ballajura community is honoured.

And your petitioners, as in duty bound, will ever pray.

[See paper No 1743.]

**STANDING COMMITTEE ON ECOLOGICALLY SUSTAINABLE DEVELOPMENT - LAND
CONTAMINATION INQUIRY**

Motion

Resumed from 24 June on the following motion -

That the House direct the Standing Committee on Ecologically Sustainable Development to inquire into and report upon -

- (1) The extent to which land, including groundwater -
 - (a) in the metropolitan area, and
 - (b) in the non-metropolitan area,is contaminated by hazardous substances which pose or are likely to pose an immediate or long term hazard to human health and/or the environment.
- (2) The number and location of all sites in Western Australia that are identified as contaminated by hazardous substances.
- (3) The extent to which -
 - (a) underground storage tanks, and
 - (b) other activities,are a source of contamination of land, and the adequacy or otherwise of the manner by which these sources are monitored.
- (4) The extent to which there are management strategies currently in place for contaminated sites, and how they could be made more effective.
- (5) The financial, health, environmental and legal implications for future redevelopment of land that has been identified as contaminated.
- (6) The adequacy or otherwise of existing legislation to properly monitor and manage contaminated sites.

- (7) The extent to which "dumping fees" for solid and liquid waste contribute to -
 - (a) land contamination; and
 - (b) unlawful safety practices across industry sectors, particularly the building and construction industry.
- (8) The policy of the Water Corporation on providing in-fill deep sewerage in existing industrial estates and the degree to which that policy militates against desirable environmental outcomes.
- (9) The effectiveness of the Government's response to the recommendations of the 1994 Legislative Assembly's Select Committee on Metropolitan Development and Ground Water Supplies.
- (10) Any other matters relating to contaminated sites as the Committee deems necessary.

HON MARK NEVILL (Mining and Pastoral) [11.08 am]: Prior to the adjournment of this debate yesterday I had referred to the possibility of heavy metal contamination in the Collie River from the Collie power station.

Many residential areas throughout the world, including Australia, are built on what is called black shales. They are black shales because they contain high levels of carbon, which attracts metals. It is not uncommon to get half a per cent of lead and zinc and levels of copper, cobalt and cadmium in black shale. I have never seen any evidence that they contaminate water supplies or create a health hazard, and I am not sure whether that is because the metals are bonded to the carbon and do not become free. We must look at the type of material that is contaminated before making decisions about the levels of contamination that are significant.

I will talk now about the Minim Cove area. Page 4 of the report of the Environmental Protection Authority Bulletin 863 entitled "Rehabilitation of former industrial land, McCabe Street, Mosman Park - Proposal for management of additional waste volumes - proposed change to environmental conditions" states that heavy metal contaminants are of concern and that corresponding clean-up levels in micrograms per kilogram - I presume that is parts per million, which the normal terminology are 60 for copper, 200 for zinc, 20 for arsenic, three for cadmium, one for mercury and 300 for lead.

When I represented the Esperance area there was quite a bit of activity in the mid-1980s seeking to have more controls on the disposal of pesticides and their containers. A practice recommended was to dig a pit, line it with limestone and put the pesticide containers into the pit. It was lined with limestone because it is a base and neutralises most acids. Although the site in McCabe Street, Mosman Park contains what is called limestone, it is really sandstone with calcium carbonate between the little sand grains. We do not build with limestone; it is a calcareous sandstone. That would neutralise a lot of the acids that have been produced by the old CSBP factory. We must look at the contaminants in that sort of rock differently from the way we look at the contaminants in other forms of rock, whether black shale or ordinary clay soils.

It would not surprise me to find that we have a safer level of contaminants in the rock at Mosman Park than in other places, because the limestone neutralises the acids. The big problem at this site is not just heavy metal contamination by things such as cadmium, lead and zinc, but also the production of acid from the pyrite that was used to produce the fertiliser. Pyrite is a sulphide. The breakdown of the sulphide produces the acid which is eating into the limestone and at the same time neutralising the acid. The only sulphur we have to worry about in the McCabe Street site is the sulphide sulphur. Sulphate sulphur is just the same as gypsum; it can be spread on lawns and is quite harmless. We must look at the pyrite that is left that has not been oxidised. That is only a small fraction of the sulphur.

In 1995 when the cleanup of the McCabe Street site was started, it was expected to be six months' work and about \$5m in expenditure. Since then it has absolutely blown out. At last count the cost was about \$14m, and that is probably an underestimate. By the time it is finished, the cost will probably be up to about \$20m. It is a fourfold blow-out. Why is that? There can be only three areas of fault: First, LandCorp has not managed the project properly; secondly, the environmental consultant, Halpern Glick Maunsell Pty Ltd, has not done its job; or, thirdly, they are jointly to blame.

As a geologist, for the life of me I cannot understand why environmental consultants cannot work out the area of contaminated soil before commencing a project, such as the one at McCabe Street. It is no different from working out what is in the ground before commencing a mine. If a mining company does not know what it has in the ground, it will do its money, unless it is extremely lucky. At the McCabe Street site obviously there has not been an adequate determination of the volume of contaminated material. The whole process has grown like topsy. The Government, through LandCorp, should sue Halpern Glick Maunsell - this is one time an acronym would be appreciated - if it has not done the job properly. We are contracting out these jobs these days. People are getting paid significant amounts of taxpayers' money. If they do not do the job properly, they should be made to answer for that.

Yesterday I received an answer to a question on notice stating that this company has received about \$680 000 in fees for supervision of the site, the cleanup activities and the contract administration and of the foreshore cleanup. If the Standing Committee on Ecologically Sustainable Development gets time, I might suggest to the committee members that we call in representatives of this environmental consultant to show the drilling that was done, how the area of contamination was assessed and the analytical work done to determine this area, and why it got it wrong. We all make mistakes. However, if it is a case of negligence, I do not believe it should be covered up; it should be pursued. I cannot understand how either LandCorp or this environmental consultant got it so wrong at Mosman park.

As I said, initially in July 1995 it was intended to spend \$5m and it was estimated that it would take between six and nine months to clean up the site. The end is nowhere in sight. By May 1998 the expenditure is estimated to be \$13.8m, and in my view that is a very conservative figure and we will probably find it will end up being more than that. The answer I received also provided a breakdown of the costs. They are mostly for transport of contaminated soil and setting up disposal facilities. Part (5) of the question asked -

What work is budgeted and what future costs are anticipated for clean-up works and haulage of material to and from the site at Minim Cove.

The answer is that \$6.607m has still to be spent there. Someone must be responsible for that mess. I am only starting my inquiries. I have looked at the first of the Environmental Protection Authority reports on the site. I am not overly respectful of the scientific rigour of the Department of Environmental Protection or the EPA. I have read many of their reports over the years, and they demonstrate a first year university level of science, if that. I received these reports only today, after trying to get them for the past two days. I will go through them in detail. I understand that the Water and Rivers Commission has produced a report on the contamination in the river.

Often the level of contamination is very low, but we now have very sophisticated means of measuring levels we could not detect 10 years ago. I do not believe that we must have absolutely no concentration of anything. If members were to analyse the bread they eat or the water they drink, they would find traces of all sorts of things. We must establish whether the level is significant; that is, whether it is a probable risk rather than a possible risk. If we were to address every possible risk, our insurance premiums would blow out and everything would come to a halt. We must be realistic about what is a significant level of contamination. I will consider that.

A \$1.58m contract was let recently to Giacci Brothers Pty Ltd to remove another 32 500 cubic metres of soil. Each cubic metre of soil comprises about two tonnes of soil. The farmers in the Chamber can probably confirm that. Another 70 000 or 80 000 tonnes of soil will be transported to the Red Hill disposal facility. There does not seem to be any end in sight for this work. It is now three years since it started. How much longer will it be before that area is rehabilitated to acceptable standards? If the committee has the time, this would be a very interesting case to consider. There is a tendency for government departments and these consultants to cover their tracks. When one is out by a factor of four, some responsibility must be sheeted home to someone.

It is possibly fortunate that this factory was built on an area of limestone. I am not suggesting that we should do the same again. However, perhaps the contamination of the limestone is less an environmental and health risk than it would have been in some other environment. That is speculation on my part rather than any considered view of the facts and materials.

I do not know how many of these other sites we have around the State. A number of fertilizer factories are located in regional areas, and contamination problems have been experienced.

The Standing Committee on Ecologically Sustainable Development could make itself useful by examining these issues and ensuring that, even if we do not address them immediately, the extent of the problems is documented. Then we can establish some order of priority about what we address. Perhaps in 50 or 100 years we will resolve this massive problem.

As I said, Wittenoom is probably the major contamination problem, but it is not a significant health risk unless people walk over the tailings dumps and break the crust that has formed, thus making the fibres airborne. Aerial photographs taken in 1955 show the individual tailings dumps and they are still evident in photographs today. There has been no significant erosion of those dumps since then because a crust forms over the tailings. Erosion has occurred where water has built up behind dams or on top of tailings dumps and they have ruptured and taken the tailings with them. There has been very little airborne movement of the tailings. They do not present a significant human risk, but they are an environmental scar; they are a blight on what is one of our most significant scenic areas. Wittenoom Gorge should eventually, if not now, be included in the Karijini National Park.

I compliment Hon Ljiljanna Ravlich for raising this matter and I support it.

HON RAY HALLIGAN (North Metropolitan) [11.27 am]: Undoubtedly people are concerned about our water

resources and the available reserves. However, the problems we are facing are not necessarily new. In fact, a publication Hon Ljiljanna Ravlich has mentioned - the 1994 report of the Select Committee on Metropolitan Development and Groundwater Supplies - refers to the history of Perth and early water protection measures -

Prior to the founding of the Colony of Perth in 1829, the aboriginal communities in the area relied on lakes and springs for their water supply and because of their small numbers and knowledge of the local environment were able to protect the local water resources.

The arrival of Europeans with their concentrated living style resulted in the local water resources coming under immediate threat. The biggest risk to local water resources was the lack of any sanitation scheme for the Colony. The Colony's complete dependence on lakes and springs for drinking water meant the early settlers needed a system to prevent the dumping of nightsoil onto groundwater recharge areas for these water sources. By 1874 it became clear to the Colony's Government that there was a direct link between land use practice and groundwater. The Acting Colonial Surgeon wrote:

There is plenty of water to be obtained in Perth by sinking wells; it is more or less pure, but sometimes of an opalescent or muddy colour, nauseous taste, and putrescent smell; this is no doubt to be ascribed in a greater measure to the absence of any kind of sanitary precaution, in preventing contamination of water by soakage from cesspools into the wells; often, indeed, this occurrence is favoured by the construction of cesspits close to and on higher ground than the well.

That was written some considerable time ago. After numerous deaths from disease attributed to night soil practices, the Parliament established a Legislative Council Select Committee on Sanitation.

Hon Ljiljanna Ravlich: What year was that?

Hon RAY HALLIGAN: It was at least 1874 - 124 years ago. The problem is not new, although it may well be exacerbated by the increase in population, and therefore activity. The problem has arisen for a number of reasons, and later I will return to the comments of Hon Bruce Donaldson about how we are trying to overcome it. Perth is a growing city, as are most cities in Australia, and although I am not denying that additional effort must be put into trying to overcome the problem as best we can, this problem has been with us for at least 124 years and will not necessarily disappear overnight even if we do put enormous resources into solving it. Unfortunately, the comment by Hon Ljiljanna Ravlich about wanting a 100 per cent assurance that our ground water is safe is not necessarily achievable.

I turn now to the Australian and international trends. The report of the Select Committee on Metropolitan Development and Groundwater Supplies quotes at page 39 from the Stephenson-Hepburn 1955 plan, as follows -

Beyond the various urban limits it is proposed that the general zone should be rural, and that there should be no close settlement other than in small groups. Scattered settlement would not only be costly and wasteful but also would inevitably take the form of ribbons along the principal roads.

We have seen in years gone by that roads, railway lines and the like have created a ribbon of settlement. It continues -

The roads would be less efficient and reduced in value and, as time went on, the people of the Metropolitan region would find the open country receding. The Metropolis would sprawl more and more loosely across it. Yet easily accessible open country is essential for the recreation and well-being of the city dweller as well as for economic importance.

The Stephenson-Hepburn plan was put in place 43 years ago. I am not sure how much that plan has contributed to the current problem, but it is often mentioned when we talk about planning in general.

Hon Ken Travers: If they had built the airport at Gnangara, we would have had an even worse problem.

Hon RAY HALLIGAN: I do not think that would necessarily be the site of an airstrip in the northern suburbs.

Hon Ken Travers: That was in the Hepburn plan.

Hon RAY HALLIGAN: I was not aware of that. It is pleasing to hear that commonsense prevailed.

The contamination of our water supplies is of great concern to us all. The report of that select committee states at page 56 that -

In 1991, there were 1,112 known and inferred point sources of groundwater contamination in the Perth Basin, of which about 700 were located in the Perth metropolitan area . . .

The report does not appear to indicate for how long some of that contamination has been there, nor have I been able to find a great deal of detail about what contamination those individual point sources may contain. The report states at page 57 that -

A one to five risk ranking was assigned to the major waste-creating activities. An activity with a risk ranging of 1 posed the greatest threat to the environment by causing the more severe groundwater contamination . . .

I think we all know, particularly those members who have taken the trouble to read this report, that the sources of this contamination are numerous, and that we can probably have some input into preventing some of those sources of contamination in the future, but many others may remain with us for some time, for a variety of reasons.

The major activities that appear to be creating the problem and that are in the No 1 risk category are industrial waste sources such as metal finishing shops; chemical-based waste sources such as the production of petrochemicals, pesticides, paints, glues and solvents; and animal-based waste sources such as wool scourers and tanneries. When we consider the economic value of some of these activities, it will not necessarily be an easy task to redirect these activities into other areas that may not yet have been identified so that they will cause less contamination to our water supplies.

Hon Ljiljanna Ravlich: Do you support an inquiry? Do you support the motion?

Hon RAY HALLIGAN: I am not sure. I have not convinced myself at this stage of the need for a further inquiry, without looking in some detail at the report that was completed in 1994.

Hon Ljiljanna Ravlich: That is part of what we will do.

Hon RAY HALLIGAN: Which part? Will it be 50 per cent, 100 per cent or 1 per cent?

Hon Ljiljanna Ravlich: We will look at the recommendations. That is in term of reference No 9.

Hon RAY HALLIGAN: It is the ninth of 10 points in the motion. My concern is whether it is proposed to reinvent the wheel.

Hon Ljiljanna Ravlich: No.

Hon RAY HALLIGAN: There is no indication that that is the case. The report to which I refer is very comprehensive. Much information has been gleaned, conclusions have been drawn and recommendations made.

Hon Christine Sharp: Is it being implemented?

Hon RAY HALLIGAN: That is not the issue at this point. I was asked whether I supported the motion.

Hon Ljiljanna Ravlich: Do you support it?

Hon RAY HALLIGAN: It is still No 9 of 10 points.

Hon Ken Travers: If we made it No 1, would you support the motion?

Hon RAY HALLIGAN: If it were the only point, I might agree to it.

Hon Ljiljanna Ravlich: What do you find objectionable in the rest of the motion?

Hon RAY HALLIGAN: My concern is that the proposed inquiry should not do what has already been done. This item is near the bottom of the list. There is no logical sequence in what is proposed to be done. If the report completed in 1994 were examined and analysed, it might be found that many of the points in the motion were redundant.

Hon Ljiljanna Ravlich: Can you explain that?

The PRESIDENT: Order! I remind Hon Ljiljanna Ravlich that questions on notice are at four o'clock this afternoon.

Hon RAY HALLIGAN: There are numerous reasons for contamination, over some of which there is some control and over a great deal of which there is not much control. Animal waste creates contamination, and some is worse than others. As numerous activities in the community are creating these problems, there is a need to examine the report to which I referred. Much thought and effort was put into consideration of the problems, and recommendations were made. I accept the point by Hon Christine Sharp that we need to look at the recommendations and whether they have been implemented. They may well have been.

Hon Ljiljanna Ravlich: That is exactly the point of that term of reference.

Hon RAY HALLIGAN: Then the ninth term of reference is sufficient.

Hon Ljiljanna Ravlich: It is a much bigger problem than just water supply. For example, there is land contamination.

Hon RAY HALLIGAN: I believe the water supply is all important. It is by far the major problem at present and it has been for some considerable time.

Hon Ljiljanna Ravlich: Much of that results from soil contamination, so how can you look at one and not the other? It is like making up half of one's face.

Hon RAY HALLIGAN: That would be satisfactory if one had half a mirror!

Septic tanks have been around for some time and the Government is doing what it can with infill sewerage to deal with the problems created by onsite septic tanks and other forms of disposal of sanitary waste. I know the member agrees with the infill sewerage system.

Hon Ljiljanna Ravlich: Yes.

Hon RAY HALLIGAN: That is good. It is one way of overcoming the problems of both soil and water contamination.

Hon Ljiljanna Ravlich: We must assess why it does not cover industrial sites, and the impact of that in real terms. That is another term of reference.

Hon RAY HALLIGAN: As contamination from some industrial sites leaches into the soil and ends up in the water system, I suggest that if that aspect were examined it would get back to the industrial sites in any case. I do not believe it should be considered in isolation. The member rightly said that one often goes with the other.

Hon Ljiljanna Ravlich: If you really thought there was a need for an inquiry in that way you should have come up with terms of reference about the way it should be done. I drafted these terms of reference because it is my motion and that is how I think it should be done.

Hon RAY HALLIGAN: We are also aware that even in general households there are problems with the way people dispose of waste. People buy general products on a daily or weekly basis that contribute to this contamination. Drain cleaners, toilet cleaners, spot removers, paint brush cleaners, rug and fabric cleaners and the like all contain ingredients that will contaminate. If we continue down the path of urban living that has been promoted, there will definitely be a need to look at this problem, probably more earnestly and with greater haste than may have originally been thought necessary. Once more houses are placed closer together and are all using the same products on a regular basis. Any of those contaminants leaching into the soil will create problems of a similar nature to those on industrial sites. Currently houses are spread out and many are on quarter acre blocks; therefore, the problem does not arise.

The issue of accidental spillages and leakages must also be considered. I know some are not considered accidental, such as the oil spills on the high seas that reach our shores. Petrol tankers unfortunately have accidents and spill the contents of their vehicles. Those contents eventually get into the drainage system. Other people should also take responsibility for some of the problems with which the community is currently faced. Many householders and small business owners have tended to ignore the fact that they should not put contaminant type materials into the sewerage system. They have not gone through the cause and effect situation and, unfortunately, they have probably taken the easy way out by disposing of used motor oils and the like in what they consider to be the most convenient place for them, but which is not necessarily convenient for the rest of us.

The big question is, how are we going to clean up these 700 sites in the metropolitan area? One would expect that the technology to do that is available and has been for some considerable time. One may ask why it has not been done over the past 20 or 25 years. I expect some people believe it is the old head in the sand principle: If no-one complains about a problem, it may go away. It goes a little deeper than that. Some of these problems have occurred over the past 124 years at least. Resources other than technology may have been available but a group of people may not have been willing to undertake the task. Whatever the reason, we are still faced with the problem of what to do with the contaminated sites.

It appears the members of this select committee travelled far and wide and obtained an enormous amount of information about problems confronting cities overseas. From what I can gather, none of those cities had a simple solution to the problem. The questions remain, what will be done? When will it be done? Who will pay? What is the best way to overcome the problems? The report has numerous sections and I have not read each and every one of them.

Hon Ljiljanna Ravlich interjected.

Hon RAY HALLIGAN: I take it Hon Ljiljanna Ravlich has.

Hon Ljiljanna Ravlich: I am sorry, I have what?

Hon RAY HALLIGAN: Hon Ljiljanna Ravlich has read the whole report.

Hon Derrick Tomlinson: No; Hon Ljiljanna Ravlich has just been excited by Hon Norm Kelly.

Hon Ljiljanna Ravlich: Do not take advantage, Hon Derrick Tomlinson.

Hon N.D. Griffiths: I think Hon Derrick Tomlinson has been as well.

The PRESIDENT: Order!

Hon RAY HALLIGAN: This need for a select committee was recognised well before Hon Ljiljanna Ravlich wanted one.

Hon Ljiljanna Ravlich: Everything Hon Ray Halligan said has supported this going to a committee.

Hon RAY HALLIGAN: That committee was appointed and has reported already. To some extent it appears Hon Ljiljanna Ravlich is ignoring what has already been said.

Hon Ljiljanna Ravlich: It was looking at groundwater contamination.

Hon RAY HALLIGAN: I think not. The report states -

The Select Committee is of the strong opinion that there is a need to urgently review present groundwater protection strategies so as to ensure Perth's water supplies are assured in the long term, while at the same time ensuring land above the important recharge areas is utilised effectively -

This is an important aspect of the committee's work.

Hon Ljiljanna Ravlich: This is broader than just that.

Hon RAY HALLIGAN: The point continues -

- and to the best advantage of the community.

We can expand on the area of "utilised effectively and to the best advantage of the community".

Hon Ljiljanna Ravlich: I think Hon Ray Halligan has not done any homework and is relying upon one report.

The PRESIDENT: Order! Hon Ljiljanna Ravlich will come to order.

Hon RAY HALLIGAN: It is a comprehensive report. Why should it not be relied upon?

Hon Ljiljanna Ravlich: There are 10 terms of reference.

Hon RAY HALLIGAN: Other members have provided their viewpoints about individual contaminated sites and individual industrial sites. This select committee report comments on the overall situation. We all should be concerned with that. We should not be concerned just about one individual site, but collective sites. Again, that is what the committee reported on. The report is a document which can be utilised far more effectively than it has been.

Hon Ken Travers: Absolutely!

Hon Ljiljanna Ravlich: We could not agree with Hon Ray Halligan more.

Hon RAY HALLIGAN: I am suggesting that members need to look at those recommendations.

Hon Ljiljanna Ravlich: We will.

Hon RAY HALLIGAN: But when? It is number nine on the list of 10 items Hon Ljiljanna Ravlich listed in her motion.

Hon Ljiljanna Ravlich: As soon as the Government supports the motion.

