

# Legislative Assembly

Wednesday, 26 September 1984

**THE SPEAKER** (Mr Harman) took the Chair at 2.15 p.m., and read prayers.

## PORNOGRAPHY: VIDEO FILMS

### *Display and Sale: Petition*

**MR GORDON HILL** (Helena) [2.16 p.m.]: I have a petition signed by 19 585 Western Australians which reads as follows—

We, the undersigned, wish to register our protest of the Government of Western Australia's interference in our freedom of choice by their decision to ban the distribution, sale and hire in W.A. of those video tapes passed by the State Advisory Committee on Publications as a restricted article as from September 1st 1984. We believe that this video taped material should continue to be available to those who wish to view it.

The petition conforms to the Standing Orders of the Legislative Assembly and I have certified accordingly.

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

(See petition No. 55.)

## PORNOGRAPHY: VIDEO FILMS

### *Banning: Petition*

**MR COYNE** (Murchison-Eyre) [2.17 p.m.]: I have a petition signed by 814 Western Australians which reads as follows—

The Honourable the Speaker and Members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled

We, the undersigned commend the State Government for banning the sale and hire of X rated Videos in Western Australia and plead that the Government will not bend to renewed pressures to reverse that decision. We further pray that the government will ensure that R rated Videos will be more vigorously controlled and that all Videos will be classified.

Your petitioners therefore humbly pray that you will give this matter earnest consideration and your petitioners, as in duty bound, will ever pray.

The petition conforms to the Standing Orders of the Legislative Assembly and I have certified accordingly.

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

(See petition No. 56.)

## SMALL BUSINESS GUARANTEES BILL

### *Second Reading*

**MR BRYCE** (Ascot—Deputy Premier) [2.20 p.m.]: I move—

That the Bill be now read a second time.

The purpose of this Bill is to provide authority for the execution of guarantees for the repayment of loans to owners of small businesses.

It gives me great pleasure to present this Bill to the House. This Government's commitment to the profitability and growth of small business has been widely understood and accepted. It is central to the Government's first priority of employment growth and economic development.

The scheme provided for in this Bill is a significant initiative in a series of policy measures aimed at creating the environment in which small businesses in Western Australia can prosper and grow.

The Small Business Development Corporation is the centrepiece of this series of initiatives, and since it was established on 1 January this year the response from small businesses has indicated that it was an initiative that was long overdue.

The corporation is currently handling nearly 1 000 inquiries a month and is providing an invaluable source of free and confidential business advice and information, as well as operating as a first point of reference for advice about management, financial and legal services, and Government regulations, procedures and policies to small business proprietors throughout Western Australia.

In addition, the corporation provides advice and information to the Government on a wide range of issues which affect small business. The corporation has, for example, assisted in the development of this guarantees scheme and will be the principle point of contact once the scheme is operational.

The corporation is well advanced with its major study of the small business sector in WA and, among other projects, is developing a proposal for the establishment of a micro-computer demonstration centre.

The success of the Small Business Development Corporation enables the Government to keep in touch with small business and it also allows small business to keep in touch with Government.

The result is sensitive and carefully targeted Government policies, of which this Bill is but one, which meet the real needs of the small business community.

As a result of representations received from a broad cross-section of the small business sector, I will shortly introduce to this House legislation designed to eliminate the most unfair provisions of existing commercial tenancy arrangements. The Commercial Tenancy (Retail Shops) Agreements Bill is the result of a long and careful period of consultation with all affected sectors of the business community. I am confident that the proposed legislation will meet with widespread approval and will substantially improve the bottom line of security for small business tenants in Western Australia.

In other measures, the Government has made significant progress in reducing the real level of water rates for commercial consumers through progressive reductions in water allowances and, consequently, reduced water rate charges. Over the consumption years 1983-84 and 1984-85, 75 per cent of business/commercial properties will receive the full benefit of a 25 per cent real reduction in water rates, and about 85 per cent will pay less in total water rates and water usage charges than they would have paid under the old system.

Mr Mensaros: You must admit we started the system.

Mr BRYCE: For the information of the member for Floreat, let me emphasise that the ALP, both inside and outside this Chamber, committed itself to the principle of a pay-for-use, pay-for-connection water system some years ago.

Mr Mensaros: You can never do it 100 per cent.

Mr BRYCE: Exactly.

These substantial improvements are preliminary to the introduction of a full pay-for-service/pay-for-use system of water charges for small businesses.

Payroll tax concessions in 1983-84 have relieved an estimated additional 1100 small businesses from this tax. I am confident that this year's Budget will see a number of additional measures aimed at increasing the profitability of this sector.

All of these specific measures are taking place within the wider context of economic recovery. Small businesses do not need Government hand-outs; what they require from Government is sound economic management which creates economic growth, brings down interest rates, reduces inflation and creates jobs and demand for their products and services. The policies of the Hawke

and Burke Governments have been shown to deliver that sound economic management.

I am waiting to hear the "Hear, hears" from the other side.

Mr Court: You will be waiting a long time.

Mr BRYCE: Economic growth in Australia between the June quarters of 1983 and 1984 was over 10 per cent, making Australia the fastest growing economy in the western world. Non-farm growth is anticipated to be of the order of five per cent this financial year.

Inflation fell during the last financial year by 6.5 per cent and the rise in the Consumer Price Index in the current financial year is expected to be just a little over five per cent. The message about the Australian economy is clear—profits are recovering, interest rates are falling, and business investment is picking up. Recent statistics indicate that retail sales are also improving.

This, then, is the context in which I turn to the details of the Small Business Guarantees Bill.

As I have said, the purpose of the Bill is to provide authority for the execution of guarantees for the repayment of loans made to owners of small businesses. The proposed scheme resembles one established by legislation in New South Wales.

The main features of the Bill are as follows: Clause 3 defines "small business" as a business enterprise that, firstly, is carried on for the purposes of manufacturing or processing goods or for any other prescribed purpose.

For the purposes of determining the eligibility of the applicant's activities, regulations to the proposed Act will detail specific industry classifications in accordance with the Australian Standard Industrial Classification (ASIC) published by the Australian Bureau of Statistics. Specific reference to the ASIC industry classifications in the regulations eliminates the need to define eligible activities by way of a wordy definition which may be open to interpretation and legal argument.

Industries embraced under the scheme include manufacturing, processing, mining and mineral exploration, construction, transport and storage, the wholesale and retail trade and a wide range of service industries. Almost all trading businesses will be eligible, with the exception of agriculture, fishing, forestry investment businesses, financial institutions, hospitals, and a number of personal services.

Specifically excluded also will be a business which would qualify for loan or grant assistance under section 14(3) (m) of the Western Australian Tourism Commission Act 1983.

The second part of the "small business" definition in clause 3 refers to a business enterprise that in the opinion of the Minister for Industrial Development—

- (i) is a small business enterprise;
- (ii) is not a subsidiary of, or does not form part of a larger enterprise; and
- (iii) is managed personally by at least one of the persons entitled to a share of the profits of the enterprise.

This definition is reasonably similar to the definition of "small business" included in the Small Business Development Corporation Act 1983, and I believe provides some flexibility to the Minister administering the scheme. Clause 4(1) states that the Minister may execute a guarantee in favour of a lender for a loan made to the owner of a small business, provided he is satisfied that—

- (a) the sole ground for the prior rejection of the loan proposal by the lender was the insufficiency of the security proposed by the borrower and in all other respects the lender accepted the loan proposal as a viable proposition; and
- (b) the loan moneys are required for capital expenditure or working capital for the establishment of a small business or the expansion or diversification of an existing small business.

Guarantees will not be available—

for the purchase or takeover of an existing business;

to refinance existing debts;

to overcome a short-term liquidity problem; or

if the applicant has adequate business or personal assets to enable the loan to be obtained under the lender's usual guidelines.

Other criteria of a general nature not included in the Bill, but which will be considered when assessing applications for assistance include whether—

the proposal will mean a net increase in employment opportunities;

the applicant is viable and capable of servicing existing borrowings and the new borrowings requested; and

the business owner has a reasonable level of equity in the business, having regard to the circumstances.

Although clause 4(1) refers to the execution of a guarantee in favour of a bank or another person or body of persons, whether corporate or unincorporate, emphasis will be given to

implementing the scheme through the trading banks and guarantees will normally be available only through this source. However, consideration may be given to providing guarantees to other financial institutions in special circumstances.

Clause 4(2) restricts the amount of guarantee assistance for each applicant to an amount prescribed in the regulations. It is proposed to limit the guarantee assistance to \$100 000 with terms up to 10 years. Guarantee assistance will normally be restricted to term loans or overdraft accommodation and up to 100 per cent of the loan may be guaranteed. The interest rate charged and the terms of lending must be acceptable to the Minister.

Clause 4(3) limits the total amount of guarantee assistance which may be provided under the scheme, excluding guarantees no longer in force, to such amount as the Treasurer may from time to time declare by notice published in the *Government Gazette*.

Clause 5(2)(a) gives the Minister authority to direct the lender to take such securities as required from the applicant for repayment of the loan.

Clause 5(2)(b) states the guarantee shall not be enforceable against the Minister until the lender has taken appropriate recovery action under all other securities held by the lender in respect of the guaranteed debt. Therefore, the State would only be called upon to meet a shortfall—if any—on the guaranteed loan, in the event of the failure of the business and after all other securities held by the lender are realised.

The operation of the scheme is as follows—

Applicants present a detailed proposal for a loan to a bank or financial institution

If the proposal is not approved, solely on the ground of insufficient security, the applicant may then complete and submit to the bank or financial institution a form of application for a small business guarantee. The form of application will be available from the banks, or the Small Business Development Corporation.

The bank or lending institution assesses the application in respect of the eligibility criteria, and if satisfied completes an appropriate application form for guarantee assistance. This form, together with a copy of the application received from the applicant is forwarded to the Small Business Development Corporation.

Department of Industrial Development evaluation officers attached to the Small Business Development Corporation will

examine applications received from the banks or lending institutions to see whether they comply with Government policy and report and recommend to the Minister those applications which warrant approval.

Guarantees issued under the scheme are to be executed by the Minister, and are only collateral security to the lender's primary security taken over the assets of the applicant.

Compared with guarantee or residual indemnity assistance available under the Industry (Advances) Act, the scheme is not restricted to the narrow range of industries as defined in that Act, and provides assistance to nearly all types of small businesses.

The scheme is targeted to assist small businesses at the time of greatest need either to start up a new business or to expand operations of an existing business.

Other advantages of the scheme include—

- the removal of uncertainties as to which industries may qualify for assistance;

- maintaining the existing client/bank relationship, as all approaches for assistance must be made through the applicant's bank which will administer the lending in the normal manner;

- facilitating access to finance on reasonable terms by small business; and

- a reduction in administration procedures by the State and the time involved in giving a firm decision on applications received.

The scheme is not simply to assist small businesses in the metropolitan area but is to operate on a State-wide basis, including areas which may be considered as remote.

All branches of the major banks throughout the State will be provided with full details of the scheme, and owners of small businesses even in remote areas, may apply for assistance under the scheme through their local bank.

The Government sees this Bill as another firm step in the path of providing worthwhile support to small business. As such it is expected the Bill will lead to positive results in expanding the small business sector and the creation of more employment opportunities.

I therefore commend this Bill to the House.

Debate adjourned, on motion by Mr Court.

## **CONSERVATION AND LAND MANAGEMENT BILL**

### *Second Reading*

Debate resumed from 25 September.