Hon N.D. Griffiths: We will deal with it very quickly indeed when the coalition vacates the Treasury bench.

Hon RAY HALLIGAN: Some of these problems have existed for at least the last 124 years. I take it that the Labor Party was never on the Treasury bench during that period.

Hon Kim Chance: Not often enough.

Hon RAY HALLIGAN: If it has, what did it do about this problem?

Hon N.D. Griffiths: I do not think Hon Ray Halligan will be re-elected, so he will not be able to ask my colleagues and me questions.

The PRESIDENT: Order, members! Let us get back to the motion.

Hon RAY HALLIGAN: The question remains, if the problem has existed for that length of time, why have successive Governments not done something about it?

Hon Bob Thomas interjected.

Hon RAY HALLIGAN: It has nothing to do with the Labor Party necessarily getting into Government next time - which it will not.

Hon Bob Thomas interjected.

The PRESIDENT: Order! Hon Bob Thomas will have a chance to speak in due course.

Hon Bob Thomas: I may just do that.

Hon N.F. Moore: That is a good idea. We are all looking forward to it.

The PRESIDENT: Order!

Hon RAY HALLIGAN: That is a good idea. Successive Governments -

Hon Bob Thomas: Ah!

Hon RAY HALLIGAN: I said that a moment ago. Hon Bob Thomas was too busy talking rather than listening. Successive Governments have obviously not done as much as they could have. It is no good the Labor Party suggesting that if, at some time in the future, it sits on the Treasury bench - of course, that is highly unlikely - it will do something about the problem. The Labor Party has already had an opportunity and will now accept that opportunity.

Hon N.D. Griffiths: We will need to because your Government is not doing the job.

Hon B.K. Donaldson: What about the infill sewerage program?

Several members interjected.

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

Hon RAY HALLIGAN: I believe the Government is to be commended on what it has done, particularly with the infill sewerage program.

Hon N.F. Moore: Hear, hear!

Hon RAY HALLIGAN: It will overcome a lot of the identified problems. I am not denying that there are other problems. Something must be done about them. I repeat, these are not things which will happen overnight. It will take some considerable time. This very comprehensive report contains a number of recommendations. I note that two colleagues of members opposite currently in the other place were members of that committee. As no minority report was presented, those members agreed to the report. We should all agree to that report.

Debate adjourned, pursuant to standing orders.

COMMITTEE REPORTS - CONSIDERATION

Committee

The Chairman (Hon J.A. Cowdell) in the Chair.

Joint Standing Committee on the Anti-Corruption Commission - Discussion Paper on Secrecy under the Anti-Corruption Commission Act

Hon DERRICK TOMLINSON: I move -

That the discussion paper be noted.

I extend that statement, even though I cannot do so as a motion, to request that members not only take note of this report but also respond to it. This is a discussion paper, which by the turn of events has become pertinent to issues

which are disrupting our community right now. It relates to the powers of the Anti-Corruption Commission, the secrecy which surrounds the work of the commission and the consequences of the interaction of those powers and secrecy.

The committee prepared its report and tabled it on 2 April 1998. In some respects, we might boast that we anticipated the problem which now besets our community. However, that was not our motivation. This issue was brought to our attention soon after the committee was formed in July last year. We spent some months deliberating on the matter, and we travelled to the eastern States and met committees of similar state agencies with similar responsibilities for the management of corruption. We were instrumental in suggesting a conference of those committees be held in Queensland. We prepared a first draft of this paper for the purposes of that conference in February. In the light of discussion at the conference on powers of oversight bodies dealing with agencies similar to the Anti-Corruption Commission, we refined our discussion paper and presented it to Parliament on 2 April 1998.

When the Anti-Corruption Commission was established by legislation, it built upon the Official Corruption Commission. Hon Nick Griffiths would say that, in building on the OCC, Parliament also incorporated in the Anti-Corruption Commission Act some of the faults of the OCC. It is a point which needs consideration. One of the elements that Parliament took from the OCC and retained in the ACC was the secrecy provisions. The argument for those secrecy provisions was the protection of civil liberties and the assurance that the ACC could conduct credible investigations. The protection of civil liberties was directed at the two ends of the process of accusations and investigation.

First, it was to protect the identity of individuals against whom allegations or accusations were made for the simple reason that the investigation of those allegations might find them to be entirely without foundation; that is, they were false allegations. If a person is alleged to have been in some way corrupt or engaged in criminal activity as a public officer, and that were public information as a public accusation, the person accused would have his or her reputation damaged by the accusation alone. The stigma would persist no matter what the investigation revealed about the foundation or otherwise of the accusation. Hence, it was argued to be most important that the identity of persons against whom accusations were made be protected. The second dimension of protection was to protect the identity of the accuser, and for very similar reasons.

The other dimension of secrecy contained in the Anti-Corruption Commission Act was to protect the integrity of investigations by the ACC. If the allegations were to remain confidential, so the investigation, it was argued, should likewise be confidential. If the identity of the accuser were to be protected, so too should the identity of witnesses in the investigation be confidential.

The Miller report, we understand, contains a statement by Geoffrey Miller to the effect that one of the advantages of the confidentiality provisions of the Act is that it enabled his special investigators to hear evidence from witnesses who would otherwise not come forward. A press release by the ACC contained Geoffrey Miller's words. This confidentiality applies particularly to the Police Service, which has a culture against police officers publicly accusing their fellow officers, guilty or otherwise. It is the protection of mates. The view is that maintaining the integrity of the force is a stronger motivation than the responsibility to expose corruption in the Police Service. As the ACC offers protection, Geoffrey Miller found that police officers who would not otherwise have come forward and provided him evidence not only about the matters pertaining to the six officers now in the public domain, but also other matters.

Hon Norm Kelly: Were they forced to come forward or was it voluntary?

Hon DERRICK TOMLINSON: I cannot answer that definitively. However, from the tenor of the press release, those officers came forward voluntarily. Some officers, as we have learnt, were not volunteers; neither did they volunteer information. It would appear that some officers had to have information dragged unwillingly from them. However, the important thing is - and Hon Norm Kelly's point is important - that honest policemen who were concerned about the behaviour of some of their brothers and sisters volunteered to come forward to the ACC with their information because they had the protection of confidentiality. That is an exceedingly powerful authority available to the ACC in its pursuit of corruption or serious improper conduct within the public sector.

In addition to the secrecy provisions, the ACC was granted powers of investigation which are beyond the powers of a police investigation. It was granted powers of a royal commission. It can compel witnesses to appear; hence Hon Norm Kelly's question about whether the witnesses were voluntary or involuntary is important. It can compel witnesses to answer questions. It can compel witnesses to incriminate themselves. The protection of refusing to answer on the ground of, "I may incriminate myself" is not available to a person appearing before a royal commission or before an ACC special investigation clothed with some of the powers of a royal commission.

That makes the ACC a very powerful body and an ACC special investigator a very powerful individual, particularly

in the light of the Supreme Court decision against the ACC in respect of the findings in the Miller report that certain individuals had been guilty of particular conduct. The ACC is an investigative body. The Act develops it as an investigative body. The Act prohibits it from finding guilt in questions of criminality. The ACC Act clearly says that matters of criminal prosecution must be referred to the Director of Public Prosecutions and the DPP shall decide whether there shall be a prosecution. There was some uncertainty about the question of guilt in terms of serious or improper conduct or indiscretion against rules of conduct of a public sector organisation; however, the Supreme Court has clarified that. The Supreme Court says that the ACC, as an inquisitor, an investigative body, does not, should not and cannot find guilt. It is an inquisitor. The evidence that the ACC accumulates by these extreme powers available to it cannot be used in a prosecution. It is privileged evidence. If there is to be a prosecution, that evidence has to be found again before it can be produced in the court.

In the Act there are strictures upon what the ACC may report, to whom it may report and how it may report. There are strictures in the Act upon what individuals who are brought before the commission may reveal publicly about the proceedings of an ACC investigator. In fact, its investigators are bound by confidentiality provisions which say they can say nothing. There are strictures upon what the Press may say about an investigation by the ACC. In effect, it may say nothing. There is tension between the right of the public to know and the civil right of the individual to have his or her privacy protected. There is a very real tension to be resolved in those matters. Of course the fourth estate would argue that the right to know is paramount. Others would argue that the protection of civil liberty transcends the right to know.

The committee spent some considerable time deliberating on these matters. It looked at the provisions within the Criminal Justice Commission in Queensland, the Independent Commission Against Corruption in New South Wales and the Police Integrity Commission in New South Wales. In each of these jurisdictions there are protections against the powers of the inquisitor - the CJC, ICAC or the PIC. There are protections of the civil liberties of individuals in two ways. One is to make the bodies accountable to Parliament through a committee of the Parliament empowered in different ways to inquire into the workings of the agencies and to report to Parliament.

In the case of the Criminal Justice Commission in Queensland, the parliamentary committee of the CJC is established by Statute. It has statutory powers of access to what would otherwise be confidential operational information of the Criminal Justice Commission. In Western Australia the Joint Standing Committee on the Anti-Corruption Commission is established by a resolution of both Houses. It is not established by Statute. The terms of reference of our committee specifically prohibit the reinvestigation of matters already investigated by the ACC. The committee is specifically prohibited from access to operational matters available to the ACC. The committee's authority is considerably more constrained than the authority of the parliamentary committee of the Criminal Justice Commission in Queensland.

Hon N.D. Griffiths: We only give the illusion of accountability. That is the practice.

Hon DERRICK TOMLINSON: We do more than give the illusion of accountability. However, the member is quite right in the questions he implies. Should the Joint Standing Committee on the Anti-Corruption Commission in Western Australia have more powers? Should it have the powers of the committee in Queensland? Should it have access to operational information? Should it be able to reinvestigate matters already investigated by the ACC? Should our powers of review extend that far? The questions are canvassed in this discussion paper.

The other protection available both in the Criminal Justice Commission in Queensland and the Police Integrity Commission in New South Wales is that persons who are aggrieved by actions of the inquisitor have recourse to an independent arbiter. In Queensland the independent arbiter is a parliamentary commissioner established by Statute and accountable to the Parliament through the parliamentary committee. That parliamentary commissioner has all the powers of investigation held by the Parliamentary Commissioner under our Parliamentary Commissioner Act in Western Australia, but those powers relate particularly to the authority and actions of the Criminal Justice Commission. Any person, and the committee by its own volition, may appeal to that parliamentary commissioner for redress of grievance.

Similarly in New South Wales, the Police Integrity Commission has by Statute established an inspector general who has direct oversight of the operational proceedings of the PIC. So there is through that independent arbiter, both in Queensland and in New South Wales, an agent through whom an aggrieved individual, body or group of persons may appeal for redress of grievance.

The question is asked, and it is asked in this discussion paper, should there be in Western Australia an independent arbiter? That discussion paper tabled on 2 April asked the very question that the Police Union is now asking publicly. Unfortunately the Police Union has had much more publicity than this discussion paper. This discussion paper is a much more rational exposition of the issue than the matters that have come to the public through the Police Union.

Hon Norm Kelly: You did such a good media conference when you released it.

The CHAIRMAN: Steady, members.

Hon DERRICK TOMLINSON: The fact is that we are a very humble committee. We do not go in for media panoply. We act responsibly as creatures of this Parliament.

Hon Norm Kelly: We all do.

Hon DERRICK TOMLINSON: We report to the Parliament and then quietly go about our job, as we are required to do as honest members of Parliament. It is up to others to seek the panoply of publicity. In some respects perhaps we should take the advice of Hon Norm Kelly.

Hon N.D. Griffiths: You have made only one mistake in this speech - you said you go quietly about your business.

Hon DERRICK TOMLINSON: I will take the member's advice and relax my diaphragm somewhat.

Hon Simon O'Brien: Hon Nick Griffiths has made one mistake too.

Hon N.D. Griffiths: I do not concede that.

Hon DERRICK TOMLINSON: Although we are descending into levity, this is not a matter for levity at all. The very matters which are causing what I believe to be unnecessary unrest in our community are addressed in this discussion paper. Should the information which is held by the Anti-Corruption Commission about the conduct of officers who have not been publicly accused but have been publicly condemned, and which has been used to condemn them publicly, be made public? Should the Miller report, for example, remain a confidential document? Should there be a compulsion upon the ACC to give reasons through the Parliament for its findings?

It is the tension between confidentiality and accountability which gets to the heart of this discussion paper. We have put it into the public arena to get a public response. We have sent it to all agencies which have a direct interest - for example, the Commissioner of Police, the ACC, the Director of Public Prosecutions and the Police Union - requesting their thoughts on it, because we intend to make a recommendation to the Parliament on the very matters raised in the report. I request that members not only take note of the report but also respond to it. They may respond through public panoply through seeking publicity. I suppose that is a legitimate process. I ask them to respond rationally with their thoughts on this discussion paper. I commend the discussion paper to the Chamber.

Hon N.D. GRIFFITHS: I do not want to speak on this matter at length, nor do I wish to raise my voice in any way, other than to say that Hon Derrick Tomlinson has given a very concise account of the issues raised in the report. The issues need to be addressed very quickly indeed, otherwise this community will continue to suffer from the disquiet it is suffering from at the moment.

The essence of the Anti-Corruption Commission is that it is an investigatory body. The problem is what happens at the end of the investigation. There is another problem, mainly to do with what it does in investigating. The ACC, unlike the police, has the power to compel and require that somebody answer a question. The ACC therefore is able to infringe on a very basic civil liberty called mostly the right to remain silent. We need to address that issue.

In another context I have made the observation, and it has been made by others, particularly by Mr Terry O'Gorman to the committee and members of similar committees when we went to Brisbane recently, that if police officers cannot have civil liberties, no-one else in the community can expect to have civil liberties. If those who are strong and powerful are not afforded reasonable, proper liberty, the weak will not have liberty either. That is the crux of the issue. When an investigation is carried out by the police, it is considered to be very inappropriate indeed that the subjects of the investigation, particularly if they are innocent, should find themselves in the media spotlight and therefore have their reputations ruined. Once mud is thrown, it is very hard for it to be washed off.

I accept the concept of the public's right to know and to be informed. That is basic to the workings of a democracy. However, rights carry with them responsibilities. It is incumbent on those who publicise defamatory material to be very careful to make sure that the good that the public has coming to it as a result of being informed is not outweighed by the damage done to the reputations of individuals.

Hon MURRAY MONTGOMERY: Hon Derrick Tomlinson has eloquently explained the contents of this discussion paper, and it would be wrong of me to rehash those remarks. This paper was tabled in the House well before the joint standing committee began its hearings. I recollect that the document was tabled in April, not March. I note that small discrepancy on the Notice Paper.

It is interesting that today the debate has concentrated on the problems that have beset our Police Service, and the problems perceived in the community and portrayed in the media. We should realise that the problem is more

widespread, because it relates to people in the Public Service, local government and other areas. The discussion paper embraces all those areas, not just a narrow group of people. As previous speakers have noted, events in the past few weeks have highlighted many problems in the community. The powers which have been given to the Anti-Corruption Commission were not given lightly. It followed considerable debate in this House some 18 months ago -

Hon N.D. Griffiths: It was in July 1996.

Hon MURRAY MONTGOMERY: We began to debate this matter in August-September 1996. We handed down a previous report -

Hon N.D. Griffiths: The Select Committee on the Western Australian Police Service handed down its report in June. The Anti-Corruption Commission Act was rushed through the Assembly and we dealt with it in July at a special sitting. We amended it, and the Assembly did not dispose of it until August-September.

Hon MURRAY MONTGOMERY: I do not think we sat in July 1996 - at least I hope we did not, because I do not recollect being here -

Hon N.D. Griffiths: Perhaps you were not here for that debate.

Hon MURRAY MONTGOMERY: I remember the debate.

Those powers were not given to the ACC lightly. If we undertake a review of the Act - which we have requested through this discussion paper - we must give serious consideration to recommendations to ensure that we do not throw any babies out with the bath water.

I support the motion.

Hon NORM KELLY: As we have 11 committee reports to debate, I will be brief.

Hon N.D. Griffiths: Will you speak on all of them?

Hon NORM KELLY: I hope that we get through at least a half a dozen. I wish to refer primarily to the comments made by Hon Derrick Tomlinson. The report is self-explanatory, and the discussion paper provides an avenue for further work by members of this House. Hon Derrick Tomlinson spoke about witnesses being called before the joint standing committee in a voluntary capacity or being compelled to appear. He stated that the secrecy provisions can result in a better quality of investigation and evidence. I believe that voluntary witnesses often appear because the secrecy provisions give them some protection. However, I accept that witnesses who are compelled to appear before the joint standing committee can provide a better quality of evidence, for the same reasons. The argument on the question of secrecy involves the entire investigation and its results rather than only the evidence of individual witnesses.

Hon Derrick Tomlinson: That is an important point. However, if we marry that with the question of the right to remain silent to protect oneself from self-incrimination, if a person answers questions under the confidence of secrecy that person may also incriminate himself. Therefore, it is a double edged sword. There is a willingness to answer and to give information, but a person's willingness can hoist that person on his own petard.

Hon NORM KELLY: Therefore, people need the protection, and evidence cannot be used against a person at a later stage -

Hon Derrick Tomlinson: It is an inquisition.

Hon NORM KELLY: Hon Derrick Tomlinson spoke about the public's right to know versus the protection of civil liberties. It is a continuing argument. Between the two extremes there is an ideal position which will be argued at length on any of these issues. I am aware that a Bill before the other place at the moment argues about the role of the media in investigating the investigators; whether that media interest is based on public interest or a disquiet about recent events relating to the Anti-Corruption Commission, and whether the media is driving that public interest. I will not go into more detail about my thoughts or the Australian Democrats' thoughts about the ACC, because this is a discussion paper and now is not the appropriate time to do that. I assure the committee members that they will receive submissions from me and from my party -

Hon N.D. Griffiths: Now is the appropriate time for you to air your views on the discussion paper, so that the committee can take note.

Hon NORM KELLY: As time is limited, and as it would be far better to outline our concerns in depth -

Hon N.D. Griffiths: You should at least summarise your views so that we are aware of them. We think your views are important, and we have a right to know about them.

Hon NORM KELLY: That is right, and the committee will be informed. I have summarised our basic arguments, in response to the comments made by Hon Derrick Tomlinson.

Other serious concerns relating to the reporting mechanism used by the ACC, and the use of the words "may report to Parliament" -

Hon Derrick Tomlinson: Or may report publicly!

Hon NORM KELLY: Yes. The ACC should be compelled to report to Parliament and to report matters to the parliamentary committee. The argument then goes to the detail and the degree of reporting, the frequency and the amount of detail provided to Parliament in those circumstances. That is why we will make submissions to the committee in more detail on those matters. I appreciate this discussion paper.

Question put and passed.

Joint Standing Committee on Delegated Legislation - Report on Vocational Education and Training Amendment Regulations 1977

Hon N.D. GRIFFITHS: I move -

That the report be noted.

This thirty-first report deals with the Vocational, Education and Training Amendment Regulations 1997, which were the subject of a motion for disallowance, which led to the regulations being amended. The issue has already been dealt with by the House and therefore I do not think it appropriate that I say anything further on the matter.

Question put and passed.

Joint Standing Committee on the Anti-Corruption Commission - Report on the Working Group of Parliamentary Committees with a Role to Oversee Criminal Justice and Law Enforcement Bodies

Hon DERRICK TOMLINSON: I move -

That the report be noted.

This report on the Working Group of Parliamentary Committees with a Role to Oversee Criminal Justice and Law Enforcement Bodies is on the very meeting that I referred to in my earlier discussion on the discussion paper (a) on the Notice Paper. The report is brief. It serves two purposes: Firstly, to advise the Council of the very important deliberations of that group of parliamentary committees; and, secondly, to fulfil what has become the convention of this place that when committees travel at public expense, they give a public accounting of the purposes of the expenditure.

Hon N.D. GRIFFITHS: I support the observations of Hon Derrick Tomlinson and point out that the parliamentary committee concerned met in Brisbane. This was no holiday. Any reference to what is contained in the papers will see precisely the sort of work that members of Parliament engage in when they travel. If they come from Western Australia, it takes some considerable time to travel to other parts of the continent for some fairly solid meetings. It was very worthwhile and I think the people of Western Australia will get very good value for this work in the very near future.

Hon DERRICK TOMLINSON: I follow up the Hon Nick Griffiths' remarks by indicating that the committees from other jurisdictions also reported that the meeting was of considerable value. So much so that the committees resolved to meet again. This Parliament will host that working group of parliamentary committees in late September or early October of this year.

Question put and passed.

Standing Committee on Constitutional Affairs - Petition regarding Voluntary Euthanasia

Hon M.D. NIXON: I move -

That the report be noted.

This was an interesting inquiry into one of the more interesting subjects that the committee has dealt with. It arose from two petitions which took opposite sides of the argument; one in favour of euthanasia and one against it. Euthanasia is one of those subjects which cuts right across party lines and people on the same side of politics can have totally different views on this matter. It has received international debate and the area that has received the most comment is with regard to what has happened in Holland, and probably also what happened in Australia, and I refer

to the Northern Territory and Marshall Perron introducing euthanasia legislation which was later overruled by the Commonwealth.

In Western Australia Hon Ian Taylor introduced a Bill in the other place as a private members Bill which was later withdrawn. I understand that new legislation is being prepared which covers the same ground. I understand that perhaps the Taylor Bill suffered a little in its drafting. Perhaps that was the main reason that it had to be resubmitted, rather than the principles contained in it. In this House Hon Norm Kelly introduced a Bill.

Because euthanasia is such an important topic, it has been debated throughout the world. It is always unwise to try to reinvent the wheel and our committee drew heavily on the information that had already been gathered by other bodies. We believe we put it in a form which is simple to read so people can get an overview of the situation.

We took evidence from people who we thought could add to the knowledge that had already been obtained. The committee visited Darwin on a constitutional matter, and while it was there and because we had these two petitions before us, we took the opportunity of obtaining expert advice from the Territory. We had time to interview three people, one being Dr Nitschke, who played a key role in the issue in the Territory; it was very interesting for us to take evidence from him direct. I think the least that can be said about him is that he is an enthusiastic man, a man of great courage, and probably somebody who has always been a political activist. One of the other people from whom we took evidence was a member of the then Opposition who had supported the Perron Bill. It was obvious we were hearing from both sides of the spectrum. We would have interviewed Marshall Perron, but he was overseas and unable to present evidence to us. Valuable evidence was given to us by Mrs Rose, the regional director of the Territory's Health Services. Mrs Rose gave interesting evidence that, perhaps because of the passage of the euthanasia legislation and discussion of it, it was necessary, particularly in the Territory, to upgrade what facilities were available in palliative care.

The evidence revealed that because of the legislation and the need for the Government to be seen as not using euthanasia as a cheap way to get out of palliative care, palliative care funding had miraculously increased. We were told that tremendous improvements had occurred in palliative care in recent years.

When we came back to Western Australia, we formed the view that this area required further examination. We obtained expert advice from Western Australian advisers. We learnt that because of the progress that had been made in recent years, many medical practitioners who had trained 20 or 30 years ago were not fully aware of what was available. The evidence indicated that with modern palliative care, very few cases exist in which the patient can be not only relieved of pain and suffering but also mental anguish.

The question that then arises is if people were not suffering pain and were not in a depressed state, would they choose euthanasia? This is the key to it. The committee believes one of the first things that should be done in any civilised society - because obviously nobody thinks that euthanasia is a good thing in itself and it is just a means of relieving pain - is to provide good palliative care for those who require it, and equally important, that people should be aware that it is available so that they can take the advantage of it.

The committee believes that its findings on palliative care are the most important part of the report. We need to examine the palliative care available in Western Australia to ensure that adequate services are provided, and equally importantly, to ensure that all members of the medical profession and members of the public are aware of those services and take advantage of them.

We heard in the Northern Territory that even when palliative care is available and people are comfortable there will be people who, perhaps, have led active lives and to whom being confined to bed - although they are not depressed or suffering any pain - is not as interesting as the life they used to lead and those people believe they would be better off dead. However, that is another issue. When we consider the ordinary community, there are also people who are not suffering pain who choose suicide. It is not a desirable way for people to lose their life. Far too many people - particularly young people in country areas - choose this way out of life. The community should examine the reasons for that, so it can be prevented.

The committee has presented a readable report that outlines the situation and gives a balanced view of both sides of the argument. Before members become involved in the debate they should read the report and, if they wish, the resources from which the committee has drawn. The report states that if it is the wish of members the committee would be prepared to report on the Bills in this area - the medical care of the dying Bill and Hon Norm Kelly's Bill.

Hon NORM KELLY: I thank the committee for its work in investigating this issue, and Hon Murray Nixon for his comments. The report is a good first step towards informing members on the various issues that surround end of life decisions, whether that be by voluntary euthanasia in its different forms, palliative care or other options.

The Government's proposed medical care for the dying Bill is also a euthanasia Bill; in essence, it is a passive

euthanasia option. It is important that when members consider the relevant Bills before the House that they become fully conversant with and informed of the issues that surround the issue.

Page 4 of the report contains a list of definitions surrounding voluntary euthanasia. Point 2.1 defines passive active euthanasia. That is an error, because one cannot have passive active euthanasia. That definition more appropriately describes passive voluntary euthanasia, in which, with the patient's consent, life support systems are turned off. That occurs in our hospitals and hospices on a regular basis.

Hon Derrick Tomlinson: It can go further than that.

Hon NORM KELLY: The turning off of life support systems or respirators is the most common form.

Hon Derrick Tomlinson: Palliative care minimises pain. In some circumstances the only way to end pain is to end life.

Hon NORM KELLY: The word euthanasia is derived from two Greek words meaning easy or good death. I hope that members in this House can debate the issue of voluntary euthanasia in its entirety in the near future.

The emphasis that the committee has placed on the palliative care options indicates the need for people to be made fully aware of those options. The legalisation of voluntary euthanasia in the Northern Territory raised the awareness of palliative care options and resulted in an increase in funding and availability of those options. I understand that Western Australia is best served of all the States with palliative care.

Hon N.D. Griffiths: Those who deal with it are opposed to euthanasia.

Hon NORM KELLY: Hon Nick Griffiths will find that he is incorrect. Although many surgeons believe that palliative care is an alternative to voluntary euthanasia -

Hon Derrick Tomlinson: It is a form of voluntary euthanasia in which they willing and knowingly indulge.

Hon NORM KELLY: It is the reverse; that is, voluntary euthanasia can be a form of palliative care. Hon Derrick Tomlinson mentioned that in some circumstances the only option to relieve pain is death. It is the question of how that death will occur which is at the heart of this matter.

Hon Derrick Tomlinson: Progressive increments of pain killers, such as morphine.

Hon NORM KELLY: I am sure that when this debate comes to this House in its entirety we will have an involved and full discussion which will not take a short time. I look forward to that. I appreciate the committee's work and its thoroughness in interviewing witnesses. I look forward to further work from the committee.

The committee commented that it would like to see Bills on voluntary euthanasia referred to it for further examination. That will build on the committee's expertise and its experience in investigating the petitions that have been brought before the House.

Debate adjourned, pursuant to sessional orders.

Report

Resolutions reported and the report adopted.

Sitting suspended from 1.00 to 2.00 pm

BOOKMAKERS BETTING LEVY AMENDMENT BILL

Second Reading

Resumed from 18 June.

HON TOM HELM (Mining and Pastoral) [2.00 pm]: I have the honour of speaking at length on this very complicated Bill which occupied some time of our Caucus on a number of occasions. The complications arise because it is time the State was given a decent Bookmakers Betting Levy Act so that it can regulate the workings of bookmakers and the levy can be properly used in the way it was intended.

The Racecourse Development Act was introduced in 1976 for the purpose of assisting country racing and trotting clubs to improve their racecourse facilities. These clubs had been experiencing extreme difficulty in financing improvements to their racecourses, and the funds would be used exclusively to assist those clubs. The House is aware of the importance of a properly regulated levy to try to keep racecourses in the far north particularly, and in the regional areas, as viable and ongoing entities, which is important to the fabric of societies in more remote areas.

As the Minister said, a contribution will be made from Treasury of 25 per cent of unclaimed TAB dividends from betting on thoroughbred and harness racing. I cannot add much more to that as I would be repeating the excellent work of the Minister and his staff in his presentation to us of this Bill, which is easy to understand and accompanied by comprehensive notes and a second reading speech; both are detailed and accurate.

With these few words, the Australian Labor Party is proud to support the Bill.

Hon Tom Stephens: Hear, hear!

HON NORM KELLY (East Metropolitan) [2.03 pm]: I will comment not only on this Bill but also on the Betting Control Amendment Bill recently passed by this Parliament, which is closely related. That Bill allowed for a far wider operation of sports betting in this State. This Bill provides for bookmakers to operate at the actual sports events rather than currently operating only from a designated racetrack. This is in line with the trend that has occurred over recent years in sports betting, which commenced in 1992 in this State. The following year that extended to allowing telephone sports betting. Until 1996 such betting had to be conducted at a racetrack during a race meeting. In 1996 this betting was extended so that bookmakers could operate from the racetrack at any hour on any day. This was a necessary extension to allow for the substantial amount of telephone betting that takes place.

This year the most substantial extension of sports betting has been to allow that extension of betting to sports grounds. This creates an opportunity for bookmakers in this State to operate within new markets. It is also an area of concern which I outlined at length in the debate on that previous Bill.

The Australian Democrats support this Bill within the constraints of responsible development of all forms of gambling in this State; that is, a management of responsible gambling which this Government has been handling well. I applaud the Minister and his Office of Racing, Gaming and Liquor for the way they have carried out those activities.

It was expected that the changes in that Betting Control Amendment Bill would result in huge increases in the amount of turnover in sports betting and hence increased revenue to the State. The turnover in sports betting was \$2m in 1994-95, a slight drop to \$1.8m in 1995-96 and then a near doubling of that to \$3.2m in the last financial year. Currently there is a 2 per cent levy which is fed back through to mainly junior and local sporting and recreational groups. That is an admirable way of using such funds.

However, here we are dealing with an equation. Although there are increased opportunities for betting and increased revenue, this Bill will reduce the amount of that levy from 2 per cent to 0.5 per cent. The expectation is that the net result will be an increase of revenue to the State; however, more importantly, it will bring Western Australia into a more competitive framework in comparison with other States and Territories. Telephone betting has developed and more recently Internet betting has appeared. A bookmaker who wishes to operate any form of Internet betting requires approval from the department to establish that system. This provides a good mechanism to ensure that we have it properly set up. It also allows for interstate and international gambling. This has probably been most successfully developed in Australia by the Northern Territory where the bookmaking firms of Centrebet and All Sports have dominated the market. I am sure there would be a substantial amount of revenue flowing from Western Australia to the Northern Territory because of an uncompetitive levy in this State; this State is missing out on those revenues.

I will give the recent up-to-date figures on the levies in various States and Territories to put into perspective what we are looking at in this Bill. In the ACT betting on head to head bets is 0.5 per cent and 1 per cent on other bets. New South Wales has a 1 per cent levy; Northern Territory, 0.5 per cent; Queensland, 1 per cent; South Australia, 1.75 per cent; Tasmania, 0.5 per cent; Victoria, 2 per cent; and Western Australia also currently has 2 per cent but that will drop to 0.05 per cent.

That brings me to the concept of head to head versus field betting. Head to head betting gives only two options of a winner or loser. The amount of levy therefore becomes a substantial factor in the dividends that can be paid out. Any differences between States and Territories in the amount of levy can vastly influence the odds that are offered. Because of that and the present situation where the levy in the Northern Territory is only one-quarter of that in Western Australia, Western Australia loses out. An ideal situation could be two levies, one for head to head betting and the other for field betting, so if people wanted to bet on a particular game in the current soccer World Cup, for example, head to head betting and a 0.5 per cent levy would be suitable. If people are betting on something like tennis at Wimbledon, for example, they could be betting for the winner of the whole competition. Where there is a vast field, there is a range of options. That is similar to a horse race where a higher levy could be more readily accommodated. For those who are interested in having a bet on the tennis, at the moment Patrick Rafter is 10/1 and Mark Philippoussis is 12/1.

Hon Max Evans: Are you running a book?

Hon NORM KELLY: Not while Hansard is still reporting.

Hon Derrick Tomlinson: More importantly, how much do you have on?

Hon NORM KELLY: If members do not see me around next month, they will know I have won.

The two particular aspects of sports betting are head to head or field betting. I do not have accurate information but my anecdotal information is that three-quarters of betting is head to head. Obviously the lower levy in those instances is the better way to go. It is simple to change the legislation and have a blanket 0.5 per cent in those instances.

The potential in this State is for expanding betting, not only to start to take back some of that betting money that has been flowing out of this State but also to capture markets outside the State and to develop them. The passing of this year's Betting Control Amendment Bill, which enabled bookmakers to be at sports venues, opened up a whole range of potential for bookies to expand. The number of bookies in this State has steadily decreased over the past few years. I hope that this Bill will go some way to redressing that trend. The Australian Democrats are concerned, as we have stated on a number of occasions, about the incremental increases in the availability of gambling in this State. We feel that on most occasions this has been handled in a responsible way, but we are concerned that the cumulative effect of these incremental increases could end up having a detrimental social impact on this State. The more addictive forms of betting, such as poker machines, are being resolutely opposed by all parties. I hope that will continue to be so. The Australian Democrats support this bill.

HON MAX EVANS (North Metropolitan - Minister for Racing and Gaming) [2.14 pm]: I thank the Opposition for its support of this legislation. It is simple legislation in the form of words, but what it does is important. I take note of the remarks of Hon Norm Kelly. Some people do suffer from too much gambling. However, gambling on horses and foot races has been with us since the beginning of time. At the turn of the century in the goldfields, people bet on foot races. Members will remember the film of the Anzacs there. My old professional running coach worked there through the Depression in the 1930s. Most of the foot racing in this State took place in the goldfields. A track was bulldozed flat for it. Foot racing has been part of betting.

The member referred to head to head betting. People can bet on the national sports book which TABCORP runs in Victoria. They can bet on tennis players winning in three, four or five sets. That could be subject to influence by a player. A star player might bet upon himself to win in four sets, so he makes sure that he wins in four sets and not three, otherwise he would lose his money. If his opponent held him out to five sets, he would lose. That betting has been going on for a long time in Victoria. A lot of football betting is on points to win - say, 40 points or 10 points - rather than just winning or losing. With any fixed odds, people will not get very good odds betting head to head. People who bet on teams winning or losing by 40 points, who will kick the most goals and so on, will get better odds. A lot more imagination can come into sports betting in this State than we have at present. In England they bet on who will score the next goal. It is all part of the fun of the game.

Hon Norm Kelly: That is controlled by regulation.

Hon MAX EVANS: The bookies will do that.

Hon Norm Kelly: My understanding is that their office of racing and gaming stipulates by regulation, notice or whatever what variation of bets can be provided. It is the decision of the office whether people can bet on the next ball or whatever.

Hon MAX EVANS: People there are betting on points to win, which gives them better odds. If people here were to bet on whether the West Coast Eagles would win or lose, they would not get very good odds, particularly on a game in Western Australia, because there would be no odds at all.

The Totalisator Agency Board came into being in 1961. We had starting price bookmakers in those days who were hidden behind places like newspaper shops. That was big right around Australia. New South Wales and Western Australia were the first two States to bring in the TAB and to close down the bookmakers. In politics at that time there was quite a bit of fighting because some of the bookmakers tried to stay in business. They were very wealthy and used a lot of political influence. A big part of the motive for the TAB was putting money back into the racing game. Bookmakers can have a licence on course; there is no more betting at the pub as there was in the old days. Since the change of legislation in 1992, all the on course 2 per cent betting tax goes to the racing codes. The member mentioned \$2m, \$1.8m and \$3.6m. That money goes back to the codes. We have said that of the tax raised from on course bookmakers and all bookmakers from betting on sports, half will go to the codes and half will go to the sports. It is an even spread.

As the member said, bookmakers are decreasing in numbers. That is happening for a lot of reasons. They are not making as much money as they used to make. Most people have computer equipment which makes it easier to bet against the bookies. The bookies previously made their money out of people's mistakes of betting on the wrong horse

or whatever. The change has given bookies fewer options for a win. They are missed in Australian racing. Hon Tom Helm and I do not bet, but we agree that bookmakers help to give a racetrack a carnival atmosphere. Racing in the north would not be the same without them. New Zealand does not have them. In England they have a lot more bookies for the size of the course than we do. England has missed out because it has only an on course tote with a few outlets outside. The bookmakers do all the turnover and put very little money back into the business, which is why the stake money is so poor. The Government there is not able to get more money out of the bookies. That is why we changed the legislation to limit how much people get off a bookie because of the odds. Because he is playing against the TAB and a parimutuel system, a bookie gets all the money in, takes some money out, and shares the rest with the winners. Some bookies do not work like that.

The member commented on Mark Reid in the Northern Territory. This affected New South Wales because an upset Mark Reid left there and went to the Northern Territory. He is organising a lot of betting on an 1800 number. Anyone can bet there free of tax and the States are missing out on the taxes. We know what we are missing out on. This Bill will offer some chance of betting money staying here and going via our bookmakers into the codes and on to the sports, which is very good. I thank the Opposition for its support and commend the Bill to the House.

Question put and passed.

Bill read a second time, proceeded through remaining stages without debate and passed.

MINING AMENDMENT BILL

Receipt and First Reading

Bill received from the Assembly; and, on motion by Hon N.F. Moore (Minister for Mines), read a first time.

Second Reading

HON N.F. MOORE (Mining and Pastoral - Minister for Mines) [2.20 pm]: I move -

That the Bill be now read a second time.

This Bill amends one section of the Mining Act 1978 and inserts two new sections to provide secure, longer term tenure for miscellaneous licences. Miscellaneous licences provide tenure for supporting type infrastructure such as roads, pipelines, powerlines and the like. These licences are currently granted for a period of five years and may be renewed or further renewed for up to five years.

However, the development of resource projects can occur only on leases under the Mining Act and these leases have a term of 21 years with a right to renew for a further period of 21 years. Because these projects require title over the supporting infrastructure which the miscellaneous licence covers, it is reasonable that the terms of the lease and licence be of a similar period. The Bill therefore provides that the term for a miscellaneous licence be 21 years with a legally enforceable right to renew for a further term of 21 years. In addition, holders of existing miscellaneous licences will have a right to further renew the term of the licence for periods not exceeding the initial granted term. This will ensure that holders of existing licences will also have continuity of tenure.

These provisions do not affect the operation of the Commonwealth's Native Title Act 1993 as new applications will still be submitted to the "right to negotiate" procedure under that Act. In respect to the renewal of existing licences however, it will eliminate the need to refer these to the Native Title Act procedure except for the first renewal application of a licence received after the commencement of this Act. That first renewal application will be submitted to the "right to negotiate" procedure on the basis that any further renewals will be subject to a legally enforceable right to renew.

The contents of this Bill have been considered and are supported by the Mining Industry Liaison Committee, which consists of representatives from the Chamber of Minerals and Energy of WA, the Association of Mining and Exploration Companies, the Australian Mining and Petroleum Law Association Ltd, the Amalgamated Prospectors and Leaseholders Association and the Department of Minerals and Energy. I commend the Bill to the House.

Debate adjourned, on motion by Hon Bob Thomas.

WADC AND WA EXIM CORPORATION REPEAL BILL

Second Reading

Resumed from 24 June.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [2.23 pm]: The Opposition supports the passage of this Bill.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [2.24 pm]: This Bill has been brought to this House after a long time. Because I know that at least one other member wishes to speak on this Bill, and I anticipated that the Labor Party members may speak for some time, I was basing the arrival of Hon Helen Hodgson on that understanding.

Hon N.D. Griffiths: You have received an indication that she did not want to speak. Now you are filibustering!

Hon N.F. MOORE: It is clear why the Labor Party does not want to talk about this Bill. However, I am totally and absolutely surprised that the Leader of the Opposition has not tried to defend the Labor Party's actions when it was in government. He was a Minister in that Government, albeit for a short time -

Hon N.D. Griffiths: You were Cabinet Secretary for the O'Connor-Court Government!

Hon N.F. MOORE: I was proud to be Cabinet Secretary of the Sir Charles Court Government. It was a very good Government.

Hon Ken Travers: Were you proud to be a member of the O'Connor Government?

Hon N.F. MOORE: I was not in the O'Connor Ministry.

Hon N.D. Griffiths: He was kicked out!

Hon N.F. MOORE: Sometimes one does not mind being kicked out of some things, Mr President, as an explanatory aside.

Several members interjected.

The PRESIDENT: Order! Hon Ken Travers will come to order. If he wants to speak he will have his opportunity in a moment.

Hon N.F. MOORE: It is interesting that a number of interjections are being made on this speech that I am seeking to make. It is very disappointing not to hear Hon Ken Travers or his leader defend the Labor Government which gave us WA Inc, WADC, Exim, and \$1b extra expenditure that we did not need! I thought that the Leader of the Opposition would have made some attempt - I know how difficult it would be - to defend the Burke, Dowding, Lawrence Governments.

If I were Brian Burke or Peter Dowding - Peter Dowding is a friend of the Leader of the Opposition - or Hon Carmen Lawrence, I would be absolutely horrified to think that one of my colleagues - a colleague for all that time, who is now the Leader of the Opposition in the Legislative Council - Hon Tom Stephens, was not prepared to deliver more than one sentence in defence of that Government's actions in regard to WADC and Exim -

Hon N.D. Griffiths: Unlike you, the Leader of the Opposition does not filibuster.

Hon N.F. MOORE: It is an extraordinary statement that Hon Tom Stephens does not filibuster, because we know very well -

Several members interjected.

The PRESIDENT: Order! Hon Nick Griffiths should cease his interjecting, or he will force me to do something that I do not want to do!

Hon N.F. MOORE: If I were one of those three former Labor Premiers, knowing very well how Hon Tom Stephens is capable of making long speeches - we heard him speak for eight hours on industrial relations and for four hours on abortion, but we heard him for only four seconds on this Bill - I would be absolutely disgusted to think that not one member of the Labor Party was prepared to defend that Government on this issue.

I can understand why members are very embarrassed - so they should be. They have every reason to be embarrassed. However, that should not allow this situation to occur. For the first time since Hon Tom Stephens became the Leader of the Opposition he stood up and said that the Opposition supported the Bill and then sat down. I wish it would happen more often on other Bills. Given this was an opportunity for Labor Party members to defend their colleagues, I expected a lot more from the Leader of the Opposition on this occasion.

This is an interesting Bill. It relates to a fascinating part of recent Western Australian history. The people of Western Australia will be reminded on a regular basis of this State's history from 1983 to 1993 when Labor Party Governments were in power. We had WADC, when that Government decided to go into business with its mates; and many stories are still to be told about that period.

Hon Tom Stephens interjected.

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

Hon N.F. MOORE: It is interesting that Hon Tom Stephens should say that because it was he who went to the Press to find out who paid my fare. He is a disgusting creature.

Hon Derrick Tomlinson: At least the Leader of the House had the loyalty to stick up for his mate!

Hon N.F. MOORE: I am prepared to spend my own cash to travel to Canberra and defend my friends in court as a character witness. Hon Tom Stephens sits here today and in one sentence tries to ignore 10 years of Labor Party government. He refuses to stand and defend them. What an extraordinary comparison. It goes right to the character of the person.

The PRESIDENT: We are discussing the second reading of the Bill and the comments should be concentrated on that.

Hon N.F. MOORE: I am sorry. I was a bit diverted by the outrageous statements of the Leader of the Opposition.

WADC and WA Exim Corporation were at the heart of the Burke Government's new way of doing business. Let us look back to those days. In 1983 Brian Burke came into office as the best new leader in Australia - that is what they called him. After he cut everybody's salary by 10 per cent, they called him the best new bleeder in Australia, which is what he was.