**MR MENSAROS (Floreat) [2.38 p.m.]**: The member for Vasse has adequately dealt with the general terms of the Bill and has explained to the House the reasons that the Opposition cannot accept it.

I would like to approach the Bill from a different angle and point out a few discrepancies in areas which have not been mentioned by other speakers and which I see in the Bill and in the Minister's explanations in his second reading speech.

Despite the explanations which have been given to the House, one wonders what is the real purpose of this Bill. If one looks kindly at this question it may be thought that the genuine purpose is that the Government wants to co-ordinate land planning, the execution of the result of such planning, and the administration of the plan in the interest of the whole State, particularly those groups which are involved—foresters, the forest industry, the mining industry, the conservationists, the tourist industry, and those involved in recreation.

If this were the position, then the question immediately arises, is the Bill really necessary? Is it an advantageous aim to follow? Is it really proper and to the advantage of the community and the people involved to have the one department do the planning and also attend to the execution and administration of the planning?

The question also arises whether the Bill itself is the best vehicle for this, even if it were advantageous to do it. To co-ordinate generally is all right; nobody can argue about that. But one does not have to have this sort of mammoth department to achieve co-ordination.

If the intention is that one can only co-ordinate within one department, and the Government cannot do it as it has done it ever since there has been a Government in Western Australia—or elsewhere for that matter—with the existing many departments, then according to this logic the extreme conclusion would be to have only one department in the whole State.

One must co-ordinate, but if one can only co-ordinate in a department, that would mean one should have one department only.

This Bill co-ordinates three fields, departments, or instrumentalities for land planning and land usage. If that is the argument, let amalgamation go further. Should not the Mines Department amalgamate with the Department of Conservation and Environment? Should not the Department of Resources Development also be added? If one looks at any of the State agreements and the subsequent developments based on them, then the further question is whether the other departments

involved in land planning, land management and land use which is this particular development for which the State agreement has been written—should not all be amalgamated. The Health Department, Water Resources Authority, the Public Works Department, the Education Department, and so on are also involved.

As I said, in this Bill it is proposed to amalgamate only some of those departments involved in land use. In any case, the co-ordination need not be done in one department, it can be done with existing departments. I would suggest that would be better.

If the separate departments do the planning under independent and quite separate leadership, then the chances are that one will arrive at a much richer policy which can choose between various ideas which are not hamstrung by one leadership, one idea, or one set of thoughts about in which direction this planning must go.

In one line of leadership there is no diversity of ideas, no competition which is necessary and inherent in human nature. This improves the chances for a better result.

I know amalgamation is the vogue. I would not condemn it out of hand. It is probably fair to examine the efficient results of any amalgamation exercise which is concerned with administration only, or execution only, which deals with almost identical matters. But to do it on the research side is definitely a disadvantage.

I have always been against the amalgamation of research, for instance, in education. When we were in Government and the Colleges of Advanced Education were amalgamated, I did not think that was the right thing to do. I think the bluff of the Commonwealth Government that unless amalgamation happened it would not contribute funds should have been called. Under separate leadership these individual colleges could have produced different ideas. There is nothing wrong with one finishing up better than others.

It is the same all over the world. To claim that people are equal is plain stupidity, because people are not equal. Whoever contends they are does not understand human nature at least pragmatically.

I was very much against the amalgamation of universities. There were strong threats towards the end of our term of Government that Murdoch University should have been amalgamated with the University of Western Australia. I think that was a very bad suggestion. I was definitely against the principle of amalgamation if it applied to research and planning, even if it could be proved to be efficient or to cost less.

On the other hand if we want to look at the question of this legislation in a less kind way and try to examine the reasons and purposes for this Bill, one can immediately see that some methods are not proper ones; they are against the interests of the citizens of this State. This is not the first time the Government has done away with existing instrumentalities or departments simply by creating new ones, resulting in the old departmental heads automatically losing their positions. The principle that civil servants stay there once they are appointed can be overcome in this way. Therefore the Government has the opportunity to appoint new people.

This is something which must be examined. There is a great likelihood that the main idea behind this amalgamation is to create a new entity, a number of new administrators who could be appointed quite legitimately in circumstances where the Public Service could claim its members were being bypassed, or that contrary to a long-standing custom people were being dismissed. There could be completely new appointments.

I would like to sound a warning that this is not the way a Government should proceed. The role of an independent Public Service is very important. It is one of our, if not codified, then customary pillars of safe and impartial government, which government should be.

Opportunities for these people to contribute occur behind closed doors of ministerial offices. They have served in the Public Service throughout their lives and they represent a balance which might otherwise be missing if their positions were filled by Government sympathisers, political aides, and the like. In that case, the temptation would be very great to finish up in impropriety.

By changing, separating, and reorganising departments and instrumentalities, these public servants lose their statutory positions. The opportunity then arises, to put it kindly, for the Government to appoint political sympathisers, or whatever one may call them.

This is very easy to detect when amalgamation occurs for its own sake and change takes place for change's sake which is the case, at least partially, in this instance. I say that, because it is difficult to find any other reason for this legislation which seeks to do away with departments which work properly at the present time, which represent different interests, and about which no complaints have been lodged.

The Government says that the Bill has general support. I asked a question in relation to the second reading speech as to where this support could be proved. The response was almost amusing, be-

cause in it, the Minister named a few organisations one of which, under the heading of organisations which support the Bill, was the WA Guild of Furniture Manufacturers (Inc.). I do not know what the Furniture Manufacturers Guild has to do with land use planning and land use management.

Another question which arises is the future roles of the Department of Conservation and Environment and the Environmental Protection Authority. If we have a very large department connected with the Premier or, at least, operating to some extent under his supervision, can the Department of Conservation and Environment and the EPA maintain the independent roles designed for them? I ask that question, because those bodies will be confronted with policies and management resolutions made by a department which is at least nominally headed by the Premier. It will be very difficult for those bodies to maintain their independence, particularly if their leadership has been changed, which I think will occur when the proposed legislation in respect of environmental protection is introduced. Indeed, that has occurred to some extent already in respect of the EPA, because one member has resigned and, I understand, the remaining terms of the other two members are not all that long.

A situation could be created where the Department of Conservation and Environment and the EPA could become stooges, even if they maintained separate identities, to this newly created, large department.

Some proof of what I am saying can be found in the fact that the ultimate policy-making council which the Deputy Premier mentioned in his second reading speech is not incorporated in the Bill, but rather is to be dealt with separately. Presumably that council will direct this department and the other departments which are involved in land planning, development, and management. The fact that, by and large, the machinery provisions in the Act which is sought to be repealed have not been tampered with seems also to justify the same criticism.

As I said at the beginning of my speech, I should like to make some detailed comments. Generally I found that the Bill was rather hard to digest, because of the multiple bureaucracies it seeks to establish and the lack of logic or coherence in their inter-relationships.

One assumes that we are not yet finished with these bureaucracies, because the Mulcahy committee recommended the establishment of a major Land Resources Policy Council consisting of Government department heads. That council is not mentioned in the Bill. The Deputy Premier

implied that this council had been formed already without legislation, which of course, can occur; but one must then ask why it has been ignored in the Bill, because presumably it will have a major role to play. If it is to be formed under legislation later, that legislation should have been a cognate Bill dealt with concurrently with this Bill. However, we do not see such legislation anywhere on the horizon.

The Bill introduces very little that is new; it simply seeks to complicate administration and concentrates on the management of managers, which is the least of the problem. Indeed, the Bill is an extravaganza of organisation charts. There is an executive director who will be the permanent head of the new department. Then there are to be three directors of various things, but those directors do not appear to be given anything other than their titles and membership of the authority. In the case of the Director of Forests, he is given membership of the Forest Production Council as well. There are more chiefs than Indians, and the problem will be with the latter.

The Bill contains many subtle changes. For example, in the present National Parks Authority Act there is clear provision for the role of the director versus the Minister and the authority itself. In this Bill, the very same person has no fixed link with the Minister or even with the new authority. He may have a title, but he will have no power directly. I would think that his pride in his role would be diminished and certainly his role—and even that of the Minister—is unclear.

It seems that he is to be involved with the approval of management plans—this is enshrined in clause 60—and in various detailed issues; but I cannot find where the authority, the commission, or the council is to be responsible to the Minister in general areas. There are numerous problem areas that may be the result of careless drafting.

For example, with regard to the membership of the authority, one assumes that the members from the public are not all to be associated with the Conservation Council, otherwise there would be a massive imbalance. This relates to clause 23. Nor is there to be anyone on the council who could represent the tourist industry, and this is rather surprising considering the Government's emphasis on tourism.

The second reading speech contains quite a lot of contradictions and matters that are very hard to comprehend. The Minister says that the Bill has three main objectives, but the objectives are already quite properly catered for.

Security of tenure is catered for in the Land Act, because "A"-class reserves have a fairly se-

cure tenure; they can be altered only with the consent of Parliament.

The second objective, which is said to be the provision of a mechanism to provide public participation, already exists and has been fairly successful, as evidenced by the "Green" and "Red Books" issued by the EPA.

The third objective, which is said to be the provision of a legislative base for the administration of all these areas, again already exists in the two Acts that are to be repealed. In fact, the Minister himself says that the legal mechanisms will remain essentially unchanged. It is therefore fairly difficult to see how they are to be improved.

What the Bill does is to confuse the issue and to blur what are currently clear distinctions in the public mind and in the minds of the people who will be responsible for the administration of this proposed department.

The Minister has said that the proposed Lands and Forests Commission is to consist of two members from the community who will represent respectively conservation and production interests. But the Bill does not provide this; it provides instead that members of the commission shall have a knowledge of and experience in the areas of conservation, recreation and forest production; they would be expected to know about all three areas and not just one of them.

As for the title of National Parks and Nature Conservation Authority, the Minister believes that this represents an amalgamation of the existing National Parks Authority and the wildlife section of the Department of Fisheries and Wildlife.

On the other hand, he proposes that the new authority should have a majority of non-Government members, but this would make it fairly difficult to administer by the department itself. The Forests Production Council will have on it representatives of the timber industry, so the balance will be such that we can be assured there will be internal quarrelling between the authority and the council.

None of these points was referred to in the second reading speech. But the Minister says that the commission's principle function will be to advise the Minister on forest production policy. He said that the Forests Production Council will provide for the first time a formal body to advise the Minister on forest production. The two statements being contradictory means that we will have two different bodies advising the Minister on this issue—the council and the commission.

The Minister also claims that there will be a significant increase in security of tenure, but as I

have explained, there will be no change from the present.

The claim that the proposed reorganisation will increase efficiency and that therefore extra expenditure will be justified, reads rather strangely. It almost says that we have no problems at present, but if we get more money which justifies an additional administration, some problems might develop which in turn can be solved by this Bill.

All in all I could not agree more with what has been said on behalf of the Opposition by the member for Vasse. Indeed this is a large Bill which will create very large problems. That is sufficient reason for the Opposition not to agree to the Bill.

**MR LAURANCE** (Gascoyne) [3.06 p.m.]: I also oppose this measure. The problems it will create have been adequately canvassed by previous Opposition speakers, particularly the member for Vasse, who put in a tremendous amount of research when preparing his lead speech, on which I compliment him.

I am participating in this debate because of my experience of having ministerial responsibility for a number of the departments that are to be affected by this measure. I am speaking because of my involvement perhaps more than any other member with a number of agencies to be affected by this measure. Although I was not a Minister in charge of these areas for long, nevertheless I had responsibility for an interesting group of portfolios when I was previously Minister for Lands, Forests, and Conservation and Environment. My responsibilities brought me into contact with all these agencies, perhaps with the exception of the Department of Fisheries and Wildlife. I had close contact with a number of other agencies including some that presumably will be involved and which are currently administered through the Lands and Surveys portfolio. A number of them are not mentioned in the Bill, but I presume they will be involved in some way in the future, and I will ask questions of the Premier in this regard later.