Point of Order

Hon N.D. GRIFFITHS: I make this point of order in the context of my misbehaving a few minutes ago and being told not to interject anymore. I am doing my best. The fact that Hon Norman Moore, like most of Western Australia, did not vote for Labor in 1983 is irrelevant in the context of this Bill.

The PRESIDENT: What is the point of order?

Hon N.D. GRIFFITHS: Absolute relevance. The Leader of the House is inviting interjections but we have been told not to interject.

The PRESIDENT: Order! Hon Nick Griffiths should resume his seat. There is no point of order and I do not like smart aleck remarks.

Debate Resumed

Hon N.F. MOORE: This Bill repeals legislation which set up the WADC and the WA Exim Corporation. Those two bodies were the fundamental cornerstone of the best new leader in Australia's vision for Western Australia. It was a new way of doing business. Instead of Governments being there to regulate, Governments were there to be partners in the business of business - the four on the floor entrepreneurs! Those entrepreneurs took over Rottneest and just about everything that was going on in Western Australia at the time. The Burke Government gave powers to its entrepreneurial mates with respect to the way these organisations operated; that had never happened before. They placed Western Australia in a very serious financial difficulty. I would have thought that on this occasion, knowing all the history of WA Inc, WADC and WA Exim Corporation, that at least one member of the Labor Party, but particularly the Leader of the Opposition, would stand and seek to defend his party over the activities of WADC and WA Exim Corporation.

Hon Mark Nevill interjected.

The PRESIDENT: Order! Hon Mark Nevill will get an opportunity to speak in a moment.

Hon N.F. MOORE: It was brought on today because I believed there was an agreement to deal with it.

Hon Mark Nevill: You are criticising us for not responding. Pull your head in!

Hon N.F. MOORE: Hang on! The member's leader has already responded. The member was out on parliamentary business, but the member's leader got up and said, "The Labor Party supports the Bill" and then sat down. I thought it was a bit unusual on a Bill of this nature. I suspect Hon Mark Nevill may want to speak at great length on this because I know he is a great supporter of WADC and WA Exim. We have heard that over the years.

Hon Mark Nevill: I am a supporter of the truth.

Hon N.F. MOORE: Good, and so we all are, so maybe he will get up and tell us what the truth is, if what everybody thinks about these two things are not true. My initial decision to speak was made because I believed that Hon Helen Hodgson wished to speak on this Bill, and that she had been delayed on the basis that she expected a long speech from the Leader of the Opposition. I was speaking to give her a chance to get here. I understand now that she does

not wish to make a speech. I look forward to hearing from somebody from the Labor Party to defend the Burke-Dowding-Lawrence Governments and the way they set up WADC and WA Exim Corporation, and how they did not mean WA Inc to take place.

HON MARK NEVILL (Mining and Pastoral) [2.34 pm]: I am absolutely unprepared for this speech.

The PRESIDENT: If the member wants to adjourn the debate, all he has to do is move to adjourn it and the House will decide. I am becoming a bit sick and tired of people who claim they want to speak, not wanting to speak, and now wanting to speak. If the member wants it adjourned, he should move it and I will see that that question is put which will provide the member with plenty of time.

Hon MARK NEVILL: I am not aware of what is going on behind the scenes, but the Bill was introduced last night. I understood that I was the lead speaker on this Bill. Suddenly it comes on today. I found that out just recently. I walked in the House and I heard the Leader of the House criticising the Opposition for not defending WADC.

The PRESIDENT: Order! For the time being the member has not spoken to the Bill. He has actually spoken to me about the procedure of the House. The member has every right to move that debate be adjourned if that is what he wants to do. If he does not, I will call that the Bill now be read a second time.

Hon MARK NEVILL: I will respond in the second reading debate now because there may be some higher purpose that I am not aware of that it needs to go through today.

Hon N.F. Moore interjected.

Hon MARK NEVILL: I am not sure whose agenda that is. I heard the speech from the Minister for Finance last night and I was appalled because it was absolutely biased. Problems existed with WADC and WA Exim; I do not deny that. The speech that the Minister gave last night was beneath him. I really have more respect for the Minister for Finance. I did not expect that sort of speech. I hope he did not have a hand in writing it. The fact that he delivered it diminished him in my eyes.

Hon Max Evans interjected

The PRESIDENT: Order!

Hon MARK NEVILL: I have not had the time to do the research on this Bill, but the Minister for Finance will recall that about two years ago I asked a question in Parliament, "What was the net profit made by the WADC over the period from when it was created in 1987 to 1995?" The answer came back, "\$150m net profit." I appreciate that it is a political agenda that is being pushed to discredit WADC. It certainly was a different philosophy from what the Government expressed; however, things change. A few years ago Hon Colin Barnett said Government should not be involved in private industry. We all know that he and the Government have done a 180 degree turn. We have seen situations in which they accept a role for Government in private industry. We have seen that in the Iron and Steel (Mid West) Agreement Act. I applaud the Government for that. I do not think these sorts of sterile doctrinaire positions that there should not be any government involvement in business should be considered, or that we should run it all, which would be the Stalinist control.

Hon Peter Foss: Mid west is infrastructure. The Government is not involved in the business.

Hon MARK NEVILL: If the member wants to be technical, he can, but the Government has the capacity to lose vast amounts of money if that falls over.

Hon Peter Foss: It is infrastructure.

Hon MARK NEVILL: It is infrastructure that could be quite useless and a lot of taxpayers' money is being put at risk.

The PRESIDENT: Order! The Attorney General will come to order. I have asked that other members do not interject and that goes for all members.

Hon MARK NEVILL: The Attorney General can be semantic but I think that is really irrelevant to the central issues in this debate. In the Minister's second reading speech, he says that every deal that was done in which a profit was made was bought at a discounted value or the Government would have made that profit anyway if it had done it a different way. The Minister really cannot have it both ways. One can make windfall profits in a lot of business dealings in the Terrace, whether they are property or whatever. WADC made some of those. It also did a lot of useful things. Is there any mention in the speech about the success of Gold Corporation over the past 10 or 12 years? Absolutely nothing! That shows an absolute lack of balance.

The second reading speech is designed not to give a fair assessment of the successes and failures of the WADC and

the Burke Government. It is designed to put the WADC and the previous Labor Government in the worst possible light.

The Minister might like to draw other issues into the WADC debate. However, we should restrict our considerations to the success or otherwise of WADC and Exim. Two years ago in answer to a question in Parliament, the Minister for Finance stated that the WADC made a \$150m profit. I am willing to consider that \$140m of that might have been as a result of inflated sale prices and low purchase prices. However, even if 10 per cent is real, it is not something that necessarily cost the State a lot of money, and I do not believe that it did. I was embarrassed at some of the fees paid to the directors of the WADC during that period, and rightly so. I thought that they were gratuitous. However, many of the failures of the WADC were due to the virulent attacks on it by the present Government when it was in opposition. I have not been able to research the details of the Sentosa Island project, but the Government of the day came under great pressure to sell, which it did. A government decision was made in 1991 to have a fire sale and get rid of it because the WADC political baggage was too heavy. Whoever picked that up would have made a healthy profit. I have not been able to confirm that, but I am sure it has been a successful investment for those people who picked it up after we dumped it because of the political heat at the time.

Members will remember that at that time the Labor Government did not control this House. Members opposite held the sword of Damocles to the Government's head. I was not a member of Cabinet at that time. I regret that, because maybe a few more questions would have been asked on some of these issues. The Sentosa Island project has done extremely well for whomever purchased it. The political wisdom at the time was that WADC was political baggage and we jettisoned it.

Unfortunately, I have not had time to go through the WADC, Exim and WA Government Holdings reports, although I have them here. I will not pretend for a minute that it is all flattery; it is not. There were a lot of successes and pressures during that period. The Labor Government in the 1980s faced not only diminishing federal government grants - which this Government also faces - but also population growth rates that were double what they are now. The pressures for new schools, hospitals and public facilities in the northern suburbs were horrific. What does a Government do in the face of diminishing federal grants? Does it jack up fees, taxes and charges or does it look at other more creative means?

This State had a conservative and unimaginative business sector, and probably up to the 1980s it was all old money; it never took any risks. The Burke Government did back entrepreneurs, to its disadvantage in many cases. I have not met Alan Bond. However, a few of the things that Alan Bond did amidst the carnage that he caused were good. The super pit at Kalgoorlie and amalgamating those different mines were brilliant. He built the first offshore oil platform in Western Australia. The Labor Government in the 1980s created a belief in Western Australians that they could do things, and they did not have to wait for people in other States and countries. Since the coalition came to government, it has sold off a lot of our capital services, financial services, and banking and insurance structures.

Hon Max Evans: You started the insurance sale.

The PRESIDENT: Order! I do not want interjections. The Minister can respond in due course.

Hon MARK NEVILL: I said that we were not pure. All I am asking of the Minister is that he present a balanced view. I challenge the Minister for Finance to table in this House a fair and honest balance sheet of the dealings of the WADC and of Exim.

The pastoral industry in the Kimberley had degraded the land. The area around Fitzroy Crossing and the Emanuel properties - Gogo and others - were overgrazed and denuded. The second reading speech states that Exim made a \$280 000 loss over its life. So what? Exim carved up those big pastoral lease. We now see better land management. The problems of low cattle prices and no export abattoir still exist, but the division of those pastoral leases was a good thing. They were fenced and separated and cattle breeding has been improved. Previously, bulls were running amok at all times; now there is more controlled breeding. I do not know the first thing about farming. All I know is what my wife has told me. The Kimberley has benefited from Exim's actions, but that does not show up in the bottom line of Exim.

When I heard this speech last night I was very angry, because every dealing that is mentioned in this speech is denigrated by the Minister. Before I leave this place I will make a detailed speech on that period. Even though I was on the backbench during that time, I looked, listened and watched. I was not privy to Cabinet discussions, but I read the Press. I probably knew more about what was going on than 10 of the 14 Cabinet Ministers. I will make a speech before I leave this place.

Hon Derrick Tomlinson: Make it now.

Hon MARK NEVILL: The losses are dished up in a bundle with a ribbon on the top. Members should look at them

and break them down. The State Government Insurance Office losses include a \$50m write down on the SGIO building. That was not built while Labor was in government; that was built in 1981 or 1982. Yet the capital write down on the SGIO building is always quoted as a WA Inc loss. I am not pretending that things were perfect and mistakes were not made during the 1980s. The State Labor Government in the 1980s had suffered from being out of government for too long. That was the same problem that faced the Whitlam Government. No-one in the Whitlam Government had been in government. The only members of the Whitlam Cabinet who had been in Parliament for any length of time were Fred Daly and Kim Beazley senior. When Oppositions are in opposition for long periods - often kept there by a gerrymander and not by the popular will of the people as would normally be expressed in democratic countries -

Hon Derrick Tomlinson: We know that.

Hon MARK NEVILL: - they are hampered by lack of experience. Even with those provisos, the first State Labor Government was an immensely talented Government, as was the first Hawke Government. I sometimes wonder whether any Government since - either Federal or State - has exhibited that sort of talent.

All I ask of the Minister is that when he makes a speech it be fair and balanced. If the Minister says that his speech was fair and balanced I will be very surprised. It is not, and it leaves out all of the successes of Exim and the WADC. The WADC rationalised the state battery system across the State. That was a politically poisonous exercise which it successfully completed. Gold Corporation has been quite successful. It has had difficulties in recent times for obvious reasons but they are not the result of mismanagement. I ask the Minister to be fair and balanced in this place. We can all play politics here but, at the end of the day, it does not get us very far. I ask the Minister to table in this House balance sheets on the wins and losses of Exim and the WADC.

The phoney royal commission which cost \$50m sticks in my craw. At the end of its report it came up with quite pathetic recommendations. It failed to say there should have been collective Cabinet responsibility.

Hon Peter Foss: Too right!

Hon MARK NEVILL: That royal commission was an absolute miserable failure. What do people do now? If they do not want to know what happened in Cabinet they say they were out making a phone call or they cannot recall. If the royal commission had said there needed to be collective Cabinet responsibility, the Ministers in that Cabinet would have had to make it their business to know what was going on. The royal commission gave them an out.

Hon Derrick Tomlinson: Even if they did not know, they were still collectively responsible.

Hon MARK NEVILL: Absolutely! They would have made it their business if they knew they would be made responsible.

Hon Peter Foss: Quite right.

Hon MARK NEVILL: The royal commission was a \$50m failure. It failed to put out a balance sheet of the WA business dealings losses. That has allowed Government members since to pluck figures out of the air about what the losses were. Could the royal commission have not done that for \$50m? It could not put the losses on a piece of paper. The royal commission was an absolute failure. That is why people like me made sure that the documents could not be destroyed when the Bill to have the documents put into archives was in the House. It is a pity we have to wait thirty years to see them. If those documents were available for scrutiny today the royal commissioners would be very embarrassed. It is clear that that royal commission report was written by - I am on dangerous ground here, Mr President.

Hon Derrick Tomlinson: Tell us who wrote it.

Hon Peter Foss: We know who wrote it.

Hon MARK NEVILL: Some people in this House know who wrote that royal commission report.

The PRESIDENT: Order! Hon Mark Nevill will be on dangerous ground if he criticises the commissioners, which he has not done.

Hon MARK NEVILL: I will not do that, Mr President. I take your good advice because I would not want to say anything that I would regret. I leave the Minister with that challenge. I ask him to be a bit more balanced in the future. Not by any stretch of the imagination is the second reading speech a fair response.

HON MAX EVANS (North Metropolitan - Minister for Finance) [2. 53 pm]: I told Hon Tom Stephens I would be brief if he was and I intend to keep my remarks short. The balance sheets from those years could be audited but I would not try it. There are pluses and minuses in that but the sheets are there. We need to separate WA Inc, the

WADC, Exim and the royal commission. That is what Hon Mark Nevill was trying to do. I agree that a lot of people bring them together. WADC and Exim were different things.

Hon Mark Nevill: It is very convenient.

Hon MAX EVANS: I could have put a lot more into this. It is a matter of opinion whether that would have made the second reading speech any more balanced. It may not have. I suggested I put more things in but finally decided to leave the speech as it was. The protocol is that we use the same speech in both Houses. I found an error on the last page which I would like to rectify. It says the cover for Exim was \$2m. The fact is that the then federal Minister for Aboriginal Affairs, Hon Clyde Holding, gave \$6m. It took me a long time to find the shortcoming in the balance sheet. There were reports that Exim could make a profit by selling off the stations. From memory, it paid \$8m-plus but offset the \$6m in the books by reducing the value of livestock from \$7.4m to \$1.4m.

Hon Mark Nevill interjected.

Hon MAX EVANS: I am trying to get to the facts. There was \$6m there. In November 1991 the Government had to increase the cap to \$7m because Exim had run out of capital. Exim Corporation was not a limited liability company. The State Trading Concerns Act had been introduced. The \$6m that the Aboriginal Affairs Department provided held Exim up for a long time on the figures. That was good and I am not criticising that. However, it distorted the figures on the loss to a certain degree at the end. Some people were paid a lot of money for their jobs. I am not arguing about that. They were decisions made at the time. I do not intend to make more of a speech than that; I have stuck to the speeches given. I commend the Bill to the House.

Question put and passed.

Bill read a second time and proceeded directly to the third reading.

Third Reading

HON MAX EVANS (North Metropolitan - Minister for Finance) [2.56 pm]: I move -

That the Bill be now read a third time.

HON TOM STEPHENS (Mining and Pastoral - Leader of the Opposition) [2 56 pm]: I take this opportunity to say a few words. I will be quick. In my time in the House I have had the opportunity of listening to many members and I know that my colleague Hon Mark Nevill is concerned that his preparation for this debate was not as long as he would have liked. I say to him, and other members, that I think his was one of the strongest speeches I have heard presented to the House. It was presented quickly, without the desired preparation, but with the passion that presents to the House another side to the story which was told last night.

An irony of last night was my saving the Leader of the National Party the embarrassment of having to introduce this repeal Bill when I pointed out that Hon Max Evans was coming through the door. Hon Eric Charlton knows that he was a joint architect of the provisions of this piece of legislation when it was introduced. I had the irony of being in this Chamber to see the introduction and now the repeal of this legislation. I am familiar with negotiations that took place whereby Hon Eric Charlton adjusted the arrangements of the report-back provisions and the accountability mechanisms of Ministers in this place. There is a broader picture than what has been told in the Minister's contribution to this debate.

It is all very well for people to talk about there being no role for government in business when those same people are involved in financing the failures of initiative such as Global Dance and the \$100m allocated to the Government's involvement in the convention centre. There are many ironies in the Government's hitting its opponents across the head with this Bill. The Government has engaged in business activities which have produced failures. It has learnt little from the lessons of history and seems determined to repeat the mistakes of the past. The convention centre runs the risk of doing what the Global Dance fiasco did.

Question put and passed.

Bill read a third time and passed.

APPROPRIATION (CONSOLIDATED FUND) BILL (No 1)

Second Reading

Resumed from 17 June.

HON KEN TRAVERS (North Metropolitan) [2.59 pm]: This afternoon I will raise a number of issues concerning the way this Government has conducted itself, particularly in relation to the Water Corporation and a couple of other

issues relevant to the Budget. I refer first to an issue that has been ongoing for some time; that is, the proposal to build a new dam in the Harvey region. Hon Muriel Patterson recently asked in this place whether a new dam would be built at Harvey. The response of the Minister representing the Minister for Water Resources was that no decision had been made. I was amazed to hear that. At best it was misleading and at worst it was bound to deceive the residents in that area.

It is clear that as I speak, planning is occurring and the Water Corporation is zooming ahead with plans and proposals to build a new dam in Harvey. I have always found the Minister for Water Resources to be a fairly honourable person. I therefore do not think he was attempting to mislead this place. However, he may not be aware of what is occurring in the Water Corporation.

Later in this debate I will highlight that the Water Corporation has an agenda of its own and is acting outside the control of this Government. From that we should be able to surmise whether the chairman, the Minister or somebody else is setting the agenda for the Water Corporation.

I asked a question about the proposed Harvey dam in the Estimates Committee hearings and was told by the Managing Director of the Water Corporation that work was continuing on proposals for a new Harvey dam. He was not sure whether it would be completed by 2000 or 2001. A document was distributed, to the best of my knowledge by the Water and Rivers Commission, to residents in the Harvey area in which is included a section headed "The Strategic Importance of a New Harvey Dam", clearly prepared by the Water Corporation, which reads -

The Water Corporation intends to apply to the Water and Rivers Commission for a licence to take additional water from the Harvey River if the Commission's Harvey Basin Allocation is approved. If the licence is granted, the Corporation plans to have the new Harvey Dam online in 2002/03. This means that construction would need to commence by the spring of 2000.

As I said earlier, it was misleading to respond to a question in this place that no decision had been made. Although the response that a final decision has not been made may be strictly correct, in its documents the Water and Rivers Commission clearly indicates it sees a new Harvey dam as a potential water source that is highly likely to be developed. Further evidence of that is contained in the "Allocating Water for Perth's Future Assessment of Perth's Water Future Strategy" published by the Water and Rivers Commission. Again, that document clearly indicates potential development of a Harvey dam.

In the draft Harvey basin water allocation plan the commission makes it clear that the dam is an option. It was therefore misleading for the Minister to say in this place that no decision had been made and to have given every indication in his answer that the jury was still out. A more appropriate answer would have indicated that plans for a dam at Harvey were progressing.

I am advised that in the planning department of the Water Corporation people are running around like headless chooks making preparations for contracts for a proposed dam at Harvey by 2003. I am advised that they are under immense pressure to let the contracts by 2000.

One of the reasons I am particularly concerned about the proposed Harvey dam is that I am in two minds about whether a dam in Harvey is essential. I accept the Water and Rivers Commission draft Harvey basin water allocation plan which argues that sufficient water runs through the Harvey catchment area to enable harvesting for potable use in the Perth metropolitan area.

However, before deciding to build a dam in Harvey, we must consider first whether a dam is the appropriate way of harvesting water from the Harvey basin. Second, we must consider whether better methods are available for harvesting water from the Harvey River. Third, we must consider what alternative sources of potable water in Western Australia could be harvested.

I am pleased to see Hon Barbara Scott is here. I remember reading some comments she made before I was elected in which she referred to the Yarragadee formation. She suggested significant water supplies could be found in underground aquifers and she opposed the building of a dam in Harvey.

Fourth, if a Harvey dam is to be built we must consider when it should be built. I am greatly concerned that plans are full steam ahead to get this dam built at the earliest possible opportunity. That seems to be contrary to all previous government advice on this issue.

The issue is referred to in detail in the document "Allocating Water for Perth's Future" which was a response to the Water Corporation's document, "Perth's water future: A Focus to 2010". I support the general thrust of what was said in the document; that is, in Western Australia we must be examining methods of conserving water. That document was critical of the Water Corporation's previous projections of the State's annual water consumption. The Perth's water future study predicted water use would increase to more than 200 kilolitres per annum per person. The

Water and Rivers Commission suggested we should be considering a significant reduction in water consumption and at page 10 suggests that in the short term, 1996 to the year 2001, we should cap the current upward trend in per capita consumption to 180 kL per person, per year consisting of 120 kL for domestic, 40 kL for metered non-domestic and 20 kL for unaccounted water. I always find "unaccounted water" interesting.

Hon Peter Foss: It disappears in pipes before it reaches the household.

Hon KEN TRAVERS: That is right. I still find the volume of 20 kL a year too high to be unaccounted. We must examine that. I will provide some constructive suggestions to the Government about how we can address one aspect of that because I like to be constructive.

The recommendation of that document was that by 2010 we should reduce the per capita consumption by 5 per cent to 170 kL per person, per annum or less. Although I understand some of the reasons involved, I find it extremely amazing to see a proposal to race ahead to bring on a source that will provide about 34 gegalitres a year, which is a significant proportion of what we currently use for domestic water supply in Western Australia, for which contracts will be let by the year 2000. Currently we have under construction facilities for about 41 GL from underground reserves in the Gnangara mound area that will be brought on stream within the next two years. We have significant supplies coming on line.

I understand the concerns of the Water Corporation, and I have seen some figures for the projections. Over the past 20 years we have seen a significant drop in the rainfall in the Perth metropolitan area. We must look at factoring in those figures. Equally we must look at whether those figures have been capped. During question time today I will seek to ask a question about last year's per capita consumption and the figure expected for this year. In meeting some of those targets, water consumption in Western Australia has continued to rise, rather than being kept in line with the reduction recommended by the Water and Rivers Commission. We must put much more emphasis on how we address that issue. I am not encouraging the Government to run more advertising campaigns in autumn about watering less. That was a gross waste of money, and we could have achieved far better results without doing that.

Let us look at harvesting water through the proposed new Harvey dam. If we accept that is where the supply will come from, we should look at whether it is appropriate to build a dam or whether we should have a pump-back system. This Government released the draft state of the environment report some time ago - we still have not seen the final report; I am very interested in reading it - in which it was said that dams are destructive of the environment. We should be building a dam as a last resort. We must look at whether we could build some sort of pump-back system. There is greater capacity in the surface catchment supply areas in the hills than is currently being used. Most of the dams have been at only one-third of their capacity in the past few years. If the projected figures for the reduction in annual rainfall in those catchment areas are correct, it is likely that that trend will continue in the foreseeable future. We already have storage capacity in the Serpentine, Canning and South Dandalup Dams. There is no need to build a new dam. That must be balanced against the cost of providing that water and getting it from alternative sources.

Hon Peter Foss: Are you saying we should pump from the Harvey dam to other dams?

Hon KEN TRAVERS: Yes, the Harvey weir already exists. That process is quite common around the world. We already have some pump-back points within the current system. I have been trying to follow with some intensity the figures that are being put around. I am concerned that the people in the Water Corporation have a certain mindset - they like building dams and they want to build another - and they are not looking at the figures seriously. The new sets of figures relating to the cost of the Harvey dam jump around.

I refer to the draft second discussion paper entitled "Perth's water future: a focus to 2010 - screening water source options" issued by the Water Authority of Western Australia in September 1993. In that document the yield for the new Harvey dam and a pump-back on the Wellesley Creek into the Harvey dam was given at 51 at a cost of 55¢ per kilolitre. For the proposed new Harvey dam alone, the yield would have been 40 GL a year at a cost of 58¢ a kL. I have also looked at other documents, such as "Perth's water future" which estimated the yield at 40 GL and at a totally different price. In other documents the cost of the water supply jumps around quite significantly. In the proposed Harvey basin surface water allocation plan, for option B the cost was given at 59¢ a kL, and for option C, which was closer to the original option in "Perth's water future", the cost was estimated at 52¢ a kL.

Hon Peter Foss: It is worth looking at methodology. There are a number of methodologies to calculate the cost of water supply. It gets particularly difficult with the extra cost of putting in new facilities, rather than the current method of amortisation.

Hon KEN TRAVERS: That is the point I am coming to. I still have concern about the shakiness and the accuracy of the current figures. We now have a significant drop in the Harvey allocation plan. Because of the Falls Brook nature area, the proposed new Harvey dam can be built to a height of only about 78 metres. That will drop the

sustainable annual yield of that dam from about 40 GL to about 34 GL. Anyone with a slight knowledge of mathematics will know that if the capital costs are fairly similar, the price per kilolitre must go up significantly in line with those projections. I still have not seen any figures for a dam of only that height. I refer to a document entitled "Proposed Harvey Basin Surface Water Allocation Plan", Water and Rivers Commission Report WRAP 14 of 1998. In that plan the figures quoted and used as the basis for the decision making - I accept this is still only a draft document - refer to a dam wall height of 80m and a potential yield of 40-odd GL a year.

The change in height from 70m to 80m to 90m has a significant impact. In option B, with a 70m high dam wall, the annual storage is 25 GL; with a height of 80m storage is 70 GL; and with a height of 90m storage is 140 GL. Small increments to the height of the dam wall will significantly change the total volume of water that can be stored behind the dam wall. It becomes a problem at that point. I suspect the price we are looking at for water from the proposed new Harvey dam is well over 60¢ a kL. I say that because in the earlier documents that figure of 60¢ a kL was the cut-off point at which the Water and Rivers Commission and the Water Corporation, and their predecessors, would make a decision between what they saw as potential short term sources and the longer term sources. If I am right and the price will be over 60¢ a kL it should be considered a longer term water source rather than a short to medium term water source.

We should be looking at other potential water sources, such as the Serpentine-Dandalup pump back scheme, the Serpentine-Dandalup underground water scheme and the extension to the South Jandakot mound. We recently passed an MRS amendment to ensure that that area is protected. A number of other water supply sources at under 50¢ exist to the north of Perth. We could also opt for a pump back option.

I do not know whether the Minister misled the House or whether he is not aware of how hard and fast the Water Corporation is running ahead with this proposal.

Hon E.R.J. Dermer: He has a responsibility to be aware.

Hon KEN TRAVERS: An earlier debate revealed that under the corporatisation the Minister's control over the Water Corporation is no longer as great as it was over the Water Authority. I am not saying that is a bad thing, but we must be more vigilant about what is going on to ensure that the necessary checks and balances are in place.

We must ensure that the Water Corporation is planning the cheapest and best future supply. I do not want to rule out a dam on the Harvey River, but we should ensure it is the right decision before we go down that path. We should see dams as the last option for harnessing water because of their environmental and social impacts. In the case of the Harvey dam, we should also consider the heritage aspects.

Members should look at the documents that a very dedicated group opposing the dam have prepared at their own expense. The Harvey Hills Preservation Group had a document prepared by Alan Tingay and Associates in October 1995 that addresses some of environmental issues. It also deals with the rare and endangered species found in the area that would be inundated by the dam, including the most northern stand of peppermints in the forest region. The group also produced a heritage assessment document. It is a significant heritage area and is important to the Western Australian agricultural industry. In fact, a new Harvey dam would inundate the current Harvey weir, which is in itself a historic structure. A dam should be the last possible option.

We must ensure that cheaper or better options to harvest the water going through the catchment area do not exist and investigate options outside the Harvey River scheme. I hope the Government will take those issues on board. I urge the Water Corporation not to continue to push ahead at what I think is breakneck speed to get the new dam up and running.

I will briefly refer to a number of other areas in which the Water Corporation seems to have got out of control. It appears to be racing ahead at a pace significantly faster than its Minister is aware of or understands. An article appeared in the *Sunday Times* on 13 July last year headed "Landlords lobby water billing system", and it states -

RESIDENTIAL landlords say they are disadvantaged by being responsible for outstanding water bills on their properties.

The Landlords' Advisory Service (LAS) has unsuccessfully lobbied to have the Water Corporation directly bill tenants for water use.

The article argued the case and stated -

Since the Court Government has introduced the user-pays water scheme to replace the former water allowance, landlords have increasingly faced unpaid water bills left by tenants . . .

Water Resources Kim Hames said there was no plan to change the policy.

A month later, on 24 August 1997, in the *Sunday Times* a very small article stated -

LANDLORDS have had a major win in their four-year battle with the Water Corporation.

From next year the corporation will bill tenants directly for water use.

It will also use a daily average-use method, which will ensure the lessees are not paying higher charges because of excessive use by a previous tenant.

The move, detailed in a letter from Water Resources Minister Kim Hames to the Landlords' Advisory Service (LAS), has been seen as a major about-face from a month ago when the corporation had no intention of changing its policy.

I asked the Minister for details of the proposed changes made by the Water Corporation to bill tenants directly for water use and how changes will be calculated if tenants change during the billing period. His response of 10 March 1998 stated -

- (1) The Water Corporation is making changes to its system for mailing accounts, which will allow water consumption bills to be posted directly to tenants. This is to be a 'postal service' only and only where the owner requests it.
- (2) Water consumption accounts will be calculated on 'daily average usage'. This is basically apportioning the charging scale against the number of days of the reading period, as per the method currently used by the Real Estate Institute of Western Australia and recommended by the Ministry of Fair Trading.

I was amazed at the press release prior to the presentation of the Budget announcing the exorbitant increases in water rates and charges. At the same time the Minister for Water Resources announced that - contrary to his answer on 10 March that it would occur only when the owner requested - we would all face a daily average use calculation. It is even more amazing that since that time I have been unable to get any further information. I had a phone conversation with an officer in the Minister's office. I was told that more information would be released about how that system would operate. I got the impression it would be released when the Budget was presented. I did not receive it, so I asked a question during the Estimates Committees and was told I would be provided with more information - it still has not arrived - and that it would be released when the bills were sent.

When there is a significant change in the way bills are calculated far more information should be made public. The general public should be able to establish whether it is a better system, particularly when one considers the history of the issue. The Water Corporation and the Minister have already indicated that the move to daily average billing will have some effect on revenue. They have argued that the total cost of increasing the 150 kL allowance to 165 kL will be revenue neutral. Again, we are not in a position to examine that to see whether that is the case.

I asked a question in this place about whether the Minister had sought advice from the Office of Water Regulation prior to making these announcements and introducing these changes to the way in which water charges are levied in this State. I was told that the Minister had received advice; and when I asked whether the Minister could table a copy of that advice, I was told he could not, because the advice was verbal.

One of the functions of the Office of Water Regulation is to provide advice to the Minister for Water Resources about costs and charges for water. I find it extraordinary that when significant changes will be made to the way in which water charges are billed in this State, the only advice that the Minister has received from the Office of Water regulation is verbal advice. At the very least, that advice should have been in the form of a brief letter from the Office of Water Regulation saying that it has examined the new charging mechanisms proposed by the Water Corporation and believes they will be okay; or it has examined the Water Corporation's claim that it will be revenue neutral and believes that to be correct. To just receive verbal advice demonstrates an extraordinary lack of proper administration in this area.

I find it extraordinary also that in August of last year we were told that it was not intended to change the system; we were then told it would be done on a request-only basis; and we are now told that as of next Wednesday, 1 July, it will be imposed on all of us. We still have no details about how it will affect individual users. We do not know whether it will have a greater impact on families that use a lot of water than on families that use a small amount of water, or whether it will have a greater impact on families than on single people.

This does not surprise me, because in a range of areas with regard to the Water Corporation we have seen a mishmash and a chopping and changing. You will remember, Mr President, that I have raised in this place on a number of occasions what I regard as an extravagant waste of money where the Water Corporation opened purpose-built offices in February of last year in Balcatta and Canning Vale, yet within six months had refitted those offices to change their

function, at great expense to the community. I do not know whether to blame the Water Corporation or the Minister, or both, but the word around town is that it is not the Minister who is running the show but the Chairman of the Water Corporation. I do not know whether that is right or wrong.

Another issue that I have raised on a number of occasions is the ability to pay water bills by credit card. I read a transcript of what the Minister said on talkback radio not long ago when a caller complained about not being able to pay for water bills by credit card. The Minister's response was that he would have that matter looked at. I got the impression that he was fairly sympathetic to the view that members of the public should be able to pay their water bills by credit card, yet we have seen no action on that matter. People are crying out for that service.

Another issue that the Minister needs to address is the new Harvey dam, and, I hope, slow down the process so that we examine that issue in the detail that it deserves.

Another issue that needs to be addressed is the increased sewerage charges for people in non-metropolitan Perth. I look forward to receiving responses from the Water Corporation, through the estimates committee process, to some questions that I asked about which people in the bush will receive a 13 per cent increase in sewerage costs this year; and which people received a 14 per cent increase in sewerage costs last year. I represent a metropolitan seat, but I hope that those members opposite who represent regional areas, particularly those people who we are told are the champions of the bush - the members of the National Party - will join me in roundly condemning those increased charges, which are yet another example of how this Government is selling out the people in the bush by moving towards a user pays system. A person may have incurred a 27 per cent increase in sewerage rates and charges over the past two years, which is well above the rate of inflation, all because of this push by the Government towards a user pays system. We have not heard a peep about that from members opposite who claim to stand up for the bush.

I am no fan of the One Nation party, but I can see why it is starting to gain some currency in the bush. Not long ago, I spent a morning in a shopping centre in Northam collecting signatures for a petition opposing the sale of Western Power. I spoke to about 200 or 300 people, and only five people opposed the idea; the remainder supported the view that the Government should not sell Western Power.

Hon E.J. Charlton: You have not had anything to do with the improvement in sewerage in the country.

The PRESIDENT: Order! Minister, we had an agreement earlier that there would be no interjections, or relatively few.

Hon Max Evans: He has been out in the bush!

The PRESIDENT: Order! Let us not worry about where the Minister has been. Hon Ken Travers has the floor.

Hon KEN TRAVERS: Thank you, Mr President. I am glad to hear by way of that interjection that members opposite do intend to stand up for people in the bush, because they have seen the winding back of the universal electricity tariff -

Hon B.K. Donaldson: Read the press release today! You will learn something.

The PRESIDENT: Order!

Hon KEN TRAVERS: I would like to see that. I hope we can get some support around this place to be given some greater detail from this Government about exactly what is happening with the massive increases in sewerage rates and charges for people in the bush. I find it extraordinary that even if the towns that received a 14 per cent increase last year will receive a zero increase this year, people in the country have to face those increases in sewerage costs. I note the comments from the Minister for Transport, but when we look at the details about how much has been spent on the community service obligations - which is the money from consolidated revenue that the Government has put into the infill sewerage program - it is between \$3m and \$4m, and not the \$8m that the Government has talked about. I am not criticising the infill sewerage program, because it is a good program, but we need to face up to the fact that the reason it is being put in place is not some generosity on the part of members opposite but that we are all paying for it through increased taxes and charges. I accept that is an important and legitimate program. However, I do not accept that we should try to hoodwink the public into believing that we are somehow doing it a favour. The public is paying for that program, which will provide environmental benefits for our community, but last year, the CSO contribution was only \$3m or \$4m. It was considerably below budget. If people want to find out more about this, they should talk to the contractors. I have, and I know they feel the prices they must tender for are below cost. That is why the Government does not have to pay the \$8m estimated, and the project is coming in way under budget. These contractors are hurting quite badly in the process.

Members in this place should understand the city-rural divide. I have always been a strong advocate - I hope Hon Bruce Donaldson will agree - of the proposition that people in the metropolitan area must understand the concerns

of people in the bush. As members of Parliament, we should encourage people to stay in rural areas and do what we can to make sure their cost of living is similar to that of people in the metropolitan area. There is massive infrastructure in the wheatbelt towns and some of the towns in the north of the State. Some of those towns have suffered a decline in population and it is a huge cost to the community if that infrastructure is wasted because people move to the city. This Parliament should resist any measure that increases costs to people living in the rural areas, whether it be for sewerage, electricity and so on. Their ability to get jobs in those areas might be affected by an increase in the cost of electricity by the reduction of universal tariffs. Members in this place, whether they represent metropolitan or rural electorates, should take those matters into account.

The next issue I address in the context of the Budget is one I have previously raised in this place. I refer to head lice. I have always copped flak and ridicule from members when I raise the issue of head lice. However, I challenge members to talk to the parents in their electorates, particularly the mothers who, week after week, face the prospect of treating their children for head lice, only to find a short time later that their children have been re-infected. It may seem a small issue to some people, but it is a problem for parents. Sometimes members in this place need to think about small issues because this particular one drives parents around the twist. Members of my family have young children and when I first raised this matter they were pleased and said it was time something was done about it. It is a real problem in schools.

I raise it today because last year the Government made a decision which I thought was wrong at the time, and I predicted it would lead to major problems and an epidemic of head lice in the community. In a penny pinching exercise, the Government decided to cut back the quantity of head lice solution provided to local governments to distribute to families in need. Treatment costs up to \$40 and when parents must treat their children again and again, it is a significant financial impost, particularly on those families with low incomes. I am concerned not only that the Government cut back the quantity of solution it provided but also about the process it used. It decided that each local authority would be given 20 bottles. That discriminates against people in larger local government areas, such as the City of Wanneroo, the City of Stirling and the City of Rockingham. Many families with young children live in these areas. The City of Wanneroo received an allocation of 20 bottles to distribute to families in need, and the Shire of Peppermint Grove received the same quantity.

Hon E.J. Charlton: You do not need any.

Hon KEN TRAVERS: If a person does not have much hair, he does not need it.

Hon E.J. Charlton: I used to have hair.

Hon KEN TRAVERS: If the Minister spoke to families in the community, he would know it is an issue. He can say it is the family's job to look after their children and to buy the solution. However, if they do not have the money their children are not treated. They then reinfect the children whose parents try to do the right thing, until they become frustrated with the process.

Sitting suspended from 3.45 to 4.00 pm

[Questions without notice taken.]

Hon KEN TRAVERS: I had intended to continue with some of my comments about head lice, but I will leave that matter and return to it if time permits, because I want to raise one final area with regard to the Budget. Members of this place will have seen over the past few weeks an ongoing debate in our community about the way in which the Police Service and its officers have been treated by this Government.

Hon Derrick Tomlinson interjected.

Hon Tom Stephens: Do not make a joke of that, Mr Tomlinson. It is a serious matter.

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

Point of Order

Hon TOM STEPHENS: Mr President, with all due respect -

The PRESIDENT: Order! Before the Leader of the Opposition takes the point of order, Hon Ken Travers will need to take his seat.

Hon TOM STEPHENS: Mr President, I object to one of our members speaking and being interjected upon by Hon Derrick Tomlinson, and when I take offence to that, to then being called to order. I want that member, who is raising an important issue about police, to be listened to in silence, particularly by Hon Derrick Tomlinson.

Hon Derrick Tomlinson: I always listen in silence, except when you are speaking.

The PRESIDENT: Order! If Hon Derrick Tomlinson and the Leader of the Opposition abided by the standing orders, there would be no need for Hon Ken Travers to have his time wasted.

Debate Resumed

Hon KEN TRAVERS: Thank you, Mr President. We have had an unprecedented situation in Western Australia where we have seen major conflict between the administration of education in this State and this State Government, and major conflict between the nurses of this State and this State Government. We are currently seeing major conflict between the administration of the Police Service and this State Government. This matter goes to the very core of how this Government is administering this State. This matter is about natural justice, and about giving people a right of appeal and the opportunity to be dealt with fairly by the system.

Section 8 has been on the Statute books for a long time in this State. I have seen certain documents, and I take it at face value, that in the past when this side of the House was in government, a deliberate decision was made not to use section 8.

Hon E.J. Charlton: By whom?

The PRESIDENT: Order!

Hon KEN TRAVERS: By the commissioner and the Minister at the time.

Hon E.J. Charlton: Are you sure about that?

Hon KEN TRAVERS: I was not in this place and I did not follow it, but I have seen records and comments from people within the Police Union and others to verify that.

Hon E.J. Charlton: Who told you that?

Hon KEN TRAVERS: If the Minister wants to get up and argue to the contrary, I invite him to do so when I sit down. In the meantime -

The PRESIDENT: Order! Minister, the rules are for everyone in this House.

Hon KEN TRAVERS: We have seen an unprecedented use of section 8 in recent times that has denied police officers a right of appeal. However, that is not the point that I want to raise this afternoon in talking about how this Government is treating the Police Service. I want to talk about a slightly different issue, which I raised during the Estimates Committee. I noted at the time that the Attorney General indicated that he had a similar interest in that matter. It was with regard to supporting police officers in the work they do in the field.

It was being reported to me continually that police officers were becoming increasingly frustrated that they were arresting people and having them charged, and those people were in many cases remanded into custody, but after they had been remanded into custody, they were then released on bail and committed offences again. I talked to a number of police officers in the northern suburbs, and the impression that I got, and it certainly was based on anecdotal evidence, was that these criminals were deliberately committing extra offences while they were on bail so that all their charges would be brought together in one lump sum and they would get a concurrent sentence that would not increase the total amount of time that they would spend in gaol. The reason I raised that matter is that I believe we need to back up and support the people who are serving our community and assist them in their pursuit of justice by putting extra resources into addressing that issue.

I was heartened when I raised that matter during the Estimates Committee to find that the Attorney General agrees with me. I do not want to put words in the Attorney's mouth, but I gained the impression that the Attorney General was interested in this matter and was following it up - I do not know whether that was for the same reasons that I have outlined. The Attorney went on to make the point about who was releasing these people on bail. I have heard that one of the reasons that people were being released on bail was that they were sent to a remand centre, but the remand centre did not have the room to hold them. That is a major concern, and that applies to both juvenile and adult criminals. Hon Cheryl Davenport and I visited the Banksia Hill Detention Centre recently, and we gained the impression that it was holding some juveniles who were on remand.

Hon Peter Foss: When people are remanded, it is because they are given bail with surety but they do not get the surety. The remand centre then looks at providing the surety, and when they satisfy that, they are allowed out on bail.

Hon KEN TRAVERS: Can the Attorney General assure the House that no-one has been released from the remand centres after being initially remanded in custody by a magistrate?

Hon Peter Foss: They must go back to a remand hearing at which bail conditions may change.

Hon KEN TRAVERS: Who hears that?

Hon Peter Foss: A magistrate usually.

Hon KEN TRAVERS: I am concerned about the revolving door syndrome. I do not want to make outrageous claims. We must make sure that the police do not waste their time arresting people, who are then released on bail and reoffend. The anecdotal evidence I have from the northern suburbs is of increasing frustration in the Police Service. It seems that even though more people were arrested, the crime rate went higher. I am told that these people reoffend while on bail.

Hon Peter Foss: The other concern I expressed is that the police themselves are bailing a lot of people.

Hon KEN TRAVERS: It is an interesting comment because it is not the position put to me by the people to whom I have spoken. Is the Attorney General suggesting that police officers are letting these people out?

Hon Peter Foss: Quite a lot of admission to bail is by police officers. I had concerns about some people who had been admitted to bail by police, who I believed should not have been under the terms of the Bail Act.

Hon KEN TRAVERS: I find that extraordinary. The police officers I have met who have caught people for criminal offences are the last people to want those offenders back on the streets. I do not want to sensationalise this issue, but I want to find out whether the anecdotal evidence is being followed up. During the estimates hearings, I received a positive response to my question indicating that the Police Service had been looking at this matter. However, I was concerned when I received the supplementary information, which almost dismissed the issue and the problems on which I sought further information. That supplementary information stated -

... a survey was conducted at the Perth Court of Petty Sessions (Central Law Courts) to gauge the number of people who were released on bail after police had requested a remand in custody and who then went on to commit offences whilst on bail.