I am very concerned about what will be the outcome of the formation of this new department. Its creation will have grave consequences for the timber industry in this State, and it will have similar grave consequences for the fishing industry. This matter was canvassed last night by the member for Katanning-Roe. These are two major industries in Western Australia and they provide a tremendous amount of employment and export earnings. The State needs to look after them very well. It must be aware of what it is doing to them and must also act with great caution. It is no accident that these industries are well managed and successful. This has happened because of good

management, sound investment, the courage and conviction displayed by the people involved in these industries, and presumably by Governments providing good administration. This Government is about to change all that and with possible grave consequences for these industries.

I am convinced this new department will not work. I feel very strongly about it. I just cannot see how it could work. We can bleat as much as we like in the Parliament, but one of the most difficult problems for Opposition members and therefore for the people of the State is that once this merger has been accomplished, it will be difficult to try to put everything back again. This is a serious consideration. It will be very difficult if not impossible to reconstitute the Forests Department as we know it today. The same difficulty would apply to attempts to re-establish the Department of Fisheries and Wildlife. They are two extremely successful departments. It is only a matter of time—let us hope for the sake of this State that it is not too long—before we are returned to Government. We will then have to try to sort out what should be done with this mess.

I have given a great deal of thought about what we would need to do, but I do not know where we would start. It would be impossible to go back to where we were. Unfortunately, that would not be an option open to a future Government.

I will deal with the Forests Department first. Being the Minister for Forests for just over a year was a tremendous privilege for me, because that department is a fine, proud organisation. I have said publicly on a number of occasions that I was a great admirer of the former Conservator of Forests, Mr Bruce Beggs.

Mr Brian Burke: Who supports this legislation.

Mr LAURANCE: What I admired about that department was the fact that every person in the organisation I met— and there were about 1 200 public servants involved in the department—on the professional, office and field staff was proud of the organisation.

Usually when one speaks to the field staff of a large organisation and asks what is going on one is usually told, "They are doing this", or "They are doing such and such". It is usually a "them" and "us" situation. However, with the Forests Department, every time I spoke to people in that organisation they said, "We are doing so and so". We are doing such and such. I think that is a marvellous compliment to the organisation, because every person I spoke to felt he was a part of the organisation. That sort of situation is difficult to achieve in a large organisation, but the Forests Department has done that.

The member for Kimberley has been a manager and a shire councillor and has been involved in a number of organisations, so he would know what I mean. I would like to speak also about the tremendous safety record of the Forests Department. Members of the department have been asked to speak to and give advice about safety measures to forestry commissions and other organisations in Australia.

The Conservator of Forests used a management pool to ensure the department had a good safety record. An enormous amount of money and a lot of lives have been saved. In fact the Forests Department saves some \$500 000 on workers' compensation premiums alone. That is an outstanding safety record.

The multiple-use policies which have been adopted by the Forests Department have been backed up by successive State Governments. It is a marvellous policy for the use of our forests. I must make the point that foresters love forests. Those who criticise the management programme of forests at times do not understand that foresters love forests first.

Our Forests Department officers have done extremely well and people of this State should be justly proud of them. They have looked after timber production as well as the environmental, tourism and recreational aspects of forests. The forests have the protection of the Parliament. The working plans of the Forests Department must be tabled in both Houses of Parliament.

It has been the case that the Conservator of Forests could not be removed from office without the full concurrence of Parliament. He has had a tremendous amount of parliamentary protection, as have the people who have worked for him. One would not think that such a protection would be done away with lightly. However, the Australian Labor Party has been determined to dismantle and emasculate the Forests Department.

We knew this would happen, even though it was not part of the Labor Party's manifesto. We knew that when the ALP won office it would start the process of emasculating the Forests Department. I do not know the reason the Australian Labor Party wishes to do that. It has certainly been the case in every other State in Australia which has elected a Labor Government. This has occurred in New South Wales and Victoria. My experience does not stretch to South Australia, but I would be very surprised if the State Labor Government in South Australia were not dismantling or emasculating the Forests Department in that State.



Some members may believe I am being extravagant when making such claims, but I have had the opportunity to attend meetings with foresters from other States. I have met with the Forestry Council and senior foresters. If it were possible to bring the former Conservator of Forests to the Bar of Parliament I would like to ask him if what I am saying is not true, because he was there also. I heard other senior forestry commissioners and officers from other States say that what has happened in Labor Government States is a disaster. They have not been able to manage their forests any longer because the the coups for clear felling and regeneration have been reduced to an unmanageable size. They have been cut down to such an extent that they cannot manage them. They are having difficulties also with fire protection of their forests. That is what has been said in New South Wales and Victoria. The control of the forests has been taken out of the hands of the foresters and put into the hands of the environmentalists. The management of their forests is now a joke, and a disaster.

That is what we are headed for in this State. The strength of my argument is that not only has the ALP in Western Australia attempted to emasculate the Forests Department, but also the Labor Governments in other States in Australia have done exactly the same.

It is no surprise to the Opposition that this has occurred. We knew it was only a matter of time, but we did not know how it would be done. Now we know the senior people have been promoted. The Conservator of Forests was moved. He was promoted, and good luck to him because he deserved that promotion. He is an outstanding officer. However, he was not replaced. Some of the capable people who could have taken his place have been shifted out of the way. A temporary person took his place for a year. One of the candidates for the office has been shifted. It is my understanding the next Conservator of Forests could have been Mr Frank Campbell, but he cannot be the conservator because he has been shifted to the Public Service Board.

Once again I appreciate the fact that that move may have been a promotion for him, but I believe these people have been promoted out of the way so that they cannot give the Government a hard time as Mr Coates has seen fit to do in the last few days.

The Government made a decision to set up a task force to give it the answers it wanted, and that is exactly what the task force did.

That was a diabolical way to abuse and misuse some senior scientists in our State. I feel sorry for Dr Mulcahy.

At the end of his professional service to this State, Dr Mulcahy was put in a situation where he was dragooned into producing a report in a very short time and with coming up with an answer to a Government request. That is no way to treat a scientist. The task force was not allowed to hold proper consultations or to make reference to other people. It was given no time. The interim report was presented in October and the final report was presented in February.

Dr Mulcahy spoke to the Opposition with the approval of the Minister or of the Premier, I am not sure which. We asked him whether local government had been advised of the task force's hearings. He said that the local authorities had not, but that they could report in January. We told him that most local government authorities did not meet in January. He said then that, because he had to provide a report to the Premier in January, he would not then be able to meet with local government representatives. The Government had told him to give it results and to give them as quickly as possible.

It is with some regret that I now bring into this debate Dr Shea. He is present in the gallery and has been here for most of the debate. I came to know him when I was Minister. He is a top research scientist. People spoke very highly of him as a research scientist. However, I believe that he loses his objectivity when he becomes a political adviser. He is a former member of the State Executive of the Australian Labor Party.

Mr McIver: What is wrong with that?

Mr LAURANCE: I said that, as a research scientist, I have nothing but praise for him. However, I doubt his position as a political adviser. He is a member of the State Executive of the ALP. It is true that, when I was Minister, I received several requests from people in Mandurah asking me to dismiss Dr Shea because of his activities on the Shire of Mandurah.

Mr Read: Requests from members of the Liberal Party, I bet.

Mr LAURANCE: They were requests by people who wrote that Dr Shea spent too much of his time working as a councillor for the Shire of Mandurah to be able to do his Government job properly.

The DEPUTY SPEAKER: I would like the member to restrict his comments to matters contained in the Bill.

Mr LAURANCE: Yes, Mr Deputy Speaker. I believe that that scientist has a great deal to answer for. He has betrayed his colleagues in his former department. History will record that if the name Lane Poole is the shining white knight in the history of the Forests Department in this State, then Dr Shea will be recorded as the Machiavelian prince. He has presided over the demise of a very fine department. He will answer to his conscience for that and I will answer to my conscience for everything that I have said. The Forests Department has been emasculated.

I want also to refute the Premier's claim that the timber industry agrees with this proposal. I think the timber industry is scared stiff. That is the only reason for its agreeing with the proposal. Unfortunately, under this legislation, there is no security of tenure for the tremendous investments made in the forest industry. Millions of dollars have been invested and one of the investors operates on an annual licence from the Conservator of Forests. That is an enormous business risk for anyone to take in return for a tenure of one year.

The Conservator of Forests previously has had to answer to Parliament and has had to table his plans. This Government has taken away that parliamentary protection and that safeguard. The forestry industry has every right to be scared. The proposed structure of the department will not work.

An organisational chart was included in the Minister's second reading speech.

Mr Blaikie: It was wrong.

Mr LAURANCE: Yes, it had to be amended. The member for Vasse said that the Director of Forests will be the director of nothing. The Government has tried to balance him up as the manager of forests and the administrator of timber in this State. He will be given equal weight with people who are responsible for recreation and conservation. Those positions cannot be balanced. I think they are mutually exclusive as will be shown to be the case.

The Government is about to set up a Department of Conservation and Land Management. There is already a Department of Lands and Surveys in existence. What is to become of that department? What about the land agencies and all of the research areas that it administers? We have spent an enormous amount of public money on building up a land information system. The present Government has put more funds into that system. It has proclaimed proudly that the work it did was of great benefit to the State and that it would continue.

Is that now to be done away with? Can the Minister say what will become of that department and why it does not form part of this land management Bill?

Mr Brian Burke: Land management has nothing to do with the technical aspects of transferring titles.

Mr LAURANCE: I do not think the Minister has read the Land Act. In fact, amendments have been made to the Act about the management of reserves—amendments to which he agreed in this Parliament two years ago. I do not expect the Premier to know what is in the Land Act. However, he should look at it before he makes any comments along those lines.

Why has the Department of Lands and Surveys been ignored in this matter and what will be the future of that department?

Mr Melver: What do you mean by, "Why has the Department of Lands and Surveys been ignored?"

Mr LAURANCE: What part has it played in the formulation of this policy?

Mr Melver: It has had a very big input into it.

Mr LAURANCE: We will be very interested to see how the Minister intends to carry out his duties and responsibilities because he is charged with the responsibility of the management of reserves. It will be interesting to see how that function is carried out upon the creation of the Department of Conservation and Land Management. That has not been explained to us.

I think the people of this State need to know what is the future of the department.

I also want to know what will become of the National Parks Authority, for which I had responsibility at one stage. It provides an excellent service to this State. It has always been acknowledged by the Government that it requires extra resources.

However, I do not think that the Forests Department should be ruined so that the National Parks Authority can obtain more resources. That would not be a responsible action.

I think we should remember that many parks and wildlife sanctuaries have been set aside as a result of reserves committee reports which have been adopted by successive Governments. National parks and wildlife reserves cover a far larger area in this State than in any other State in mainland Australia. That is a very proud record.

Of course, in the last 10 years or so, it has been impossible to provide the National Parks Authority with sufficient funds to match its additional responsibility. That will come in due course as the

State can afford it. However, at least the initial reservations were carried out, and great credit to the Governments—the Tonkin and Court Governments—which put those areas aside for future generations. However, that is no excuse for amalgamating the National Parks Authority in this proposed department.

I would like to know what it is intended will happen to some other land management agencies, such as the Kings Park Board. What are the Premier's intentions in this area? The Rottneest Island Board was included in the interim report but specifically excluded in the final report issued in February. Perhaps the Premier decided that as he was Chairman of the Rottneest Island Board, and because it was his pet, he did not want that board scooped up with the rest. One is entitled to presume that is the case. He probably also had your support, Mr Deputy Speaker, because as a member of that board you would not want to be gobbled up in that conglomerate. That is my assumption: The Premier said that the Rottneest Island Board should be cut out of the recommendations because that would not be pool.

I refer to the Bush Fires Board; what will happen to that organisation? Will it come under this new board?

Mr Blaikie: We had better wait for an answer.

Mr Melver: There will be no change to the Bush Fires Board.

Mr LAURANCE: Are the following groups included in the legislation: The Herbarium, the Kings Park Board, the Zoological Gardens Board, and the Pastoral Board?

Mr Brian Burke: You know they are not. Have you read the report?

Mr LAURANCE: I will rephrase the question: Are they going to be included?

Mr Brian Burke: The answer to the second question is that the matter has not been decided.

Mr LAURANCE: The Premier has indicated that other agencies will be involved.

Mr Brian Burke: The matter has not been decided.

Mr LAURANCE: We are entitled when debating this Bill to assume that those people had better watch out in the future because they could be involved.

Mr Brian Burke: You are entitled to do whatever you like and it is usually to disgrace yourself.

Mr Blaikie: The Premier indicated that in addition to what has already been proposed, four other agencies will be included.

Mr LAURANCE: I have nominated six or seven and there is also the Waterways Commission; what will happen to that body? I presume that answer will come from the Minister for the Environment. Should the people working at the commission be packing their bags?

I have dealt with a number of departments that will be involved: The Lands and Surveys Department is probably for the high jump, the Forests Department has been emasculated, the staff of the Department of Fisheries and Wildlife are demoralised, as are the staff at the National Parks Authority. This proposal for a conglomerate that cannot possibly work, has made a tremendous dent in the morale of public servants of this State.

There is also the matter of when this department will get under way. It is our information that many things have already been decided and acted upon. I understand stationery has been printed and appointments have been made before parliamentary approval has been given to this Bill.

Mr Brian Burke: What appointments have been made?

Mr LAURANCE: Is the Premier saying that none has been made?

Mr Brian Burke: Not to my knowledge. What evidence have you got for saying that they have been made? I should know if that were the case and to the best of my knowledge no-one has been appointed. You have said that appointments have been made and I am asking for your evidence.

Mr LAURANCE: I will have to produce that, to the Premier's embarrassment. I thought the second reading stage was for making points to which the Minister would respond.

Mr Brian Burke: Where is the evidence for what you have said?

Mr LAURANCE: The Premier did not refute it last evening when it was mentioned.

Mr Brian Burke: I am not aware that it was mentioned last evening.

Mr LAURANCE: It was, and quite substantially.

Mr Brian Burke: You have raised this matter and made an assertion. Where is your evidence?

Mr LAURANCE: At the moment it is an assertion. The evidence will be provided.

Mr Brian Burke: When?

Mr LAURANCE: I will have to see when. Perhaps when we reach the Committee stage of the Bill.

Mr Brian Burke: I want it on the record that you have evidence of the appointments and you

are going to produce the evidence. You are a squib.

Mr LAURANCE: I will come back with the evidence in the Committee stage and the Premier will see who is a squib.

I am also concerned about the position relating to marine parks. The Government has said that it intends to legislate this year for the establishment of the Ningaloo reef marine park. I want to know when that will happen and also when the concerns expressed by my constituents will be adequately answered by the Minister before the Government moves in this direction.

MR RUSHTON (Dale) [3.36 p.m.]: Much has been said about this legislation and I hope to traverse some new viewpoints. Having been Minister for Planning, I am concerned that no review was completed of the present land planning and town planning procedures and it was not presented at the same time as this legislation so that we could see the total package and deliberate upon it accordingly. This legislation should be withdrawn and the land planning and town planning legislation should be presented so that we can ascertain how they fit together. However, we must put aside the fact that that process has not taken place.

Land is one of the most valuable resources we have, other than people, and therefore we are all most sensitive about how it is handled and dealt with. That has been the record in the history of this State for all time. The Bill as presented follows a socialist philosophy of giving more control to Government. This is where the danger arises with the legislation. Time will prove that it has been a very inappropriate move and will limit the activities and confidence of those who need to use land as it should be used. It is of serious concern that the Bill enhances the Government's opportunity, and that of its friends and advisers, to bestow favours for personal and political advantage. It is an extremely serious matter for an all-powerful Government to place the valuable resource of land under the control of a few hands directly related to the Government. Such a move will encourage graft and corruption.

The elimination of the position of Conservator of Forests is a move in the wrong direction. In this State we have grown up with the knowledge of the close link between the land and the Conservator of Forests. We saw him as protector of that valuable resource. The conservator was initially appointed to avoid some of the political decisions that could have been made in the past. In years gone by, allocations of land have been made to people because of their connections. The Conservator of

Forests was appointed to make sure that political favours would not be bestowed in this regard.

It is essential to mention that there is great concern on the part of local government in this respect. That concern will strengthen as time goes on and local government experiences the total control centralised government will have on all land management in this State. People in local government have expressed their concern already in a number of ways, but their experience will be quite devastating.

I mentioned town planning and land planning and the delays which have taken place in that regard. I also refer to the fact that those matters should be dealt with at the same time as this Bill.

An explanation should be given for the failure to include MRPA land. The MRPA owns valuable reserves in the metropolitan area and the decision to exclude that land could relate to economics.

Rottneest is another area which, were the Government sincere about its proposal, it would have included in the dragnet of the Bill.

Those are the two areas of land management which are not included and adequate explanations should be given for that if the Government wishes to prove that its approach is the right one. The Government has failed to prove that the new system of central control will improve land management, and this legislation should not be passed without that proof being presented. As far as I am concerned, such a vital matter as this should be resisted with all the strength we can muster to ensure that the Government provides the facts and figures. If those facts and figures are not available, the legislation should be delayed until the Government can provide them to prove that land management will be improved by this legislation.

It is interesting to refer to some of the comments made in a submission to the task force by the Institute of Foresters of Australia (Western Australian Division). I shall quote a few extracts from that submission to indicate the fears which are still held, despite the review and the presentation of the second report.

A very responsible group of people, the foresters, made these comments, one of which is as follows—

The fact is that there has been nothing substantiated in the legislation to prove what the Government is setting out to do.

The concept of the legislation is that, by amalgamation, resources will be used better; however, we deny that. I can prove that concept is a fallacy in the area of transport. The Government has suggested recently that the offices of the Co-

ordinator General of Transport and of the Commissioner of Transport should be amalgamated. A tremendous amount of research has been carried out in this area by independent consultants and that research has proved that it is far more effective cost-wise and from the point of view of administration and decision making to retain the current structure. However, if one were to believe the Government's argument—the socialist's argument—amalgamation should take place.

The second extract I shall quote from the foresters' report is as follows:—

It must be pointed out that although Dr Mulcahy, Dr Shea and Mr Halse have all had distinguished careers in scientific research, none is experienced in land management of public administration.

That is a very strong point against what is taking place at the present time in respect of the material put forward by these three gentlemen, and it is a valid criticism. To continue:—

Criticisms of the Forests Department's role in timber supply planning, of insufficient funding in National Parks or of overlap in fire control are not in themselves reason for complicated government restructuring.

It would not take very much thought to realise that is a factual statement. A further comment reads as follows:—

The task force has not presented details of the costs of its proposals.

I made a point about that at the beginning of my speech. To continue:—

Any major restructuring of Government will be at the expense of public funds.

It is obvious that that is the case.

The next point is one which emerges frequently in our daily lives and it is about time that the socialists were aware of it. It relates to a further comment by the foresters and concerns the fact that the rule today is not that "Big is best" but that "Small is beautiful". The extract reads as follows:—

Management scientists throughout the world are now presenting research which opposes increasing the size of organisational structures.

That goes without saying, because if people have an interest in something they make a far more productive input. The next point is as follows:—

In this situation, people identify with the goals and take pride in the achievements of their organisation. This increases morale, job satisfaction and productivity.

No-one could argue with that. To continue:—

This effect will be most traumatic for most smaller groups who face incorporation into what will seem to them to be a massive bureaucracy.

That is the thing we want to dismantle. The Opposition has made a commitment that, when next in Government, it will have small government not big government. The next extract is very pertinent and reads as follows:—

There is a risk that if all land management decisions are confined to one Department, conflicting viewpoints or outlooks will become suppressed.

That is a very valid point and the Premier should answer it. We shall have a group of all-powerful people who will be making decisions without fear of contradiction and we will not have the advantage of the crossfire that occurs currently.

The advantage of the Cabinet system is that, from time to time, different points of view are put forward and Cabinet makes a decision; it is the umpire and the final decider. In this case, we shall have a powerful group making those decisions.

I must point out that the foresters' report was supplied to the member for Vasse and was part of the material he obtained from the inquiry. The next extract reads as follows:—

The IFA stresses the need for land management agencies to operate on the professional, not the political level.

Here we are putting the political aspect up front in these considerations. To continue:—

Quite apart from the organisational aspects there is a good legal reason for not forming a Commission, and that is the result of the recent High Court decision on the Franklin River issue. At that judgement it was clearly pointed out that Federal Government power explicitly covers corporations and commissions, so that a Federal Government could override State Government policies in the operations of a Commission. The I.F.A. considers it most unwise to leave open this potential avenue for conflict.

That does not worry the Government, because it is in accord with the Federal Government's policy of directing the State as it thinks fit. That occurs in the area of land rights and elsewhere. To continue:—

The foresters find that the proposals put forward by the review committee have been totally unproven.

I shall not quote further from that report other than to refer to this final valid comment:—

Finally, the I.F.A. is concerned that any changes wrought are not only positive but are long-lasting. Change followed by counter-change following election of a new Government would be counter-productive to good land management.

The I.F.A. therefore recommends that change must be generally acceptable across the spectrum of the community and especially to both major political parties before they are implemented.

That again is a very valid point. This time of course there is no agreement and obviously the Government intends to push ahead with this socialist legislation and it will be on its head to face up to the problems that it brings forward. The Government is hopeful that by the time the next election arrives the many problems expected will not have arisen. The Premier and also, I think, the Minister for Lands and Surveys stated that there was no other point of view except agreement or approval from the Department of Lands and Surveys. I have with me a copy of the Surveyor General's report dated 29 December 1983 which report went to the group which reviewed the amalgamation of the National Parks Authority. It reads as follows—

In advocating the amalgamation of organisations such as the Forests Department, the National Parks Authority, the Wildlife Section of the Department of Fisheries and Wildlife, the Western Australian Herbarium and elements of other agencies concerned with management of public lands, it appears to me that the Task Force may not have had access to the minutes of meetings which were held prior to the introduction of the National Parks Authority Act 1976 and the creation of the existing National Parks Authority. As one of the officers of the day appointed to deliberate on this aspect together with such other people as the then Conservator of Forests (Mr. B. J. Beggs) the then Chairman of the National Parks Board (Mr. C. J. Jenkins), the Director of Fisheries and Wildlife (Mr. B. K. Bowen), the then Director of Conservation and Environment, (Dr. B. O'Brien); the then Chairman of the Public Service Board (Mr. R. H. Doig), the then Director of the W.A. Museum (Dr. W. D. L. Ride) and the then Under Secretary for Lands (Mr. F. W. Byfield), the matter was fully explored.