The survey, albeit brief and held only at one location, indicated that the incidence of re-offending whilst on bail was insignificant. It equated to only 2.2 persons per month. This information was collected manually, a time consuming task which was found to be a most inefficient means of data collection. Accordingly, this process was discontinued after five months.

Since the survey was conducted in 1996, all bail conditions, together with fact that persons are released on bail, are now recorded on the Police computer system. While ongoing statistics are not maintained, this new arrangement places operational police officers and prosecutors in a better position to object to any bail being granted to an individual for an offence that is committed whilst on bail.

The reply suggests it is a minor problem that applies to only 2.2 persons a month. That is 2.2 persons too many. I originally felt there was some hope of doing this in a fair and reasonable manner and that there would be some sense of cooperation. However, the response indicates that when the question went through the hierarchy - the Minister's office or wherever - it has tried to turn it around and say it is not a problem rather than address it. I was disappointed because I saw some positive signs when I asked the question in this place. We expect police officers to do the job for which they are paid, and the overwhelming majority do that with absolute dedication. It is a shame they are in their current situation of threatening to withdraw some of their voluntary contributions because of the way this Government is treating them. It is also a shame that the Government is not allocating the resources to ensure that when officers do the hard work, arrest people, and have them remanded in custody, those offenders are not later released from the system to reoffend.

Hon Peter Foss: You miss the point. Many people are not bailed by the court but are bailed by the police. The 2.2 persons a month represents a small number of people out of the large number who would need to be gaoled if they were not given bail. You must keep in mind that these people have been charged; they have not been convicted. Are you suggesting that we should lock up everyone else to stop the 2.2 persons a month?

Hon KEN TRAVERS: I suggest that the Government should treat this issue seriously, provide the necessary resources to establish the full extent of the problem and then address it. If the problem is occurring at the police end of the process, it should be addressed at that point. However, I would be surprised if that were the case. I would be interested in receiving that information. I hoped to receive it in the supplementary information. However, I received a negative response, typical of the responses received to questions in this place; that is, it was a defensive response aiming not to answer the question but to give as little information as possible and to fudge the response. That was very disappointing because I had hoped, following the initial reaction from the senior police officers and from the Attorney General at the estimates hearings, that I would receive a far more positive response aimed at addressing this issue.

HON N.D. GRIFFITHS (East Metropolitan) [4.46 pm]: The most important duty and job of any Government at any time is to ensure public safety. Public safety in Western Australia is not being ensured by the Court Government because it is failing to deal properly with those people who are entrusted with public safety on the front line. I refer to the police officers in the community who provide the most essential service this community can receive. That service is being put at risk because of the intransigence of the Court Government.

A few moments ago the Leader of the Opposition asked a question of the Attorney General in his representative capacity; that is, representing the Minister for Police. The question asked -

With respect to the police industrial action proposed to commence tomorrow and announced on Sunday, 21 June -

- (1) Is the Government taking the matter seriously?
- (2) Was the Minister aware of the proposed action on Sunday?
- (3) When did the Minister receive a written request from the Police Union seeking a meeting with the Minister and when did he respond to the union setting a meeting time?
- (4) Why did the Minister delay meeting with the union until Tuesday, 23 June?
- (5) What is being proposed by the Government to avert the industrial action and to protect the public interest?

The answer provided shows that the Government is not taking the matter seriously and it is doing nothing substantive to look after the public interest. The public interest is public safety. From the answer given on behalf of the Minister for Police, Hon John Day, the member for Darling Range, it was clear that the Minister for Police is so knowledgeable with respect to his portfolio that he did not even know what day it was. The Government was asked whether it was taking the matter seriously, and the Minister's answer commenced with the words -

The Minister was well aware of the Police Union meeting on Sunday, 20 June.

So much for the care Ministers take in providing answers, and so much for the way in which they treat this House by telling members what goes on. The Minister did not even know what day it was, and perhaps he does not know what year it is. So much for the Minister for Police! He is letting the people of Western Australia down by failing to treat his officers fairly.

Hon Simon O'Brien interjected.

The PRESIDENT: Order! Hon Simon O'Brien will get an opportunity to speak when I call him.

Hon Simon O'Brien interjected.

The PRESIDENT: Order! Hon Simon O'Brien is dead right. He will not be given the call if he continues to interject.

Hon N.D. GRIFFITHS: I am very concerned that on Sunday, 21 June 1998, police officers - who provide the most essential of public services - said they had no confidence in the Anti-Corruption Commission, in the Premier as the Minister responsible for the ACC and its activities, in the Government of Western Australia in relation to the activities of the ACC and in the Minister for Police because of his inaction in respect of section 8 matters.

I am very concerned that those police officers said they had no confidence in the commissioner and the executive of the Police Service because it is essential for good policing in this State that the people of Western Australia have confidence in their Police Service. It is essential that the members of that Police Service, those officers who perform that very worthwhile job, have confidence in the police management. Frankly, it is very important that everybody in Western Australia - save those who get involved in crimes, and I do not want to talk about them too much - has confidence in the worthwhile job that our Police Service does. It is important for the provision of public safety, for law and order, for people feeling and being safe and for their being able to go about their lawful business properly. This Government is failing to provide those ingredients. Looking at the events of this week, it is clear the Government has failed to face up to the problems with section 8. It engages in obtuse arguments about supposed rights of procedural appeal with respect to a report provided by Mr Codd.

The Government has failed to deal with the issue on a substantive basis. It has failed to tell the members of the public and the Police Service that it will examine the ACC and review it. The Government does not say it will give the matter proper consideration. The community has not been invited to tell the Government its concerns. The Government has not said it takes these issues seriously. It has failed to do that. It has failed in so many areas with police officers that I regret I do not have sufficient time to dwell on them at length in these budget speeches.

To be fair, I will mention some matters which I find extremely objectionable and I know that members of the public find them objectionable also. I will not go over debates members have heard during recent weeks. I note the damning evidence about the lack of resourcing of the child abuse unit. All concerned members of the public are aware that the police officers who do the dirtiest work in our community, namely those in the drug squad, have not been properly resourced by this Government. It is dirty work. They are in the front line and have to deal with very offensive matters and with people who engage in the worst forms of behaviour, creating wretchedness among their fellow human beings.

The Government has let police officers down over child abuse and in providing proper resources to those who work at the front line. Those officers do a very dirty, but very worthwhile job for our community.

Hon Simon O'Brien interjected.

Hon N.D. GRIFFITHS: This Government has failed to properly resource operations at crucial levels in areas of policing on a geographic basis.

Hon Simon O'Brien: What resources does it want? Why doesn't Hon Nick Griffiths answer the question?

Hon N.D. GRIFFITHS: Hon Simon O'Brien should be quiet! He should listen to a bit of commonsense.

The PRESIDENT: Order, Hon Simon O'Brien!

Hon N.D. GRIFFITHS: This Government has failed to do the job because of some stupid ideological hangup about using the fancy name Delta to cover its myriad sins. It just cannot do the job. My colleague, the member for Midland, has enumerated on many occasions in the other place problems in providing resources.

In addition to its failure in the areas of physical resources and the managerial will, the Government has failed to provide the appropriate legislative backup to enable the essential work done by police officers to be brought to fruition in the appropriate way. The most glaring example of this was brought before the public recently; that is; the basic issue that when someone is sentenced to a term of imprisonment, the public should know that that person will serve a term which has some relevance to the term the judge has said the person should serve. A simplistic phrase used elsewhere, which we go along with, is that there should be some truth in sentencing. The Labor Party took this up a long time ago. I raised the matter in August 1996 when I took up my current portfolio. The Attorney General said he would have a report prepared. He said he would appoint Chief Judge Hammond of the District Court to head a committee and provide a report.

In the course of the election campaign, the Attorney General said the Government would enact this and not worry about the report. That was said prior to 14 December 1996. The report was due to be completed on 20 December 1996. That date came and went and eventually a report emerged. With appropriate deference and respect to His Honour, I will refer to it as the Hammond report. That report was dated February 1998. However, as it is the case with reports presented to the Attorney General, it eventually emerged in the public arena at some stage in March 1998. Then what happened? The Government said it had a report and it would conduct consultation, so there would be more consultation and more delay. It said it would talk to every conceivable interest group again; it would cross every little "t" and dot every little "i". Hon Peter Foss, the Attorney General, was to read the report and there would be draft number one, draft number two and draft number three. The report will end up like the trip to North America!

Hon Peter Foss interjected.

Hon N.D. GRIFFITHS: Nothing will ever be done. The public and the police officers who do the front-line work are crying out for decent legislation which will enable them to have a degree of confidence in our justice system - a degree of confidence which the learned primary author of the report, Chief Judge Hammond, said was lacking. It is lacking because of the failure of this Government to act. It has failed to do the job of resourcing the police and providing appropriate laws.

Hon Peter Foss interjected.

Hon N.D. GRIFFITHS: It has failed to do the job in many areas of public safety. When people offend and are sentenced to terms of imprisonment, the Government fails to resource the Ministry of Justice in terms of management or money. It fails to do the job of providing workable rehabilitation programs. Rehabilitation in prisons is a joke; it just does not occur. When it comes to prisons, policies are announced and then changed without reference to Parliament except when we engage in an act of dentistry at question time and try to extract some sorts of answers from the temporary incumbents of the Treasury bench.

Hon Tom Stephens: Who have collective responsibility for this failure.

Several members interjected.

The PRESIDENT: Order! The Leader of the Opposition will come to order! Settle down! We will not continue until everyone comes to order. I ask the Leader of the House not to interject.

Hon N.D. GRIFFITHS: I am obliged to you, Mr President, and my colleagues for giving me a chance to catch my breath. When it comes to the basic matter of providing an appropriate prison environment there are changes in personnel in the Ministry of Justice. The Attorney General is constantly looking for scapegoats for his failure to properly administer his department. I note, in that context, the departure of Mr Gary Byron. I note previous changes at the top of the Ministry of Justice, and I also note a policy announced in March of 1998 for the provision of temporary beds in prison.

Debate adjourned, pursuant to standing orders.

ADJOURNMENT OF THE HOUSE

Special Adjournment

On motion by Hon N.F. Moore (Leader of the House), resolved -

That the House at its rising adjourn until 11.00 am on Tuesday, 30 June 1998.

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [5.00 pm]: I move -

That the House do now adjourn.

Head Lice in Schools - Adjournment Debate

HON KEN TRAVERS (North Metropolitan) [5.01 pm]: Unfortunately, during my speech earlier today on the Budget I was not able to conclude some of my remarks on the issue of head lice. I stated that I realise that many members see head lice as a flippant issue. However, I urge all members to talk to parents in the community, and they will form a different view. Since I raised this issue here and in the media, I have been amazed by the response, with people approaching me to discuss the matter and to congratulate me for highlighting it.

The Government's decision last year to cut back money provided to head lice solutions for local government areas, both in volumes and its distribution, was a disgrace. At the time, I predicted an epidemic of head lice. I circulated a number of press releases last year, and one in October predicted a head lice epidemic. Unfortunately, anecdotal evidence collected in recent times suggests that my prediction has come to pass.

A number of local schools in my area send me their weekly newsletter which goes out to parents. Since I became aware of the issue, I have monitored those newsletters. It is of increasing concern that every week I pick up a newsletter from a primary school which indicates an outbreak of head lice has occurred in the area.

Hon Peter Foss: Are you aware of the Robi comb? It seems to be more effective than the other solution.

Hon KEN TRAVERS: I am aware of the Robi comb and I appreciate the interjection. Maybe the Attorney General could suggest that Cabinet make them available through schools as they are quite expensive for parents to buy.

Hon Peter Foss: One a school would probably be enough.

Hon KEN TRAVERS: I would like the Government to take some action to deal with this matter, and I am pleased the Attorney General has some knowledge of it. Not enough action is being taken.

As stigma is often attached to this issue, I do not want to name the individual schools. However, my research has shown that contrary to popular belief, clean hair is more susceptible to head lice than dirty hair. It is the opposite of the public perception. I am happy to show to members afterwards a handful of the newsletters I have collected from the North Metropolitan Region, particularly the outer region.

An interesting series of comments related to one school. The 1 April 1998 newsletter is headed "Head Lice" and states -

As we are all aware, when children work and play together in groups, head lice spread quite rapidly. To keep this spread in check, please ensure that any long hair is tied back.

It then refers to looking out for head lice. On 6 May the same school issued a note in the newsletter stating -

Parents, there has been another outbreak of head lice at school this term. Could you please check your children for head lice, and treat as necessary.

On 13 May, another reference under "Health News" states -

Despite several articles in the . . . about head lice, children are still being sent to school with active cases of which parents have been aware.

Some children have said oils and flysprays have been used on their head. Not only don't these work, but can be dangerous.

When heading to the Chamber for question time, a member indicated that that treatment was effective. I hope that the member is listening. The health advice from the school nurse is to the contrary. This highlights the resorts to which parents must go because they cannot access the proper treatment. It reinforces my view that one of the reasons for a head lice epidemic is the Government's funding cutback.

Hon Simon O'Brien: Why did you interrupt your remarks earlier, and start talking about police, if this is so important? You should have done it when you were talking before.

Hon KEN TRAVERS: I notice that Hon Simon O'Brien's speeches jump around. I wanted three issues included in my speech on the Budget, which will be a concise version. I raised head lice, the police and the Water Corporation. They will stand in that speech. I now want to provide further information on head lice to educate members in this place. Until something is done about this matter, I will be like a head lice continually reminding people of the issue - I will not go away.

Hon Ljiljanna Ravlich: That will come back and bite you.

Several members interjected.

Hon KEN TRAVERS: I commented earlier that I expected flippant remarks on this subject.

Hon Peter Foss: I think it is important. I am surprised you interrupted it to talk about police.

Hon KEN TRAVERS: I am interested in the interjections as the message is not getting through. I will be out talking to school communities, and I know I will get a positive response as parents are looking for some action from the Government on this issue. They are sick and tired of this neglect.

Hon Simon O'Brien: Will you come back with a report? We are interested. We will read it, too.

Hon KEN TRAVERS: I am happy to write an outline of what the Government should do on this issue.

Hon Simon O'Brien: I am serious - I would like to find out what you find out about the subject in the community.

Hon KEN TRAVERS: I will be happy to.

On 20 and 27 May, the same school had a head lice outbreak again. It is not only one school; it affects numerous schools in the area.

Before I finish on this issue, I turn to a positive initiative happening in a school in the South Metropolitan Region; unfortunately, it is not happening in the North Metropolitan Region. I refer to the Hilton Primary School. A program was initiated by parents attending the Public Gallery - people listen to what happens in this place - who told me after hearing the debate that they had been fighting to get something done about the head lice problem. They were beside themselves. They initiated a very good program at that school called "Nit Blitz Day", about which they have been asked to speak at other schools. It is a good program for treating the school as one lump group. They distribute a lot of head lice solution for families who cannot afford to buy their own. The local government is cooperative in that respect and covers a lot of the expense; it is no thanks to the State Government that something is being done there.

These people have tried to encourage the Government and the local education district to take up this program, but this Government has failed to do so. Parents give their time, energy and in many cases money to support the program and give stickers to kids. It is a consolidated program to try to address the issue. As hard as they worked in the local primary school, the kids attended T-ball carnivals on the weekend and shared their hats with another kids, as they all do, and the process started again. Head lice come back into the school.

I am happy that the Attorney General wants to provide Robi combs; the Government could also provide free head lice solution. I would be happy for the Government to do anything. I also urge that members look at having statewide nit blitz days where schools right across the State are encouraged to do this because that is the only way we will eradicate this problem from our schools, because there is an epidemic out there. Hon Ray Halligan should read a number of articles by parents that have appeared recently in the *Wanneroo Times*.

Hon Ray Halligan: I don't suffer from lice.

Hon KEN TRAVERS: Parents are absolutely frustrated. I urge the Government to look at conducting a coordinated

response throughout all the schools in this State to try to set some nit blitz days each term when all schools would be encouraged to address this very important issue.

Viagra - Adjournment Debate

HON LJILJANNA RAVLICH (East Metropolitan) [5.12 pm]: Today at question time I asked a question about the drug Viagra. I did so not to be smart; I want to assure the House of that. I asked the question because this is a pressing health issue. The responses I received from the Minister were not satisfactory. I am concerned by the extensive advertising of this drug. Innocent people may be enticed by these advertisements to purchase this drug. I do not know about the effectiveness of the drug; however, I do know that the drug is illegal and I question the ability of the so-called medical professionals who purport to diagnose people who have a requirement for this drug. I question who are these people. If they are medical professionals, why are they engaged in prescribing Viagra, which is illegal in this State?

Before I address the issue of the advertisement, which seems to be popping up in *The West Australian* and in other local newspapers -

Hon Simon O'Brien: I suggest that you refer this to the Estimates Committee.

Hon LJILJANNA RAVLICH: I will not suggest that at all. In response to the questions I asked today about what action the State Government is taking to control the importation of Viagra into Western Australia, the Minister said that it is not approved for use in Australia and the importation of the drug for personal use is the responsibility of the Commonwealth Government. That may be so. The bottom line is that people in WA may be affected by it, and because it is impacting on the people of WA, there is a responsibility on this Government to find out what is happening. According to the Minister, there have been no reports to the Health Department of Western Australia of deaths in Western Australia associated with the drug Viagra.

Hon Peter Foss: It is not illegal. It is available, but on a one by one basis.

Hon LJILJANNA RAVLICH: The bottom line is that if it is so good, why has it not been made legal? It is not yet legal yet people are running advertisements in the newspaper. I will read one advertisement because it is quite shocking. It says -

Sex for life! Latest and most up to date medication for those -

I will not go through the things from which they suffer; let us just say they suffer from a low sex drive. It continues -

... all can now be diagnosed and treated by medical professionals from only one visit. Effective medication is available to all patients including -

How is this? It continues -

- the elderly, diabetics, and sufferers from high blood pressure, heart and psychological problems.

If people with those sorts of medical problems want to use Viagra, I suggest they would need extensive diagnosis and consultation between their family doctor and the people checking them out and prescribing this drug. I want to know which medical professionals are prescribing this drug which has not been legalised in this State. This is an inappropriate advertisement. I do not know whose responsibility it is. We cannot just say that this is a matter for the Commonwealth Government and therefore it is none of the State's business, because the bottom line is that some people in this State - the elderly, people with diabetes, people who have problems with low sex drive, etc - may become victims of this marketing campaign. This drug and the prescribing of it may be adding to people's health problems.

Hon Ray Halligan: Does that advertisement mention Viagra?

Hon LJILJANNA RAVLICH: No, it does not mention it. My office phoned to enquire and this is what this advertisement is about.

Hon Peter Foss: Is it about injections?

Hon LJILJANNA RAVLICH: No, it is not about the injections.

Hon Muriel Patterson: If it is illegal in Australia, why on earth should it be the Government's responsibility?

Hon LJILJANNA RAVLICH: The advertisement goes on -

Medicare rebates apply on all consultations.

Why is there a Medicare rebate? Surely it is in the interests of the State Minister for Health to ensure that funds are not being ripped off through the Medicare system.

Hon Peter Foss: Medicare is a federal system.

Hon LJILJANNA RAVLICH: I understand that. However, if Medicare rebates are available for a drug that is not legal, one has to raise question marks about that.

Hon Peter Foss: All it means is that it is not generally available but one can apply for it on a case by case basis. That is obviously a more tedious method than its being generally approved for use. However, it will, I am sure, be generally approved in time; it is just a matter of going through the bureaucratic procedures. I do not think you can say it is an illegal drug, on the basis of what you have been told today.

Hon LJILJANNA RAVLICH: I understand the distinction that the Attorney General is making but the bottom line is that there are obviously concerns in relation to this drug, otherwise it would be readily available in the marketplace.

Hon Peter Foss: It is a matter of process rather than a matter of scientific concern.

Hon LJILJANNA RAVLICH: There is another concerning feature of this advertisement. It reads -

There's a clinic near you.

It begs the question: How many clinics are there? If this is for exceptional cases where the odd person with these problems can go to this clinic and get a prescription because the drug is not readily available and it has not been made legal technically, but one can actually get it; that indicates that there are clinics set up for the specific purpose and there must be many people accessing this drug. Why has the Government not stepped in to either make this drug legal or put some checks and balances in place so that people with extensive medical problems can avoid aggravating those health problems through the use of this drug?

I am interested also to know who is policing these clinics, where they have been set up and who they have been set up by. Apparently they have been set up by Impotency Anonymous. I am keen to find out exactly who Impotency Anonymous is.

Hon Peter Foss: They are anonymous; they do not want you to find out.

Hon LJILJANNA RAVLICH: They have clinics all over the place. It just does not add up. They do not want people to find out who Impotency Anonymous is, yet, "there's a clinic near you" -

Hon Ray Halligan: They have succeeded with you.

Hon LJILJANNA RAVLICH: There are some big question marks over all of this.

Hon Ken Travers: Just do not read out the phone number; they will all take it down.

The PRESIDENT: Order!

Hon LJILJANNA RAVLICH: I wonder whether Impotency Anonymous may not be conducting some illegal practice. Is it a legitimate organisation? My first instinct on seeing this advertisement is to say that they may be preying on innocent Western Australians.

Hon Muriel Patterson: Check with the Ministry of Fair Trading. That is what its function is.

Hon LJILJANNA RAVLICH: Yes. However, surely that would be the responsibility of the Minister for Health in this State. If the Government is interested in this issue - it should be interested - it is beholden on the Minister for Health to find out what is going on. In particular, does Impotency Anonymous have the specialist expertise to be doing what it says it has the capacity to do? Mr President, the answer given to me today was totally inadequate. It is almost as though the State Minister is wiping his hands of this whole issue because it may be all a little too hot. I suggest that there is a pressing need for a good and thorough investigation into this issue -

Hon Peter Foss: It is all too hard.

Hon LJILJANNA RAVLICH: - which can be very damaging potentially to the health of Western Australians.

Hon Ray Halligan: Why do you not suggest a select committee and you can chair it?