They found in favour of the isolated approach. That contradicts the interjections which have been made.

Mr McIver: The Surveyor General is not the head of the department. The Under Secretary for Lands had many discussions with the committee. That is only a view he expressed. It is not the view of the department.

Mr Blaikie: He is entitled to his view.

Mr McIver: Of course he is entitled to it, but it is not the view of the department.

Mr RUSHTON: Responsible people with very high reputations—

Mr McIver: It was not irresponsible. He was only expressing a personal view which is not the view of the department. The Under Secretary for Lands is not the head of the department.

Mr RUSHTON: The Minister makes strange assumptions.

Mr McIver: Look who's talking.

Mr RUSHTON: Go on, denigrate people.

Mr Tonkin: You said that, and he is just repeating what you said. Who is denigrating whom?

Mr Blaikie: I thought you would be a little more understanding in regard to Parliament Week.

Mr I. F. Taylor: You would have to be understanding.

Mr RUSHTON: I want to conclude by commenting on the establishment of this organisation.

Mr McIver: Let me make this point very clear, and let me say it quite categorically: The Lands and Surveys Department had a lot of discussion before this Bill was brought to this House, was fully conversant with it, and fully agreed with it. I cannot make it any plainer than that.

Mr Tonkin: Hear, hear! Good statement.

Mr RUSHTON: It isn't *sub judice*, I hope.

Mr Spriggs: It probably would use a pick handle.

Mr RUSHTON: It probably would do so. In conclusion, the Premier has made the point that to his knowledge and understanding—

Mr Tonkin: You talk about denigration of people.

Mr RUSHTON: —there has not been any establishment of this authority and consequently, no appointments have been made or stationery purchased. The Minister for Lands and Surveys agreed with him. As a let-out the Premier said, "To my knowledge". He happens to be the Premier, and the Chairman of the Cabinet, and any appointments would go before the Cabinet and obviously he is expected to have an understanding, being the Minister in charge of this Bill, of expenditure incurred in the establishment of

offices, stationery, and personnel—everything to go with the creation of this new authority.

Mr Tonkin: More personal abuse.

Mr RUSHTON: He is held liable for misleading the House if that is taking place. Time will tell if he is misleading the House and, if he is, he should be responsible and should pay the price for it.

Mr Melver: I think he was referring to several agencies which have not been decided by the Government.

Mr RUSHTON: No, do not get away from that. Several speakers made the claim that this Bill establishes the authority which has already been created, and that is an insult to the Parliament.

Mr Peter Jones: Confirmed this morning by people who had done work for it.

Mr RUSHTON: The Premier is denying that statement. That is what we are interested in. A commitment has been made which has included expenditure, all in the face of disrespect to this Parliament—

Mr Peter Jones: You will tell me next there is no allocation in the Budget for it. A great heap of money has been put into it.

Mr Melver: I am sure the Premier will reply ably as he usually does.

Mr RUSHTON: He denied that anything had taken place. That confirmed it. So there is no doubt about it. He has confirmed it to the best of his knowledge. That is his let-out for that commitment. To the best of his knowledge nothing has taken place. The member for Gascoyne and, I understand, the member for Narrogin have made the points that to the best of their knowledge and understanding there has been a commitment in the way of resources for the establishment of this body.

Mr Peter Jones: People have been seconded and have been working on it for a very long time.

Mr RUSHTON: It is really flying in the face of Parliament and authority. If we go on like this we will be a banana republic before we know where we are.

Mr Blaikie: One of the things that might concern the Opposition is the Government's South West Development Authority legislation.

Mr Peter Jones: It did the same with that.

Mr RUSHTON: A body had been structured and operating for some 12 months prior to the legislation coming before the Parliament. The thing that really worries me is that there is no provision—

Mr Tonkin: What really worries me is that 10 minutes ago you said, "In conclusion".

Mr RUSHTON: We are allowed only 30 minutes by the Government. The Government controls our speaking time.

Mr Tonkin: No, I don't. The House decided that.

Mr Gordon Hill: You control your own time.

The ACTING SPEAKER (Mr I. F. Taylor): Order, please!

Mr Tonkin: You should have been the lead speaker and then you would have had unlimited time. It is your own fault.

Mr Peter Jones: The problem with that is that he would have used all of it.

The ACTING SPEAKER: Order, please!

Mr RUSHTON: The interjections by the Minister who is responsible for many things, including the electorate fiddle that is currently taking place—

Mr Tonkin: Electorate fiddle! You should talk about that. You drew the line to save your seat. You cheat! That is the only reason you are here.

The ACTING SPEAKER: Order!

Mr Tonkin: If you didn't cheat you would not be here.

Mr RUSHTON: That is very good language. Mr Acting Speaker, I noticed that you were smiling about it. If you think the use of words like "cheat" are—

Mr Tonkin: You should not have done it.

The ACTING SPEAKER (Mr I. F. Taylor): The member for Dale will address himself to the matter before the Chair.

Mr RUSHTON: We should concern ourselves with people who use words like "cheat" which was used by the Leader of the House.

The ACTING SPEAKER: The member for Dale will address himself to the matter before the Chair and the Leader of the House will refrain from interjecting.

Mr RUSHTON: It is a situation that has been accepted under this Government. I return to my main point: I made the claim that this legislation should not continue until such time as other legislation which might follow from the review of land planning and town planning matters is before the House. It is a serious matter that we should put in place legislation that will centralise control over one of our most valuable resources—land. The first steps which have been taken in the socialist countries involve the control of land. It happened here under the Whitlam Government which

sought to convert land ownership and title to leasehold.

In other countries, we have seen the socialists taking over control of the people by socialising their land—taking the title to land from individuals. We see this Bill as a step in that direction, and I strongly oppose the Bill.

**MR TUBBY** (Greenough) [4.01 p.m.]: Along with my colleagues in the Opposition, I indicate that I oppose this Bill very strongly.

Mr Tonkin: Don't you like progress?

Mr TUBBY: I certainly like progress, it is a great thing; but I do not consider this Bill to be progress as far as country people are concerned.

My colleague, the member for Vasse, very ably outlined the problems as he sees them. I compliment him on the contribution he made. However, I do not congratulate the Government for the consideration it gave to local government in calling for submissions.

Mr Tonkin: We have the best Minister for Local Government this State has ever seen.

Mr TUBBY: I am not criticising the Minister for Local Government; I am criticising the Premier in his calling for submissions from local government and the timing of that request over the period when local government is completely disorganised during the Christmas break. The request for submissions went out too late for the December meetings; and it was necessary to put in submissions in February. That is the time of the year that most local government operations are at a low ebb, with most of the staff away on holidays and most country people taking the opportunity to go away. It was an inopportune time to request information in relation to a matter that was so important to country people. That only goes to show the lack of consideration by the Government for the problems of local government in respect of compiling information at that time of the year.

I can see a definite conflict between the development of resources and the conservation of the environment. Here we have two highly specialised groups, each capable of managing its own area of interest in a specialised way and giving utmost consideration to decisions before development takes place.

I can speak as a member of the farming community because I have been involved in the management of land for my whole life, with the exception of the few years I have been in politics. I can understand the concern of landholders, and particularly members of the farming community, about the body to be set up and controlled by the Government. I have special concern for the ap-

pointments to be made by the Government to the new departments.

Mr Acting Speaker (Mr I. F. Taylor), you would realise the problems of farmers in respect of land management, because of your involvement with the Select Committee inquiring into rural hardship. Farmers have experienced devastating years, with a resultant poor financial situation, and they have had to treat land not in the way they would desire, but in the way they are forced to treat it to give the maximum return to get themselves out of their difficult financial positions. In most cases, it has not given them pleasure to do that; but they have been forced into that situation in an endeavour to increase their incomes. That is a considerable worry to them; and it is difficult to know what to expect in the years to come. We hope that the economics of farming will be such that farmers will be able to farm their land and treat it as they did in the past. They have the desire to do so in the future.

I have a very large national park in my electorate—the 380 000 acres of the Kalbarri National Park. The park rangers at Kalbarri are highly trained men who are proud of the fact that they are part of the control of the national park. They are conscious of the need for the conservation of flora and fauna, and the need for general land management within the park.

To give some idea of the response of this Government to letters and statements, I will read from a letter sent to the Premier by the WA National Parks & Reserves Association (Inc.) as follows—

Dear Mr Burke,

re: proposed Conservation and Land Management Department.

This Association views with great concern the planned dismemberment of the State's very effective wildlife conservation agency, and the dismantling of National Park management. The absorption of both these conservation elements into a large agglomeration which will include tree harvesting and catchment manipulation is NOT rational.

#### AN UNPROVEN STEP

The new Department—

Will have multiple functions with dissimilar aims, which—

result in conflicting arguments and competing financial and staff resource needs.

Efficient rationalisation is not possible under such circumstances.



Such agglomerations have been contemplated and tried elsewhere in Australia, and found to be ineffective.

eg.

Qld: the long-standing government has tried a variety of options; it finally separated forestry and conservation management after a brief marriage.

Tas: Similar proposal aborted because of strong public reaction.

Vic: new mega-agglomeration already showing signs of strain.

Canada: provincial experience in combining timber and nature conservation has not served conservation well, and public concern is evident.

### FORESTRY DOMINATION

An examination of staff listings shows that agglomeration will result in—

Forests Department providing about 75 per cent of senior staff.

Forests Department providing nearly 90 per cent of total staff.

This will result in the swamping of professional biological staff in existing conservation agencies by over-classified foresters.

Domination by foresters has already commenced in the interim absorption arrangements, as indicated in the newsletter "Indat" (May 1984)

In supporting its case, the association said—

### PROVEN EFFECTIVENESS

The State's Wildlife management agency has proved its effectiveness. It is regarded as having the best record in Australia.

it has already achieved effective inter-agency co-operation, for example the highly successful systematic biological surveys in the Kimberley, Goldfields and desert regions

it has already achieved inter-state co-operation in various projects, eg the salt water crocodile survey

it has successfully secured a variety of Commonwealth grants for specific projects to supplement State funding

it has pioneered public participation in WA in the preparation of management plans

Mr Troy interjected.

Mr TUBBY: That is referring to those bodies in other States I mentioned previously.

To continue—

Merging of this kindred agency with the proven capabilities and skills of the existing wildlife management agency is considered to be a natural first step. Certainly it would lead to a more homogenous union than involvement with production forestry.

The document concludes as follows—

Rationalisation of federal funding for Australia-wide National Park and Wildlife administration would be more effective than forced discordant amalgamations.

A very strong case is put there to the Government, and if local government had had the opportunity, it, too, would have put forward very strong submissions. However, when I consider what has happened to the submissions put forward by the National Parks and Reserves Association, I presume any submissions from local government would have been treated in a similar way.

The Bill will have devastating long-term consequences for land management in this State. The Bill is introduced at a very inopportune time so far as a big percentage of the State is concerned, particularly the agricultural areas. I oppose the Bill.

**MR CRANE (Moore)** [4.12 p.m.]: I rise to express my concern at certain aspects of this legislation. I notice that in the second reading debate the Minister said—

The task force made recommendations in three main areas. Firstly, the task force, recognising that a prerequisite to proper land management was wise land use,

I am sure you, Mr Acting Speaker (Mr I. F. Taylor) would agree that recently in our investigations we saw many cases where that is so. There must be proper land use, but I do not believe this legislation, as I interpret it, will help in any way at all. Proper land use depends in the first instance on what the land was allocated for. If it was rural land, proper land use would depend on the person farming it, the economics of the day, the farmer's ability, and the ability of the land to produce.

We know for a fact that many areas of land which have been opened up in the last 20 years contain pockets which should not have been cleared and used for agricultural purposes. Perhaps an instrumentality such as is envisaged in this legislation may come up with some wise answers as to how we can extract ourselves from the problems that have been created. Referring to my own electorate, if one looks west of Koojan, one finds deep banksia sands which, to coin an old phrase, would not feed a rabbit, and should never

have been cleared for agricultural purposes. To take it out of production and away from the farm would require a tremendous amount of money because it has been bought and it is owned. What instrumentality would ever have sufficient funds to do that? I hope when allocations are made in future that such little areas will be taken into account.

I express my concern also that no consideration has been given to local government in this legislation. Any members who have been here for a long time, particularly those representing country areas, know that land use and land itself is the very heart of local authorities. They are very concerned for it, and those in local government virtually have to accept the responsibility for what happens in their areas. I point out that one-third of the Shire of Dandaragan is taken up with national parks or reserves, or whatever, and the shire receives very little revenue from that land. We have made many approaches to have other areas released, which are suitable for agriculture, but we have been unable to persuade the authorities who manage this land at the moment.

Now I find, and I am sure about this, that the amalgamation of the present bodies—it involves the repeal of the Forests Act, the National Parks Authority Act, and consequential amendments to the Wildlife Conservation Act—will lead to their being welded into one bureaucratic monster, as it were. I am concerned that when someone wants something from the monster, there will be no room for movement because it will be bureaucratically constipated. When that happens there is no movement at all.

The fact that local government will have no say and will make no contribution is of great concern. It is the most important level of government because it is closest to the people. I cannot understand why this Government, which has claimed to be the champion of local government over the last couple of years, and has been most outspoken on this matter, should suddenly find that it does not want local government to make a contribution or to be responsible in any way.

When one looks at the diagram on page 857 of *Hansard*—I understand there is an amendment to the diagram—one sees there is a direct line from the Minister to the executive director. That means this legislation—and I hate to use this expression—is socialist legislation because it gives complete power to the Minister. The Minister of the day and the Government of the day can force their will on the whole of the State. I am quite convinced some Governments will be only too happy to do that.

This is a very dangerous part of the legislation. We do not have the security of local government to stand behind. We do not have the wisdom of the Conservator of Forests who is acting only in an advisory capacity and who has no teeth at all. Who is there to protect our land from what the Minister wants to do? We must be very careful in any legislation to insert the necessary safeguards. Those safeguards have been very cleverly removed from this legislation, and on that count I must oppose it.

Last evening, the member for Katanning-Roe spoke about the concern of the fishing industry. This Bill is designed to achieve three main objectives. The first is to ensure the security of tenure and the purpose of lands reserved for nature reserves, and national and marine parks. The fishing industry makes a very valuable contribution to Western Australia, as do other forms of primary industry in this State. The fishing industry contributes about \$100 million to this State. Fishermen are always concerned that good fishing grounds may be earmarked or looked at, and threatened to be turned into marine parks. This could easily happen with a Government or a Minister who was prepared to be swayed by public opinion.

We know the dangers of the vociferous minority. We saw that recently when Farrington road was forcibly redesigned in another area because a few people who suddenly decided they wanted to climb trees and run around with placards were able to convince the Government—a nervous Government—that it was not elected to govern in its own right but to do what the minority wanted.

Mr Burkett: What about the situation under a previous Government when companies wanted to mine the whole of Herdsman Lake? Was that a nervous Government responding?

Mr CRANE: No, it was the same situation and the lake should not be mined. I would agree with the member for Scarborough entirely; there is no way in the world that I wanted that to happen.

Mr Burkett: Thank you very much.

Mr CRANE: However, it did not happen and that is an important point. It is dangerous that such powers should be put into the hands of the Minister without a useable contribution from the people who have experience, such as those officers in the Forests Department.

My electorate includes the forest areas around Yanchep and I have respect for the way in which the Forests Department has handled its responsibility. I believe that the experience and the capability it has demonstrated should be used and not overridden as it is in this legislation. I would hope that the Government will accept some amend-

ments to this legislation and improve it and take away the dangers which I see are so blatantly exposed.

As I said earlier, marine parks and reserves and the fishing industry are both important to this State. It is difficult for primary industry to make a living and contribute to the welfare of the State without any interference from those people who show very little responsibility, but who become emotionally involved. As an example, the person who commenced the training of the dolphins at Atlantis Marine Park is endeavouring to establish a marine park in the Eastern States, but because of operation jonaah say that the dolphins should not be trained—the vociferous minority—some people are endeavouring to stop the establishment of a marine park which would be of the same benefit to Victoria as Atlantis is to Western Australia. Nearly one million tourists have gone through Atlantis and if these people are successful in stopping the establishment of a marine park in the Eastern States, the next thing we will know is that pressure will be brought to bear to close a tourist facility which is enjoyed by many. We know that the same people are trying to do a similar thing in regard to circuses. That is what I am concerned about.

The Minister, who has total responsibility under this Bill, may get cold feet because a few people go around with a lot of placards and make a lot of noise. Some politicians would sell their grandmother if they thought it would get them a vote. That is where the danger lies with this type of legislation, if the authorities which have been operating for a long time and have a wealth of experience on which to draw are not given sufficient responsibility.

It is for these reasons that I express my concern today. The fact is that the authorities which have, on the whole, been carrying out a very responsible job for a long time could have been shored up a little and rounded off at the corners where it was thought there was need for improvement.

Local government, which is the greatest government we have and which is the government closest to the people, has been ignored, and it has a tremendous contribution to make. It has something at stake because it is where the action is.

I hope the Government will take the Opposition's comments on board. My comments have not been made purely on the basis of criticism because I am sitting on this side of the House. I do not believe that I can be accused of doing that. I have often supported the Government in what it has been endeavouring to do.

However, I feel there is room for improvement and a need to include the safeguards that we require. If the Government must go ahead with some form of legislation, let it be workable legislation and let it do what it is intended to do. It must be accepted by the majority of people in Western Australia, and it should not hinder the people who already have difficulties to overcome.

**MR STEPHENS (Stirling)** [4.25 p.m.]: I would like to indicate the National Party's point of view with respect to this legislation. It is not my intention to cover the ground which has been covered by previous speakers.

It is important that we protect our environment to prevent any further degradation, and it is even necessary to have ways and means of implementing measures for regeneration in order to overcome the problems which have already occurred. One only needs to travel around our State to realise how serious the problem has become. Perhaps it is more noticeable in the agricultural areas, but it is serious and it will take millions of dollars, or even billions of dollars, to correct, in a minor way, some of the problems we have created for ourselves by the way in which this country has been handled over the last 150 years.

I am not being unduly critical of our forebears because what they did was done in ignorance. They did not realise the consequences that would follow the actions they took.

I have grave doubts that the Bill before the House will enable us to do anything to improve the present situation. I am not suggesting that it will make it worse, but it will not improve our ability to control the present situation.

Why go to all this trouble to change the existing management system? It appears that the Government, in a bureaucratic way, is more concerned about the management of managers than about managing the environment and protecting our resources; it is more concerned about the management of managers than ensuring that the job is being done.

I acknowledge that with our vast area and limited population it is obvious we have limited financial resources. Therefore, it is imperative that we obtain the maximum utilisation of personnel and of the scientific disciplines that are necessary to adequately manage our environment.

I do not believe that by creating a new department the problems of personnel and finance will be overcome. We have the opportunity to perhaps fine tune existing legislation and by passing minor amendments to the existing administration of it, it will more adequately achieve what we all desire, and we will not create a new monstrosity.

I cannot see any reason that we should dispense with the Forests Department. It is doing its job adequately.

I accept that taking the wildlife authority from the Department of Fisheries and Wildlife will have some benefits in that a National Parks and Nature Conservation Authority will be created. I accept that, and I also acknowledge that the provision has been made for marine parks and reserves. It was in 1974, when I was a Minister, that I introduced an amendment to the Fisheries Act which made a provision for aquatic reserves.

Mr Tonkin: You did not do anything to the Denmark water supply.

Mr STEPHENS: The Minister has been reading the misinformation which a certain local paper put out, because in 1974 there was no problem with the Denmark water supply. In fact in 1974 I was pursuing a policy of trying to have a dam put on the Denmark River as a source for the lower great southern region water supply. That gives the lie to the article which appeared in the editorial of the *Albany Advertiser*. I do not think this is the appropriate time to debate the misinformation which unfortunately comes through the *Albany Advertiser*. Whether there is political bias I do not know, but many people in the area are beginning to suspect there is.

Mr Tonkin: In favour of us or the Liberals?

Mr STEPHENS: However, I have taken action to correct that misinformation.

Mr Tonkin: Send me a copy of your reply, will you?

Mr STEPHENS: Yes, I will do that.

Mr Jamieson interjected.

Mr STEPHENS: I do not intend to reply to that. I realise that at half past four we usually take private members' business. I have only a few comments to make. I was referring to the marine parks and reserves, and including them within the National Parks and Nature Conservation Authority. If they are to be managed adequately, some scientific disciplines will be necessary. The same disciplines will be necessary in the Department of Fisheries and Wildlife. Bearing that in mind, I can see no reason that we should not retain the present Forests Department, the National Parks and Wildlife Authority, and retain a fisheries department, but have them all responsible to the same Minister. Through a mechanism of liaison, perhaps at director level, it would be quite possible to minimise the personnel, make the best use of the scientific knowledge available and do the job in a better way than that proposed by this legislation.

(57)

For that reason the National Party opposes the legislation.

Debate adjourned, on motion by Mr Brian Burke (Premier).

## ELECTORAL: CHIEF ELECTORAL OFFICER

### *Appointment: Censure Motion*

MR HASSELL (Cottesloe—Leader of the Opposition) [4.34 p.m.]: I move—

That the Premier and Government of the State be censured for the appointment of Dr Dennis Rumley as Chief Electoral Officer of the State by reason that such appointment was unwarranted, unnecessary, not justified, and politically motivated, and represents an appalling political interference with the independence and integrity of the Public Service and the electoral system of the State.

It will be clear, Mr Deputy Speaker, from the terms of the censure motion, that the Opposition is extremely concerned about this issue, and in particular about the appointment of Dr Rumley. We would not be moving such a motion if we were not concerned about the issue in a serious way.

We have seen a number of appointments of a political or partisan nature made by this Government. Some of them have been more open, some have been criticised publicly, and some have been accepted without comment, even though they were clearly political. I refer to such appointments as the Chairman of the Lotteries Commission, the Chairman of the Greyhound Racing Control Board, and the Chairman of the Metropolitan Region Planning Authority, none of which attracted any comments from the Opposition, despite the very clear political nature of those appointments.

But this appointment is one of a different character from any of those which preceded it. This is one which goes to the very heart of the operations, not only of the Public Service, but of the system of Government departments. It is one which goes to the very question of what sort of Public Service we will have in this State in the future.

I want to make a brief statement at the outset of moving this motion about our attitude to the Public Service and the nature of it. I think that is the only fair way to put forth the basis upon which we judge these matters.

We have seen dramatic changes made to the Public Service of this State in the 19 months of the existence of the Burke Government. Those changes include a very significant pay cut directed to senior public servants and other public officers. It was a selective pay cut, and it was unrepre-

cedented in its nature, apart from comparisons with the darkest days of the Depression.

We have seen the introduction of a significant system of political advisers to Ministers, people appointed because of their political commitments to the Labor Party. There has been no dispute that that is a basic fact of the position. At the last count the Premier acknowledged that there were 35 of those political appointments in the nature of political advisers.