Question put and passed.

House adjourned at 5.20 pm

QUESTIONS ON NOTICE

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

WESTRAIL SECURITY

MSS Security Contract

1603. Hon LJILJANNA RAVLICH to the Minister for Transport:

Further to the answer given to question on notice 42 of 1996 in relation to the Transport Department's contract with the firm Mayne Nickless Limited trading as MSS Security worth approximately \$11.3m over three years for the provision of Westrail security and customer services, can the Minister advise -

- (1) Was a business case conducted?
- (2) Did it include a comprehensive cost benefit analysis?
- (3) If so, what did it show?
- (4) If not, why not?
- (5) What were the identified inherent risks?
- (6) What other options were considered?
- (7) Was a due diligence check carried out on the contractor before the above contract was awarded?
- (8) If yes, did it include a check of the contractor's financial background?
- (9) Who carried out the financial background check?
- (10) If the contractor is a company, when was the company formed and what is its share capitalization?
- (11) Who are the directors of the company?
- (12) Are any of the company directors Ministers or senior public servants?

Hon E.J. CHARLTON replied:

- (1)-(2) Yes.
- (3) That a business case existed for the outsourcing of customer and security services.
- (4) Not applicable.
- (5) Nil.
- (6) (a) Westrail to continue to provide customer and security services in-house.
(b) Private sector to provide all customer and security services.
- (7)-(8) Yes.
- (9) Westrail and Price Waterhouse Urwick.
- (10)-(12) The Hon Member should direct these questions to the company.

SALINITY, GOVERNMENT'S PROGRAM

1716. Hon NORM KELLY to the Minister for Finance representing the Minister for the Environment:

- (1) Have the salt affected areas in Western Australia increased from 264 000 hectares in 1982 to 1 804 000 hectares in 1996?
- (2) Is it correct that, if no action is taken, as much as 6 109 000 hectares could become salt affected, as stated in the Government's salinity statement?

- (3) What resources are being allocated, and what policies and programs have been adopted by the Government to combat the problems of salinity and land degradation in Western Australia?
- (4) How much money has the Government allocated to spend on combatting the problems of salinity and land degradation, starting from the 1997/98 financial year through to 2000/01?

Hon MAX EVANS replied:

The Deputy Premier has provided the following response:

- (1) The figures quoted are correct. They are the figures from the document "Salinity, A Situation Statement for Western Australia". The 1982 figure understated the area affected by salinity. As awareness of the extent of the problem increased, farmers recorded larger areas of land as being affected by salinity.
- (2) Yes. The figure quoted is correct. It is an "estimated" potential figure.
- (3) State funds (1998/99) directed at fighting salinity total \$30.24m. Within this total, there has been \$10m of new money and \$5.14m of redistributed agency funds having been allocated over the last 3 years.

The Western Australian Salinity Action Plan (tabled) is the State Government's program and represents the policy for managing salinity. [See paper No 1716.]
- (4)

1997-98	\$20.10m
1998-99	\$30.24m
1999-00	\$30.24m plus agency redistributions in line with the Salinity Action Plan.

BUSES, GREENHOUSE GAS EMISSIONS

1732. Hon KEN TRAVERS to the Minister for Transport:

On Tuesday, April 28, 1998 the Minister quoted figures comparing the greenhouse gas emissions for Euro 2 diesel buses versus gas buses -

- (1) Do these figures refer to the emission of greenhouse gases from the actual bus or do they include the gases produced during the refinement or processing of these fuels?
- (2) If not, does the Minister know what is the total contribution to greenhouse gases, including refining or processing of the fuel for diesel and gas powered buses?
- (3) Is there an increase in the levels of greenhouse gases, especially CO₂, emissions from the refining operations necessary to remove sulphur from diesel?

Hon E.J. CHARLTON replied:

- (1) The figures I quoted refer to the emissions from the bus only.
- (2) I am informed that there are emission limits which are set and monitored by the Environmental Protection Authority (EPA) and the production of low sulphur distillate, or any other product, must be refined within those limits.
- (3) I understand that the production of low sulphur distillate does result in an extremely small increase in the production of carbon dioxide as there is a marginal increase in the energy expended during the refining process. However, the refining process will still have to comply with the emission limits set by the EPA.

BUS CONVERSION AGREEMENT WITH TRANSCOM

1815. Hon NORM KELLY to the Minister for Transport:

- (1) On what dates were buses supplied to Transcom for conversion to EFI natural gas?
- (2) On what dates were these buses returned to Transperth?
- (3) Is there an agreement between the Department of Transport and Transcom outlining a time frame for a bus to be completed?
- (4) What are the details of such an agreement?

Hon E.J. CHARLTON replied:

(1)-(2)	Bus Number	Date to Transcom	Date Returned to Service	Total Time for Conversion
	1133	22 August 1996	1 March 1997	6 months 1 week
	622	28 January 1997	28 September 1997	8 months
	1069	19 January 1998	9 April 1998	2 months 3 weeks
	1027	19 January 1998	20 May 1998	4 months
	1029	14 April 1998	not completed	not completed

Transport was, and remains, tolerant with regard to the time taken to convert the buses, and did nothing to cause the conversion times to be as excessive as has been the case.

- (3)-(4) Transport has a formal contract with Transcom which covers the conversion of the buses to natural gas and clause 4.3 of that agreement nominates 30 business days (one and half months) as the time for each conversion. In addition (over and above the requirements of the contract) Transport recently supplied a spare engine to Transcom for it to convert in advance of the bus arriving at their premises to assist in achieving the 30 day turn around.

DEVELOPMENT AUTHORITIES' REGIONAL BOUNDARIES

1833. Hon TOM STEPHENS to the Leader of the House representing the Minister for Regional Development:

- (1) Will the Minister for Regional Development table a map showing the regions that is the basis for the operation of the various development authorities across Western Australia?
- (2) What was the basis for establishing these boundaries?
- (3) What relationship do these departmental regional boundaries have to the regional boundaries of other State Government departments and agencies?

Hon N.F. MOORE replied:

- (1) Yes.
- (2) Shires which comprise the regions are outlined in the Regional Development Commissions Act 1993 - Schedule 1 - Regions Defined by Reference to Districts of Local Government Authorities.

In the Second Reading speech for that Bill I indicated that the Government had generally maintained the boundaries of the then existing authorities and commissions as they reflected boundaries which had been used extensively in the past for statistical and administrative purposes. I also indicated that the Government had accepted broad community representations and provided for the inclusion of the Shire of Serpentine Jarrahdale in the Peel Region and the Shire of Ngaanyatjaraku in the Goldfields-Esperance Region.

- (3) Government departments and agencies usually relate regional boundaries to areas of service delivery, common industries or mineral and forest provinces. For example, the Ministry for Planning uses boundaries which are similar to those of the Regional Development Commissions while Agriculture Western Australia uses regional boundaries which are dissimilar and reflect boundaries drawn up by the Sustainable Rural Development Program using catchment divides.

FEMALE GENITAL MUTILATION

1843. Hon GIZ WATSON to the Attorney General:

In the past the Attorney General has indicated that the Western Australian *Criminal Code* provides protection against female genital mutilation being performed upon a minor or a non-consenting adult female. It has also been asserted that the *Child Protection Act* serves to protect children against this practice. In this respect -

- (1) Are these people protected under the *Criminal Code* and *Child Protection Act*?
- (2) What assurance can the Attorney General provide that this practice is not performed on minors or non-consenting adult females?
- (3) Are such practices carried out on consenting adult females?
- (4) Will the Attorney General introduce specific legislation outlawing the practice of female genital mutilation in Western Australia among members of communities where this is a traditional cultural practice?

Hon PETER FOSS replied:

- (1) Yes, in so far as *The Criminal Code* is concerned. Relevant provisions of the Code include section 301 (Wounding and similar acts), section 306 (Unlawful acts causing bodily harm) and section 297 (Grievous bodily harm). Matters relating to the *Child Welfare Act* should be directed to the Minister for Family and Children's Services.
- (2) None. To invoke the relevant provisions of the Code requires a particular matter, or matters, to be the subject of a complaint.
- (3) I am unaware of the extent to which this occurs.
- (4) No.

PUBLIC TRUSTEE

Equitable Access to Trustee Services

1873. Hon N.D. GRIFFITHS to the Attorney General:

- (1) What facilities for equitable access to trustee services for all Western Australians are currently being offered by the Public Trustee?
- (2) With respect to such facilities at what locations and with what frequency?
- (3) What changes have occurred since November 1996, in each case when and the reasons therefore?

Hon PETER FOSS replied:

- (1) Public Trustee services are provided at the following locations: Perth Head Office, suburban centres, periodically at major shopping centres and a home and hospital service for the elderly and infirm is provided.
- (2) Head Office Perth - Monday to Friday, 8.00am to 5.00pm and an after hours service to 10.00pm.
Suburban Centres (Council Libraries and Community Centres) - half day each fortnight on rotation.
Shopping Centres - held each month.
Home/Hospital visiting services - on demand.
- (3) All country will drawing services have been cancelled due to the high costs involved and the fact that there are alternative will drawing services available in most major country towns.

Suburban and shopping centres services are currently being re-assessed.

CONSERVATION AND LAND MANAGEMENT, DEPARTMENT OF

Regional Boundaries

1888. Hon TOM STEPHENS to the Minister for Finance representing the Minister for the Environment:

- (1) Will the Minister for the Environment table a map showing the regions that is the basis for the operation at the Department of Conservation and Land Management across Western Australia?
- (2) What was the basis for establishing these boundaries?
- (3) What relationship do these departmental regional boundaries have to the regional boundaries of other State Government departments and agencies?

Hon MAX EVANS replied:

- (1) A map showing CALM regions is included at page 40 of the 1996/97 Annual Report of the Department of Conservation and Land Management. A copy of the annual report, or a map to larger scale, can be provided direct to the Member if required.
- (2) The regional boundaries have evolved over time from an original set of boundaries used by the old Forests Department and local government boundaries, modified for the Department's convenience by topographic and other features. Very broadly, the regions represent the main landform/vegetation/climatic regions of the State. From time to time the boundaries are modified, to rationalise management. The underlying rationale for the present boundaries rests on efficiency and convenience of managing the areas concerned.
- (3) The boundaries for Swan, Central Forest and Southern Forest Regions are determined by CALM operational

requirements, although most Regional boundaries are aligned with Shire Council boundaries. The boundaries and regional centres for Kimberley, Pilbara, Midwest, Goldfields, Wheatbelt and South Coast Regions have good congruence with the boundaries and regional centres of other agencies.

PRODUCTIVITY AND LABOUR RELATIONS, DEPARTMENT OF

Regional Boundaries

1890. Hon TOM STEPHENS to the Attorney General representing the Minister for Labour Relations:

- (1) Will the Minister for Labour Relations table a map showing the regions that is the basis for the operation of the Department of Productivity and Labour Relations?
- (2) What was the basis for establishing these boundaries?
- (3) What relationship do these departmental regional boundaries have to the regional boundaries of other State Government departments and agencies?

Hon PETER FOSS replied:

- (1) Yes. [See paper No 1745.]
- (2) At present, the five DOPLAR regional offices operate on the basis of population distribution, client demand and the logistics involved in ensuring all workplaces can be serviced within a reasonable travelling time by the officers involved.
- (3) I am not responsible for regional boundaries established by other State Government departments and agencies.

PLANNING, MINISTRY FOR

Regional Boundaries

1891. Hon TOM STEPHENS to the Attorney General representing the Minister for Planning:

- (1) Will the Minister for Planning table a map showing the regions that is the basis for the operation at the Ministry of Planning across Western Australia?
- (2) What was the basis for establishing these boundaries?
- (3) What relationship do these departmental regional boundaries have to the regional boundaries of other State Government departments and agencies?

Hon PETER FOSS replied:

- (1) Yes. [See paper No 1746.]
- (2) The boundaries were established in 1985 under the *Western Australian Planning Commission Act* and represented an amalgam of local government areas combined to reflect common regional interests.
- (3) The boundaries of the Planning Regions closely coincide with those established under the *Regional Development Commissions Act 1993* as set out in Schedule 1 with the exception of the Shire of Serpentine-Jarrahdale which is included in the region of the Peel Regional Development Commission but is excluded from the Peel Region under the *Western Australian Planning Commission Act 1985* and included within the Metropolitan Region.

PORT KENNEDY, PUBLIC LAUNCHING RAMP

1897. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Has the Minister for Planning provided a public launching ramp for the general public to use at Port Kennedy?
- (2) If yes, where is it located and when was it opened to the public?
- (3) If not, why not?

Hon PETER FOSS replied:

- (1) No.

- (2) Not applicable.
- (3) A public launching ramp will form part of the marina facility to be built at Port Kennedy. The developer has offered a temporary site to the City of Rockingham as an interim measure. The proposed facility is awaiting assessment by the Department of Environmental Protection

PORT KENNEDY MANAGEMENT BOARD'S MEETINGS

1898. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Are the meetings of the Port Kennedy Management Board open to the public?
- (2) If yes, since when?
- (3) If not, why not and will the Minister for Planning review this situation?
- (4) Have any members of the public attended a meeting of the Port Kennedy Management Board?
- (5) If yes, who were they and when did they attend?
- (6) Does the Minister intend to abolish this board as recommended in the McGeogh Report which was tabled by his predecessor in December 1996?
- (7) If yes, when?
- (8) If not, why not?

Hon PETER FOSS replied:

- (1) No.
- (2) Not applicable.
- (3)-(5) No provision was made for public attendance in the creation of the Board. The direct interests of the community have been represented by a member appointed for that purpose. The Board has recently written to community groups in the Rockingham area inviting them to attend Board meetings to present issues and to discuss their areas of interest. These meetings are expected to commence in the next 2 months.
- (6)-(8) No. The Board performs an important function in advising the Minister on matters relating to implementation of the Port Kennedy Development Agreement Act 1992. This situation will continue for at least the next 2 years.

PORT KENNEDY, PRIVATE RESIDENCES

1899. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

How many private residences have been completed at Port Kennedy by the developers?

Hon PETER FOSS replied:

24 units of holiday accommodation have been completed; 12 are under construction.

PORT KENNEDY GOLF COURSE

1900. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Has the Port Kennedy Golf Course been completed?
- (2) If yes, when was it opened?
- (3) If not, why not?
- (4) When will the club house be finished?

Hon PETER FOSS replied:

- (1) Construction of the first 18 hole course is complete.
- (2) The facility has not been officially opened.
- (3) Grass on the second 9 holes is being allowed to grow in.
- (4) Scheduled for December 1998.

PORT KENNEDY MARINA

Impact on Penguin Colony

1901. Hon J.A. SCOTT to the Attorney General representing the Minister for Planning:

- (1) Has the study of the potential impact of the proposed Port Kennedy marina on the penguin colony in Warnbro Sound been completed?
- (2) If yes, when was it completed and will the Minister for Planning release the findings to the public?
- (3) If not, why not?

Hon PETER FOSS replied:

- (1) The Murdoch University report on penguin studies has been completed. The results are being used in the engineering design of the marina.
- (2)-(3) It is expected that the results of the studies will become public as part of the Public Environmental Review Process.

STEIN, MR

Letter to Minister for the Environment

1906. Hon TOM HELM to the Minister for Finance representing the Minister for the Environment:

I refer to a letter dated May 21, 1998, reference 3447, addressed to Mr Stein and signed by Hon Cheryl Edwardes -

- (1) Can the Minister for the Environment state how many times Mr Stein has written to the Minister for the Environment since January 1996 asking that the Minister investigate his evidence about officers of the Department of Environmental Protection that affects the people in the industry?
- (2) When will the Minister investigate Mr Stein's evidence and his concerns?

Hon MAX EVANS replied:

- (1) A combination of my predecessor's records and my office records indicate that Mr Stein has written on twenty five occasions since January 1996. Some of Mr Stein's twenty five letters seek a response to earlier dated letter(s).
- (2) The matters raised by Mr Stein have been responded to and Mr Stein has been advised that he should approach the State Ombudsman's Office to investigate his remaining concerns.

GERALDTON REGIONAL ABORIGINAL MEDICAL SERVICE FUNDING

1908. Hon TOM STEPHENS to the Minister for Finance representing the Minister for Health:

With reference to funding for the Geraldton Regional Aboriginal Medical Service ("GRAMS"), the Acting Executive Director of GRAMS Marg Culbong has calculated her projected budget costings for the coming year at \$349 550, but the budget allocation for GRAMS for the coming year is \$242 206 -

- (1) Is there any opportunity for GRAMS' funding to be increased this year to the required level of \$350 000?
- (2) Is it correct that \$100 000 of State Government funding will not be allocated to GRAMS this year if it does not accept a job-sharing proposal on a 50/50 basis with the Health Department for the part-time services of the GRAMS resident psychiatrist?
- (3) What is the situation with the job-sharing proposal between GRAMS and the Health Department?

Hon MAX EVANS replied:

- (1)-(2) No.
- (3) The General Manager of the Mental Health Division has offered to purchase 50% of the GRAMS Psychiatrist time to assist the delivery of state mental health services in the Midwest Region. The offer is still on the table and negotiation is continuing between the Health Department and GRAMS.

ASBESTOS DISEASES RESEARCH FUNDING

1910. Hon MARK NEVILL to the Minister for Finance representing the Minister for Health:

- (1) How much funding has been provided for research into diseases related to asbestos in the last two budgets?

(2) For what specific research programs has this funding been granted?

Hon MAX EVANS replied:

- (1) (a) In 1996/97 a total of \$350,000.
- (b) In 1997/98 a total of \$347,529.
- (2) Research in to the Protective Effect of Vitamin A on Asbestos Related Diseases.
Research into Gene Therapy.

GOVERNMENT DEPARTMENTS AND AGENCIES

Millennium Bug

1915. Hon LJILJANNA RAVLICH to the Minister for Finance representing the Minister for Health:

Will the Minister for Health provide for each agency and department, within the Minister's portfolio responsibilities, the estimated current expenditure levels to date, and over the forward estimate period of the current budget statements for:

- (a) testing both equipment and procedures for Millennium Bug policy compliance;
- (b) replacing or purchasing equipment as part of agency strategies to avoid or control the Millennium Bug issue; and
- (c) adjusting or developing new procedures for the delivery of existing services?

Hon MAX EVANS replied:

Healthway

- (a) 17,000.
- (b)-(c) Nil.

Health Dept of WA

As of 19 June 1998, the Health Department had expended approximately \$250 000 directly on Year 2000 related activities, including testing of equipment and development of procedures. It is not possible to identify overall expenditure, nor categorise it as requested, because all Year 2000 related outlays are not separately classified.

A consultant's preliminary assessment in December 1997 estimated the overall exposure to Health at \$103.5 million. Conclusive costing will need to rely on actual experience with remediation, and is not available at this stage.

GRUNDMANN, DR DAVID

1921. Hon N.D. GRIFFITHS to the Minister for Finance representing the Minister for Health:

- (1) With respect to the answer to question on notice 1641 of 1998 has Dr David Grundmann made an application for registration with the WA Medical Board?
- (2) If so, on what date?
- (3) Has the application been considered?
- (4) If not, why not?
- (5) If so, what was the result of the consideration and the reasons therefore?

Hon MAX EVANS replied:

- (1) Dr David Grundmann has not made an application for registration with the WA Medical Board.
- (2)-(5) Not applicable.

GOODS AND SERVICES TAX

Effect on State Taxes

1937. Hon N.D. GRIFFITHS to the Minister for Finance:

I refer to the Federal Government's tax reform package as outlined in the front page of *The Australian* of Thursday, June 18, 1998, and ask -

- (1) What proposals have been put to you by, or on behalf of, the Federal Government with respect to the effect on State taxes of a GST?
- (2) Has the Federal Government rejected the Government's income tax sharing proposal as implied by the article?
- (3) What planning has been undertaken to change State revenue legislation as a result of any such Federal proposals?
- (4) Does the Government support a full GST on food and housing as is proposed?

Hon MAX EVANS replied:

- (1) I am not aware of any such proposals.
- (2) The Government has provided a submission to the Commonwealth proposing substantial reforms to Commonwealth-State financial relations, including the elimination of the worst State taxes and States being given access to the Commonwealth's income tax base. The Commonwealth is considering this submission and I am not aware of any decision on it.
- (3) It is expected that there will be ample time prior to the implementation of any Federal tax reform measures to also make any necessary changes to State revenue legislation.
- (4) The Government's view on the scope of any GST will depend on the overall tax reform package, including compensation measures.

ROYAL FLYING DOCTOR SERVICE REVIEW

1988. Hon MARK NEVILL to the Minister for Finance representing the Minister for Health:

- (1) Will the Minister for Health table the review of the Royal Flying Doctor Service undertaken by Arthur Andersen for the Health Department of Western Australia?
- (2) If not, why not?

Hon MAX EVANS replied:

- (1) No.
- (2) The Health Department have agreed not to release any details which are considered commercial in confidence.

QUESTIONS WITHOUT NOTICE

POLICE INDUSTRIAL ACTION

1776. Hon TOM STEPHENS to the Attorney General representing the Minister for Police:

With respect to the police industrial action proposed to commence tomorrow and announced on Sunday, 21 June -

- (1) Is the Government taking the matter seriously?
- (2) Was the Minister aware of the proposed action on Sunday?
- (3) When did the Minister receive a written request from the Police Union seeking a meeting with the Minister and when did he respond to the unions setting a meeting time?
- (4) Why did the Minister delay meeting with the union until Tuesday, 23 June?
- (5) What is being proposed by the Government to avert the industrial action and to protect the public interest?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1)-(5) The Minister was well aware of the Police Union meeting on Sunday, 20 June. I have been made aware of the outcome of that meeting. The Minister discussed the issue with the president of the union, Mr Dean, on the morning of Monday, 22 June. They agreed to meet again more formally. This was arranged for Tuesday, 23 June.

A written request for such a meeting was received at approximately 1.00 pm on 22 June. Prior to the meeting on 23 June a representative of the Minister was also in contact with Mr Dean by telephone.