Mr Pearce: That is untrue.

Mr HASSELL: I am telling members the figures which the Premier himself gave me in a letter in answer to a question.

Mr Pearce: He did not say there were 35 people appointed because of their political affiliation with the ALP. That is what you are inferring.

Mr Clarko: You spoil your argument when you say "infer".

Several members interjected.

Mr HASSELL: I am sure there will be more, but there are 35 acknowledged by the Premier; 35 political appointees on the taxpayers' payroll, including the State President of the Labor Party and the State Vice President of the Labor Party. That system has been established within the 19 months of this Government.

In addition to that, a third aspect of change has been political appointments to the Public Service. The appointment we are talking about today, the appointment which is the subject of the censure motion, is not the first. We could refer to others, and one of them, of course, is Mr Lloyd.

Fourthly, we see the proposals for a major restructuring of Government departments in relation to their functions and futures and the numbers of people employed.

Those are the four areas of significant change which have been seen under the present Government. Quite clearly, the Opposition is not opposed to change where it is demonstrably for improvement and for the benefit of all Western Australians. There is no doubt that Government assets can be better managed and better employed, especially where Government assets are not required for the proper functions of Government and are transferred to the private sector, where the Government is not seeking to involve itself in private sector business activities. There is scope to improve the efficiency and cost effectiveness of Government operations by transferring them to the private sector.

These are really policies of privatisation which I have spelt out at Liberal Party State Conferences as the basis of development of our policies during

the year. When the Government announced a few days ago that it was to restructure the Public Works Department to reduce Government operations in an area capable of being carried out in the private sector, it received our support for that change, subject to qualifications relating to manpower and the treatment of people affected.

However the Opposition is totally opposed to the politicising of the Public Service. We believe in certain basic principles which remain critical to the effective administration of the Government of Western Australia.

We must have a Public Service which is impartial. It must be impartial in terms of its placement relative to the Government of the day, whatever political colour that Government may be.

Secondly, the duty of the Public Service is to advise the Government of the day and ensure the effective implementation of Government policy. That advice includes advice as to the impact of Government policy; it includes advice as to other options and the good and bad sides of the implementation of such options. Once the decision has been made by the Government, the Public Service has an obligation to implement it, and we are of the belief that an impartial Public Service is the best body to do that.

Thirdly, we must have a Public Service free from political appointments.

Fourthly, there should be no party-political advisers on the public payroll. If the Government of the day wants to have party-political advisers they should be in the realm of the party; they should be employed by the party; they should not be paid for by the taxpayer; they should not be involved in ministerial offices; they should not stand between the Minister and the department or between the Minister and the public. There is no place for that type of operation within our system.

Fifthly, notwithstanding those comments, it should be open to the Government to make outside appointments on occasions when appropriate to the Public Service and to exchange personnel between the Public Service and the private sector on the basis of merit, need, and justifiability in terms of good administration, efficiency, and modernity in Government.

It should be open to the Government to seek outside independent advice based on expertise, not based on political alignment or political affiliation. All of these areas should be open to the Government.

There are needs for other changes in the Public Service in terms of the way it operates, but those needs are better put aside for a debate on another occasion on that specific issue. That basically is

our position and the point from which we come to judge the issue that we have raised by way of a censure motion.

I turn now, having given that backdrop of our position, to the position of the Chief Electoral Officer. What is the duty of the Chief Electoral Officer and what is his position? The starting point is the Electoral Act. It provides in section 5 that—

5. (1) The Governor may, from time to time, appoint a Chief Electoral Officer who shall, under the Minister, be charged with the administration of this Act.

That is the simple proposition that is contained in the legislation. The elements are that the appointments are made by the Governor. Under the Public Service Act the Governor is required to be advised because this is a permanent head position under the Public Service Board.

We all know, even anyone who knows even the rudiments of the constitutional system, that appointments made by the Governor are made on the advice of the Executive Council and that the members of the Executive Council are the members of the Cabinet and comprise the Government of the day.

Mr Davies: Plus the Governor.

Mr HASSELL: I am not sure whether that is correct. Is the Governor a member of the Executive Council?

Mr Davies: I think he is.

Mr Bryce: The Governor-in-Council.

Mr HASSELL: Leaving aside the technicalities of the appointment made by the Governor, in substance it is an appointment made by the Government of the day.

Under section 5 of the Electoral Act in practical terms it is the Government which appoints the Chief Electoral Officer and it is the Chief Electoral Officer who, subject to the Minister—although the Act specifically says, “under the Minister” not, “subject to the Minister”—administers the Electoral Act. That basic structural proposition has been questioned. It has been questioned by the ALP itself with its proposals for the establishment of an electoral commission, and I intend to refer to that matter later.

I wish to put on record the basis of what we are talking about. The Chief Electoral Officer is appointed by the Governor to administer the Electoral Act. That is his duty. He has an overall and very special duty in relation to the conduct of elections, the issue of writs, the organisation of polling booths, the collection of votes, the appointment of returning officers, the appointment of

officers to conduct the poll, the counting of the vote, the returns, the completion of the election, and everything to do with the election, including the printing of the ballot papers, their distribution, the appointment of mobile ballot booths and all the administrative work of the election, both in the lead-up to an election and in the conduct of an election.

In addition he is responsible for the maintenance of the rolls, the collection of names of those who are going to be entitled to vote at an election. He must be an efficient administrator of a department which has very clearly defined and specified tasks to perform. He has a very specific definition of duties spelt out in this Act, unlike other departments which have a broader scope for administrative definition of the job. The scope of the job of the Chief Electoral Officer is very clearly defined by the legislation and there is little doubt that the Public Service job description would be one of the shortest in the Public Service system, because it is so clearly confined to the Electoral Act itself.

One vitally and critically important requirement of the Chief Electoral Officer's duties is to be an objective and impartial decision-maker on matters of discretion. Some of those matters of discretion determine the outcome of an election, the outcome of the holding or non-holding of a seat in Parliament, the loss or gain of a member, the fate of a Government; for example, determining the validity or invalidity of a vote. It is the Chief Electoral Officer who has established guidelines for his returning officers on that question. It is the Chief Electoral Officer who sometimes has to sit in judgment on a single vote which is disputed. That is the height of the order of impartiality which is required of him. He has to deal with complaints made in the course of an election, sometimes made in the heat of the moment, about minor infringements by candidates of one party or another. He has to make a judgment as to whether they are worthy of prosecution under very serious provisions of this Act relating to the eligibility of a candidate.

He has to determine issues which, as I have said, determine the fate of a Government. I have sat in his office during tense moments after a State election when such issues were being determined in relation to the absent votes of the member for Dale. I have been there with other scrutineers from various parties seeing determinations made by a Chief Electoral Officer.

It is therefore of critical importance to everyone involved in the political system that the man who is the Chief Electoral Officer should have the trust of all sides in the system.

He has no duties under this Act or in his duty statement to plan models of or to restructure the electoral system; he has no role as an innovator of new or different electoral systems; that is not his job at all. His job is to administer the law that determines who sits on each side of the House and whether certain persons shall be in this House. His duty is to administer a department the prime responsibility of which is to gather the votes of the people of the State and to ensure those votes are cast, recorded, counted, and distributed as required.

Mr Tonkin: And under your Government, 100 000 people were not on the rolls.

Mr HASSELL: It is vital to the system of Government we know that that duty should be carried out by a man with the dedication and commitment of total impartiality which everyone in the community from all sides of politics is entitled to expect.

Mr Pearce: No-one disagrees with that.

Mr HASSELL: I am glad to hear the Minister say that.

Mr Pearce: Of course we accept that to be the case.

Mr HASSELL: To underline the point that this is a very special appointment, a very special position, the Electoral Act itself contains a provision relating to it, and that is section 16, which reads as follows—

- (1) No candidate, and no person holding any official position in connection with any political organisation or election committee, shall be appointed an officer under this Act.
- (2) If any such officer knowingly becomes a candidate, or is elected, appointed, or otherwise becomes an official of any political organisation or election committee, he shall be deemed to have vacated the office held by him under this Act, and some other person shall be appointed in his stead.

Notice that the words used in section 16(1) do not refer to a person's being a member of a political party, but rather to a person's being a member of a political organisation. The significance will become clear when we come to consider the precise position of Dr Rumley.

Mr I. F. Taylor: Is it defined in the Act?

Mr HASSELL: "Political organisation" is not defined in the Act. It has to be given its ordinary meaning according to what ordinary people would judge it to be. That is how a court would determine it in the event of a case coming before it.

The provisions of section 16 underline the foundation which I carefully laid in opening this debate as to the position of the Chief Electoral Officer.

It is not a position which can be equated with other departmental heads. It is one which requires the independence of a person such as the Commissioner of Police, the Solicitor General and one or two others. It is a position which requires a man who has the capacity, the will, and the commitment to be prepared on occasions to stand up to his Minister and to politicians and to make decisions in the heat of an election, in the heat of a contest, decisions which will determine the outcome and livelihood not only of individual members, but also of Governments themselves. It is not a position which can be treated as if it were something that came and went like the headship of a minor department. It is far too important for that.

It is on that basis that the Opposition has taken such a very firm line as it does now in questioning the appointment that has been made. It is not for us to come in here and to seek to question the professionalism of Dr Rumley. I have known him for some years and I have nothing to say about his professionalism as a lecturer at the university or about the studies he has made, the work he has done or the electoral models he has created; those are matters for him and the University of Western Australia.

Mr Pearce: If you have known him for some years, you know him a lot better than does the Minister for Parliamentary and Electoral Reform, who does not know him at all.

Mr Tonkin: I have met him.

Mr HASSELL: That is my position, too.

Mr Pearce: You said that you had known him for a number of years.

Mr HASSELL: Perhaps I should have said that I had known of him for a number of years.

Mr Pearce: That is a big difference.

Mr HASSELL: I make that qualification. But my association with him will become quite clear.

Mr Pearce: The thrust of your argument is that his is fundamentally a political appointment. That is not true and it seems you know the gentleman a lot better than the Minister does.

Mr HASSELL: I repeat: I am not in any way questioning Dr Rumley's professional competence at the University of Western Australian in relation to any of his work, any of his academic work, any of his degrees, any of the studies he has made or any of the papers he has written. The question I raise now is a question in relation to his appointment as the Chief Electoral Officer of the State of

Western Australia and in relation to his capacities and attitudes in that regard which are relevant because of the issues which arise as I have outlined them and on the basis I have outlined them.

I am aware that Dr Rumley regards our electoral system as biased. That is his view; he is entitled to live with that view.

Mr Tonkin: He would be dishonest if he didn't say it.

Mr HASSELL: But it is a view which is politically contentious and certainly not accepted by members on this side of the House or many people in WA who regard the system of the weighting of votes in this State as a legitimate means by which to ensure fair representation in this Parliament. But he does not use the word "weighting"; he uses the word "bias".

Mr Tonkin: He uses it in a technical sense.

Mr HASSELL: He has used it on a number of occasions. I do not see the definition.

Mr Tonkin: The definition is in the papers and the definition is one used throughout the world by political scientists and geographers.

Mr HASSELL: In the second sentence of one of his papers the following can be found—

It is shown that electoral law in Western Australia contributes to electoral bias.

Mr Tonkin: He would be dishonest not to say that.

Mr HASSELL: That is the Minister's one-sided view.

Mr Tonkin: It is the view of any reasonable person.

Mr Court: Are you reasonable?

Mr I. F. Taylor: How can you justify 90 years of bias?