The Minister met with two representatives of the union, including Mr Dean again, on the evening of Wednesday, 24 June. At all times he made it clear to the Police Union that he was prepared to continue discussions with the aim of resolving the issues and averting industrial action. The Premier has also indicated his willingness to meet with Mr Dean.

Although the Government is negotiating earnestly in good faith, it has also indicated it is not prepared to be blackmailed into an inappropriate response.

At the most recent discussions with the union some proposals were made by the Minister. Mr Dean was taking them back to the union council for consideration and response is awaited. It should be noted that in response to the Police Union's dissatisfaction with the lack of appeal rights available to police officers dismissed under section 8 of the Police Act, the Government initiated a review which has culminated in the implementation of administrative arrangements under which such dismissal may be independently reviewed. This concession by the Government demonstrates the honest and faithful way in which it has responded to reasonable requests by the Police Union.

FERGUSON, DETECTIVE SERGEANT

1777. Hon TOM STEPHENS to the Attorney General:

- (1) Was the Director of Public Prosecutions consulted prior to the charging of Detective Sergeant Ferguson?
- (2) Who laid the charges?
- (3) When were the charges laid?
- (4) When was the DPP first made aware of them?
- (5) When was it decided to withdraw two of the charges and why?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Thomas Paul Hanlon, special constable of the ACC.
- (3) Six charges; one dated 27 March and the other five dated 30 March 1988.
- (4) The DPP received the statement of material facts on 31 March 1998 and working papers on 4 May 1998.
- (5) On 9 June 1998 on the application of the State's prosecution policy.

ANTI-CORRUPTION COMMISSION PROSECUTIONS

Consultation with Director of Public Prosecutions

1778. Hon N.D. GRIFFITHS to the Attorney General:

- (1) Has the Attorney General consulted with the Director of Public Prosecutions regarding any matters to do with the DPP's handling of ACC generated prosecutions?
- (2) If so when and on what matters?

Hon PETER FOSS replied:

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

HEALTH DEPARTMENT EMPLOYEES

Criminal Records Screening

1779. Hon NORM KELLY to the Minister representing the Minister for Health:

- (1) With the introduction of criminal records screening of Health Department employees, will all persons screened under this policy be required to give informed consent before screening is initiated?

- (2) Will reasons for decisions precluding employment or involvement in the provision of services as a result of criminal record screening be made known to applicants and will they have the right of appeal before an independent body?
- (3) Is it true that the cost per check in the majority of cases must be covered by the individual?
- (4) If so, what measures will be taken to reduce the cost to highly mobile work forces such as nurses, particularly in country areas, where each health services board represents a new employer?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

(1)-(3) Yes.

- (4) A central criminal record screening support unit has been established. One of the primary objectives of this unit is to coordinate criminal record screening activity across the State to reduce the requirement for individuals to be re-screened when moving to a different employing authority. The decision about whether individuals will be required to undergo a repeat screening will be made by the new employer. Health professionals who regularly work for more than one employing authority will be issued with a clearance card detailing the date of the last screening.

GORDON ROAD WASTE WATER TREATMENT PLANT, MANDURAH

1780. Hon J.A. SCOTT to the Minister representing the Minister for Water Resources:

- (1) Has the Gordon Road waste water treatment plant in Mandurah been the source of ground water contamination?
- (2) How did this contamination occur?
- (3) As this treatment plant is in the Peel-Harvey catchment area, what steps have been taken to avoid a recurrence of this pollution and to clean up the contamination before it reaches the estuary?
- (4) What has been the cost of providing scheme water to properties affected by the contamination and who paid for this connection?
- (5) Are any other properties likely to be contaminated and required to be connected to scheme water?

Hon MAX EVANS replied:

- (1) An independent hydrological report has concluded that the disposal of treated waste water from the WWTP has contributed to elevated nitrate levels in the surrounding ground water. It also concluded that local septic tanks were contributors to both nutrient and bacteriological contamination.
- (2) Effluent disposal, under a DEP licence, from the WWTP via direct infiltration to the ground water table.
- (3) Major capital and upgrading on the WWTP has been completed and the final effluent quality has been improved to safe levels of low nitrates.
- (4) \$69 499.49 by the Water Corporation.
- (5) Further monitoring bores have been installed to monitor nutrient and bacteriological levels in the ground water. It is possible other properties may be affected.

WOMEN'S SUFFRAGE CENTENARY

1781. Hon MURIEL PATTERSON to the Minister representing the Minister for Women's Interests:

What progress has been made in planning next year's celebration for the centenary of women's suffrage?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

A high level committee has been operating since 26 March 1997 and has successfully initiated a range of projects including the following: An official launch of July 1997. The amount of \$100 000 in funding for 1997-98 has been allocated to 21 groups and individuals with most projects well underway. The selection process for the 1998-99 \$100 000 grants program is well advanced. Nominations have been sought for a role of honour to acknowledge the contribution of women to the development of Western Australia. The constitutional centre will hold a contemporary

suffrage exhibition with the exhibition touring regional areas in 1999. The Western Australian Museum will create an historical exhibition towards the end of 1999.

The Edith Cowan Women in Leadership Conference will have a suffrage theme in 1999. Negotiations are continuing with a range of agencies and organisations to obtain support for the celebrations. Items under discussion include a permanent memorial, art work in public buildings, a commemorative coin and media coverage.

WESTERN POWER DISTRIBUTION NETWORK

Connection of New Premises

1782. Hon HELEN HODGSON to the Leader of the House representing the Minister for Energy:

I refer to the new procedures for the connection of new residential and small commercial premises to the Western Power distribution network.

- (1) Will the Minister confirm that such connections will now be carried out by electrical contractors, rather than Western Power?
- (2) How much extra, on average, is the estimated cost to have that facility connected?
- (3) Will the saving to Western Power be passed on in reduced tariffs to all consumers?
- (4) How will it be determined whether an inspection of the connection is required?
- (5) How many inspectors will be employed to inspect these connections?

Hon N.F. MOORE replied:

I thank the member for some notice of this question. I regret that I do not have an answer, and I ask that the question be placed on notice.

MINISTERIAL TRAVEL

Reporting Requirements

1783. Hon JOHN HALDEN to the Leader of the House representing the Premier:

I refer to the reports required by Ministers two months after their taxpayer funded travel overseas.

- (1) Will the Premier make available to the House a copy of the advice to Ministers of this requirement?
- (2) To whom are these ministerial reports submitted?

Hon N.F. MOORE replied:

I thank the member for some notice of this question.

- (1) The requirement for Ministers to report has already been confirmed by the response to question without notice 1769.
- (2) The reports are submitted to the Ministry of the Premier and Cabinet.

ATTORNEY GENERAL

Report on Trip to Japan

1784. Hon E.R.J. DERMER to the Attorney General:

I note on 19 March 1998 the Attorney General tabled a draft itinerary - paper No 1453 - that had been prepared prior to his travel to Japan from 24 May to 1 June 1996. Given his answer yesterday to question without notice 1765, in which he clearly implied that he had tabled a report on this visit, I ask on what date did he table his report?

Hon PETER FOSS replied:

I did not clearly imply that. The member is implying it.

Hon Tom Stephens: You did so.

Hon PETER FOSS: I did not. I talked about the trip to South America. The member can keep on implying whatever he likes.

Hon E.R.J. Dermer: The question was very clear. It was not implying anything.

Several members interjected.

Hon PETER FOSS: The answer was clear, too.

The PRESIDENT: Order! A question has been asked. An answer will be given, and it will be given in silence. I have already made this point: Members are wasting their own time at this stage of the game.

Hon PETER FOSS: Mr President, this question quite clearly gives away that I did not say I had tabled a report about my Japanese trip.

Hon E.R.J. Dermer: You tried to imply it.

Hon PETER FOSS: Why did the member use the words "clearly implied"? He would not have said those words if it was expressly stated. It does not do that. I was speaking about a report about which I have spoken on a number of occasions in this House.

Hon Bob Thomas: The only one you have done.

Hon PETER FOSS: It is the only one that any member has ever done. Those opposite are putting on a performance because I happened to return from one trip and almost immediately tabled a report on it. Obviously I have raised their expectations. Under the previous Labor Government -

Hon Bob Thomas: What are you hiding? From June 1996 to now is not almost immediately.

Hon PETER FOSS: I am not hiding anything. The former Labor Government did not even -

The PRESIDENT: Order! I ask members to cease interjecting. I cannot hear the answer. Members may not be interested - I am.

Hon PETER FOSS: The former Labor Government, unlike this Government, did not tell people how much it spent. Ever since we have been in government we have regularly told people precisely what we have spent on our trips. That information has been tabled in this place. I do not think members opposite ever read it. Yet simply because I tabled a lengthy report in this House on a trip on one occasion, they seem to expect I will table a report for everything. I have said that I will provide a report on my trip to North America.

Hon Ljiljanna Ravlich: So you should.

Hon PETER FOSS: Oh, should I?

Hon Ljiljanna Ravlich: Absolutely.

Hon PETER FOSS: That is interesting. That may be the opinion of Hon Ljiljanna Ravlich, but it happens to be a little inconsistent with what has been expected of Governments in this Parliament ever since it began. I was one of the first Ministers to provide such a report. What is really disappointing is the point I keep having to make: Nobody read the report. Why should I spend my time preparing these reports for a Parliament that is so uninterested that members opposite will not even read it? Hon Ed Dermer did not even bother to find out whether it existed. If he had been in this House during question time, he would have heard me refer to it I do not know how many times. He should be bored hearing about it now. Why do those opposite not read one of these reports? Why do we not have an interesting debate on one of these reports? I would like very much to have the report I tabled discussed in here. I happen to think it contains some very interesting points. Members opposite should stop being fakes. If they are genuinely interested in hearing the detail of a report, let us just take a report which has been provided and treat it properly.

Hon E.J. Charlton: Let us get a report about when those opposite were in government and all the drinks and parties that were held by the Ministry of the Premier and Cabinet.

Hon PETER FOSS: Yes, and lunches. Those opposite, when in government, did not even table their expenses -

The PRESIDENT: Order! I ask the Attorney General to draw his answer to a conclusion.

Hon E.R.J. Dermer: Will you answer the question?

Hon PETER FOSS: I have answered the question by telling the member that the question is a fake.

Hon E.R.J. Dermer: Not yesterday and not today.

Hon PETER FOSS: In itself, it shows that the member knew I did not say that I had tabled a report on this visit.

Hon E.R.J. Dermer: You are a fake Minister; you will not answer the question.

Hon PETER FOSS: The member knows he has been caught out because he has not even bothered to find out what happened. I have tabled one report, and the member knows which report I tabled. Hon Ed Dermer has given himself away.

The PRESIDENT: Order! I thank the Minister for his answer.

WITNESS PROTECTION PLAN

1785. Hon GIZ WATSON to the Attorney General representing the Minister for Police:

- (1) Will the Minister provide the number of people who have been on the witness protection program over the past 10 years?
- (2) Will he provide the number of people on the witness protection program, year by year, for the past 10 years?
- (3) Will he provide the number of deaths of those who were on the witness protection program during the past 10 years?
- (4) Will the Minister provide the age of those who died while on the witness protection program?

The PRESIDENT: Order! I would like some silence before I call the Minister.

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) From 1991 to the present time, 55 people have been on the witness protection program. No figures are available prior to 1991.
- (2) In the time available, these figures are unable to be provided.
- (3) There have been two deaths.
- (4) One death was accidental, the person being aged 25 years. The other related to a person aged 56 years who died of natural causes.

CHEMICAL RESIDUES IN FOODSTUFFS

1786. Hon RAY HALLIGAN to the Minister representing the Minister for Health:

- (1) Are foodstuffs on supermarket shelves tested for chemical residues by the Health Department of Western Australia?
- (2) If so, on what basis, and how often is this done?
- (3) Where are the results published?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Yes. The Western Australian food monitoring program is an across government program aimed at ensuring the safety of Western Australian foods.
- (2) This program monitors a range of chemical residue on an ongoing basis. The chemical residue monitored includes pesticide residues, heavy metals, natural toxicants, food additives and allergens.
- (3) Reports of the food monitoring program are published and widely distributed. Copies are available from the Health Department of WA.

WATER CONSUMPTION PER CAPITA

1787. Hon KEN TRAVERS to the Minister representing the Minister for Water Resources:

- (1) What was the per capita consumption of water in Perth in the 1996-97 financial year?
- (2) What is the expected per capita consumption of water in Perth for the 1997-98 financial year?
- (3) How much of this water is estimated to be for domestic, metered non-domestic and unaccounted water?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) The per capita consumption in 1996-97 was 170 kilolitres.
- (2) The per capita consumption in 1997-98 was 188 kL.
- (3) In 1997-98 the per capita consumption for domestic water was 126 kL, for metered non-domestic water it was 40 kl and for unaccounted water it was 22 kL.

MALTHOUSE LOG

1788. Hon J.A. COWDELL to the Minister representing the Minister for the Environment:

In line with the policy of the Department of Conservation and Land Management, will the Minister allow the so-called Malthouse log to be purchased by local spot millers and saved from chipping?

Hon MAX EVANS replied:

I thank the member for some notice of this question. As the answer requires research, I request the member to put the question on notice.

VIAGRA

Control of Importation

1789. Hon LJILJANNA RAVLICH to the Minister representing the Minister for Health:

I refer to the sex wonder drug, Viagra, which is being snapped up by hundreds of Western Australian men, despite the fact that it has not been approved for general use.

Hon E.J. Charlton: That is how Hon Tom Stephens fell over.

Hon LJILJANNA RAVLICH: I ask -

- (1) What action is the Western Australian Government taking to control the importation of this drug into Western Australia?

Hon Simon O'Brien: You are a real party pooper.

Hon LJILJANNA RAVLICH: To continue -

- (2) How many Viagra related deaths have occurred in Western Australia since this drug has become available, although not legally?

Hon Derrick Tomlinson: I do not feel very well.

Hon LJILJANNA RAVLICH: To continue -

- (3) Is the Western Australian Government concerned that a Medicare rebate of \$40 is provided for patients who have a medical examination prior to being prescribed Viagra when that drug is not even approved for general use in Western Australia?
- (4) What work has been done to assess the side effects of Viagra, particularly on older men with heart conditions?

Several members interjected.

The PRESIDENT: Order! I want some silence. Three members to my left and others to my right are trying to answer the question for the Minister. The Minister for Finance.

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) Viagra is not approved for use in Australia. The importation of drugs for personal use is the responsibility of the Commonwealth Government.
- (2) There have been no reports to the Health Department of Western Australia of any deaths as a result of the use of the drug. If the member knows of any, she might let us know.

- (3) The Medicare rebate payable for a medical consultation is the responsibility of the Commonwealth Government under the Medical Benefits Scheme.
- (4) As part of the evaluation for approval of a drug to be marketed in Australia, the Australian Drug Evaluation Committee assesses all clinical studies provided by the manufacturer to determine the safety and efficacy of the drug. I am glad the member did not ask question (5).

DR CHRIS WHITAKER AND MR GREG MARTIN

Travel Itinerary

1790. Hon KIM CHANCE to the Minister for Transport:

Some notice of this question has been given.

The itinerary of Dr Chris Whitaker and Greg Martin tabled yesterday showed them departing for Perth from Gothenburg on 8 October 1996.

- (1) Did Dr Whitaker arrive back in Perth on 9 October 1997 as indicated in the itinerary?
- (2) If not, did Dr Whitaker and Mr Martin travel back to Germany prior to returning to Perth?
- (3) If they did return to Germany, how long were they there and what activities did they undertake while there?

Hon E.J. CHARLTON replied:

- (1) Yes.
- (2)-(3) Not applicable. They were not trying to do a deal with Mercedes as someone in the Labor Party has tried to peddle.

BUS SUPPLY CONTRACT

1791. Hon NORM KELLY to the Minister for Transport:

- (1) When does the Minister expect the bus supply contract to be signed?
- (2) Does the Minister expect an increase in the number of gas powered buses from the original small expectation of five buses?

Hon E.J. CHARLTON replied:

I did not hear the question.

The PRESIDENT: Order! The member can do whatever he wants to do. I want the Minister to realise that no notice was given and that we should all listen.

Hon E.J. CHARLTON: Yes, Mr President.

I have not had an update nor have I asked for one about the negotiations for the preferred tender. As a consequence I cannot answer the question.

MAIN ROADS WA

Traffic Signalling and Lighting Construction and Maintenance Contract

1792. Hon BOB THOMAS to the Minister for Transport:

- (1) Which corporations have been selected to tender for the Main Roads WA traffic signalling and lighting construction and maintenance contract?
- (2) Are any of these corporations owned by or connected with the Queensland Government or the Queensland Main Roads Department?
- (3) Was Crown Law advice sought concerning the legalities of a contract being let to an agency or department of another Government?
- (4) Why was Main Roads WA not given the same opportunity to tender for this work?

Hon E.J. CHARLTON replied:

- (1) I cannot remember.

(2) I understand from what I have seen in the past that the Queensland department was one of the four tenderers.

Hon Tom Stephens: They are probably doing a good job now they have a good Government.

Hon E.J. CHARLTON: With 4 per cent less of the vote?

(3) Yes; Crown Law advice was sought.

Hon Bob Thomas: What did it say?

Hon E.J. CHARLTON: It said that Main Roads had done an excellent job and that the situation had improved vastly since the Labor Party was in Government.

(4) Main Roads WA did not tender because its operations will concentrate on managing the network, letting the tenders and overseeing all the work in-house. It will concentrate on the core business of ensuring that the work is done according to priorities for the benefit of the Western Australian community. The tenders let will ensure that we maximise the efficiency, economics and viability of the work being done. Main Roads will also oversee all the work. That has not been the practice in the past; much of it has been contracted to private consultants. That is the major change. Anyone who can demonstrate that they can do the work efficiently will be given the opportunity to tender.

Hon Bob Thomas: No wonder Pauline Hanson gets such a big vote.

Hon E.J. CHARLTON: A large percentage of the people of Australia have had a gutful of those who look after the interests of minority groups rather than mainstream Australia.

MINISTERS OF THE CROWN

Indemnities for Legal Costs

1793. Hon N.D. GRIFFITHS to the Attorney General:

I refer to the guidelines relevant to Ministers and officers involved in legal proceedings.

- (1) Has the Attorney made application for indemnity for legal costs or damages?
- (2) In respect of such applications, did he prepare and provide the assessments?
- (3) In respect of what matters has the Attorney made an application?

Hon PETER FOSS replied:

(1)-(3) It is a little difficult. The member is confusing a couple of things.

Hon N.D. Griffiths: I am not.

Hon PETER FOSS: These applications go to Cabinet. When it is a matter not involving me, I prepare the documentation and obtain an assessment from the Crown Solicitor or Crown Counsel, whoever is appropriate. That goes with the application to Cabinet. If it is something involving me, it is not handled by me - it goes separately to Cabinet and I have no involvement in the preparation or recommendation, nor do I participate in Cabinet discussions. If it involves me, I am not involved in the application.

ATTORNEY GENERAL

Indemnities for Legal Costs

1794. Hon N.D. GRIFFITHS to the Attorney General:

Has the Attorney General made an application, and in respect of what?

Hon PETER FOSS replied:

I will make it clear. I do not make formal applications to Cabinet. If it relates to me, I do not have anything to do with it. I pass to the Crown Law Department anything I receive indicating that there may be an action against me, either in a personal or representative capacity. The Crown Solicitor then takes over the conduct of it. If he believes it is necessary to make an application to Cabinet, he conducts it separately from me. The same occurs when I receive a letter of demand - I send it to the Crown Law Department. If Crown Law officers believe they can handle it then they do. If they do not believe they can handle it, they arrange for it to be handled elsewhere and then deal with any formalities as required.

The member referred to making an application. I do not make applications. If they are made, they are made by someone else and I do not participate.

WATER QUALITY MONITORING

Recreational Fishing Areas

1795. Hon HELEN HODGSON to the Minister representing the Minister for Fisheries:

Some notice of this question has been given.

- (1) Does the Fisheries Department undertake any monitoring of water quality in waterways used for recreational fishing?
- (2) Is there any monitoring of recreational catch in these waterways?
- (3) If so, is there any evidence that in the Blackwood catchment and surrounding areas the recreational catch has been affected by changes in water quality?
- (4) Will the Minister table the results of any such monitoring in respect of the Blackwood catchment and surrounding areas conducted within the past two years?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) This is a matter for the Minister for Water Resources and should be directed to that office.
- (2)-(4) Yes. Fisheries officers do monitor recreational catches in waterways, but no specific records are kept.

MINISTER FOR FINANCE

Reports on Overseas Trips

1796. Hon TOM STEPHENS to the Minister for Finance:

- (1) Has the Minister produced a report within two months and provided it to the Premier, as required by the Premier's guidelines tabled yesterday, with regard to his ministerial trips overseas?
- (2) Has the Minister needed to be "reminded at appropriate intervals of his responsibilities in this regard"?
- (3) If yes, how many times has the Minister needed to be so reminded?

Hon MAX EVANS replied:

- (1)-(3) I am affronted by that. I clarified yesterday in my reply, straight after the answer given on behalf of the Premier, that the reports requested and given were in respect of my trip and where I went; and they were given on time, as has been reported in this House. I made that quite clear in my speech yesterday. I said that reports and details were different matters. I did exactly what was required, and I did not need any reminder on the matter.

BUS PURCHASE

Electronic Fuel Injection Engines

1797. Hon J.A. SCOTT to the Minister for Transport:

I wish to clarify a question that I asked in the Estimates Committee with regard to the type of gas bus that Mercedes-Benz will produce in the first batch. I tried to find out whether the buses would be electronic fuel injection or direct injection into each individual port of the engine. I keep getting the response that it will be EFI rather than direct injection. Can the Minister clarify whether these buses will be direct injection or EFI?

Hon E.J. CHARLTON replied:

This is an important question. I have not inquired about the technical components of the EFI, other than it will be EFI. With regard to the technology of the gas injection motors that will be in the first batch of buses, the motors have been tested for three years prior to going into operation on the road. I will find out whether it will be individual injection of each cylinder. I am speculating, but I suggest it will be a direct fuel injection system, because that is how the system works. I will have that confirmed.