Mr Clarko: But what is bias?

Mr HASSELL: In a later stage of the same paper he refers to a "population bias" and he goes on to say that there was or was not bias in favour of various political parties. He refers to bias against the ALP and says—

This bias is of course exaggerated at the Council level with the ALP gaining four instead of seven seats, and the Country Party gaining three seats instead of one seat, and the Liberals gaining nine instead of eight seats.

That is a political comment—a very political comment.

Mr Tonkin: He is a political geographer.

Mr HASSELL: It is a contentious comment.

Mr Pearce: He is an academic.

Mr HASSELL: Indeed, he is an academic, and he is saying what he believes to be the outcome of his research—his view.

Mr Pearce: Are you against academics?

Mr HASSELL: I am not against academics. I tried to make that point clear, in the simplest of terms, before I started to deal with this aspect. What I am trying to say is that he has a particular view of the political situation and of the system that he is being asked to administer, not on behalf of the Government of the State, but on behalf of all the people of the State, including a significant proportion of people who do not agree with that view at all and regard his comments as politically biased, even if they are not party-politically biased.

As I said previously, it is not part of the duties of the Chief Electoral Officer to be a judge of the system, or to create a new system, or to have a predetermined view about the system which he operates.

Mr Pearce: Does that mean when the Public Service Board interviews a candidate it should ask his views on political problems in Western Australia, and should choose only someone who supports the status quo?

Mr HASSELL: In answer to that question, I say this, and it goes to the question of the Public Service which I tried to explain before: The Public Service of this State has a clearly established system of impartiality and neutrality on those questions. No-one can deny that individual public servants have a particular view on different issues, but the whole of the system is directed to ensure that in the administration of the laws of the State, and the policies of the Government of the day, they should carry out the law and those policies with the impartiality and neutrality which the system requires. The very point that we are making by this censure motion, in relation to the position of the Chief Electoral Officer, is that it is quite wrong to bring in a man from outside—a man who has a clearly established and I would say a biased political view—to operate the system. Not only does he have a view with which I disagree, but also—

Mr Bryce: Anyone who does not agree with you is biased.

Mr HASSELL: —he has a very publicly established view about this system. He has a very established view that he wants to change the system, and it just so happens that his view is totally in line with the view of the present Minister, who has been trying to fiddle all the electoral laws of this State ever since he took office.



Let us go a little further in relation to Dr Dennis Rumley's views on matters, because when talking about the office of the Chief Electoral Officer, it is relevant to know, when bringing someone in from outside, what kind of political attitudes he might have when making a judgment in an election on a questionable or disputed ballot paper which might determine the outcome of a seat.

I just wonder what the public of this State think of a man who joins in an advertisement, regardless of the issues involved. A large advertisement appeared in *The West Australian* on Thursday, 10 March 1977 at page 10. It must have cost quite a sum of money to place an advertisement of this size in the paper. It stated—

#### PUBLIC STATEMENT

The undersigned consider the material in the Orientation Edition of the University of Western Australia Liberal Club's campus publication *New Libido* to be vicious, provocative, and entirely outside the accepted norms of political debate, and note that such attacks amount to a serious infringement of the democratic rights of all groups on campus and of the community at large. We demand an end to this witch hunting which can so easily provide sustenance to extremist elements on campus and possibly escalate into actual physical violence.

The undersigned demand that a public statement be issued dissociating the UWA Liberal Club from the outrageous sexist and racist remarks contained in this issue of *New Libido*. We further demand that the UWA Liberal Club undertakes disciplinary action against the individual members responsible.

The advertisement was endorsed by a list of people. The list took up half the advertisement. It is a very interesting list. It does, of course, involve one D. Rumley from the Geography Department of the University of WA.

Mr Tonkin: It has nothing to do with the electoral system!

Mr HASSELL: It has a lot to do with a political point of view!

Mr Tonkin: You would have done well during the Petrov years.

Several members interjected.

Mr Bryce: McCarthy drew this sort of stuff out.

Several members interjected.

Mr HASSELL: I am talking about the office of the Chief Electoral Officer in this State.

Mr Brian Burke: Do you support the racist comments of that issue?

Mr HASSELL: Of course I do not—if there were any. Is the Premier saying there were any?

Mr Brian Burke: They are objecting to racist comments.

Mr HASSELL: They are objecting to comments which they consider to be racist.

Mr Brian Burke: Nothing to do with the electoral system!

Mr HASSELL: But look at the company the gentleman concerned keeps!

Several members interjected.

Mr Brian Burke: Guilty by association!

Mr Bryce: Senator McCarthy!

Mr HASSELL: Amongst others are the names, Mr D. Midalia, Friends of East Timor; J. Jermalinski, Tertiary Branch, Communist Party of Australia—

Several members interjected.

Mr HASSELL: —J. Parker, Secondary Students' Union—

Several members interjected.

Mr HASSELL: —and so on. P. Cooke, Secretary, TLC—

Several members interjected.

Mr HASSELL: —D. C. Parker, acting Secretary, BWIU; R. McMullan, State Secretary, ALP—

Mr Bryce: Secretary of the National Labor Party!

Several members interjected.

Mr HASSELL: —and so on. What is of interest is that this advertisement—

Mr Brian Burke: Give us a few more names! Professor Reid is probably there too!

Mr HASSELL: —was submitted by the Committee for the Defence of Democratic Rights on Campus (UWA) and was authorised by A. Parker.

Mr Court: He was attacking the UWA Liberal Club for saying something. How democratic was that?

Mr HASSELL: They were attacking the University of WA Liberal Club for expressing its point of view. They expressed that attack by way of a Press advertisement. The group included the Communist party, and the man the Government is putting in charge of the Electoral Office, a man whom the Government is asking us to accept as an impartial man; a neutral man, capable of making judgments about votes and people's rights in relation to sitting in this place and forming a Government.

That is the issue. It is not his view. I do not mind what his views are. This is a democracy. He can have his views and say what he thinks. But that does not qualify him to be put in charge of the Electoral Office. That is the issue.

Mr Brian Burke: The Public Service Board thought it did.

Mr HASSELL: Perhaps the Public Service Board did not dig deep enough.

Mr Brian Burke: What should it have done? Should it have gone back to 1977 Press statements?

Mr HASSELL: It might have considered that, to change from the accepted norm of having experienced and senior public servants in that position, there should have been special justification. Even the Premier's own documents do not say that he is the person for the job. They say that he was the best of the external candidates for the job.

Mr Brian Burke: That is not true at all.

Mr HASSELL: That is what it says.

Mr Brian Burke: That is a misquote. That is what the selection panel minute said. Read the board's letter. Do not selectively misquote the Chairman of the Public Service Board.

Mr Bryce: Senator McCarthy would be delighted to know that his disciples are still alive and well.

Mr HASSELL: It is not a matter of Senator McCarthy or of whether the Government appointed a man as head of a Public Service department of the significance and importance of the Electoral Office. It is also not a question of the officer being acceptable to the community as being capable of exercising neutrality and impartiality. All I am saying about Dr Rumley is that his record indicates that that may not be so.

I am not arguing that he is not entitled to have his views. I have no argument when he is doing the job he wants to do on campus. However, I do have a question about someone who has a precommitted policy position in relation to such matters as the electoral law and the electoral system—a policy position which is a contentious policy position—being put in charge of the administration of that system, where important issues are involved.

Mr Brian Burke: Mr Coates was a member of a political party. You cannot be any more committed than by joining a political party.

Mr HASSELL: When Mr Coates was appointed to the position of Chief Electoral Officer he had behind him many years of experience in the Public Service.

Mr Brian Burke: In the Health Department. Are you going to start a character assassination of Mr Coates? Are you starting to go back into the record of Mr Coates to try to justify the present appointment?

Mr HASSELL: I am saying that he was a member of the Public Service. I also know what the Premier whispered around this place, too. I know how big and brave he was when he jumped up yesterday and talked about character assassination. I found out about his snide little back-room attacks on Mr Coates.

Mr Burkett: We do not go sneaking around corners looking for sneaky documents.

Mr HASSELL: I think the Premier had better start thinking about what is going on.

Mr Brian Burke: Mr Pandal found it in the toilet, so he is telling lies.

Mr I. F. Taylor: The men's or women's?

#### *Withdrawal of Remark*

Mr HASSELL: That is a grave reflection on a member of another House and I ask that it be withdrawn.

The SPEAKER: Order! It is against Standing Orders to impute improper motives against a member of another House. I ask the member to withdraw.

Mr I. F. TAYLOR: Of course I withdraw, Mr Speaker.

Mr Carr: Everybody took it as a joke.

Mr HASSELL: It was a pretty poor sort of joke.

#### *Leave to Continue Speech*

I seek leave to continue my remarks at a later stage of this day's sitting.

Leave granted.

Debate thus adjourned.

### COMMONWEALTH PARLIAMENTARY ASSOCIATION

#### *Delegates: Malaysia*

THE SPEAKER (Mr Harman): I advise members that, present in the Speaker's Gallery, are members of Parliament and their wives who represent 12 States of Malaysia. The States represented are Selangor, Kedah, Serembom, Sabah, Sarawak, Penang, Perak, Pahang, Johore, Perlis, Kelantan and Malacca. On behalf of members I extend to those distinguished members and their wives a very warm welcome to Parliament House.

### QUESTIONS

Questions were taken at this stage.

*Sitting suspended from 6.00 to 7.15 p.m.*

### ELECTORAL: CHIEF ELECTORAL OFFICER

#### *Appointment: Censure Motion*

Debate resumed from an earlier stage of the sitting.

**MR HASSELL** (Cottesloe—Leader of the Opposition) [7.16 p.m.]: Prior to question time and the tea suspension I was referring to the advertisement to which Dr Rumley was a party.

#### *Point of Order*

**Mr PEARCE**: I ask that the Leader of the Opposition table the document from which he has quoted.

**Mr HASSELL**: I will be happy to table it after I have finished quoting from it.

**Mr Pearce**: You didn't do that last time.

**Mr Old**: How weak!

**The DEPUTY SPEAKER**: Order! I request the Leader of the Opposition to place the paper on the Table of the House at the conclusion of his speech until the end of today's sitting.

#### *Debate (on motion) Resumed*

**Mr HASSELL**: I will do that. I think the reason it did not happen last time is that perhaps *Hansard* borrowed the material; it was not any conniving plot.

I want to make two points: The first is to emphasise that in making these points about Dr Rumley's political views, affiliations, and activities I am not attempting to make any accusations against him or lay any charges against him, or to suggest he is not entitled to do all those things and say the things he believes in. I am seeking to put before the House as a matter of fact and public record that Dr Rumley has an established political profile and view.

The fact of that profile and political view being on the public record calls into question his eligibility to be appointed as Chief Electoral Officer, especially as applications for the position included at least two public servants who were qualified for the job. Those public servants have a record of service and involvement as public servants which would lead one to assume they have that objectivity, neutrality, and commitment to the ideals of the Public Service which one would expect of them. No such evidence can be brought in relation to Dr Rumley.

Finally, on this point, I put this question to the Premier: Did he or the members of the Public

Service Board satisfy themselves that Dr Rumley was not disqualified from appointment by reason of the provisions of section 16 of the Electoral Act to which I have already referred? That section requires that any candidate and any person holding any official position in connection with any political organisation or election committee shall not be appointed an officer under the Act. It is incumbent on the Public Service Board, if not the Government, to satisfy itself that at the time of his appointment, Dr Rumley did not hold any official position with any political organisation.

I have suggested to the House, and I repeat, that the words "political organisation" are much wider and more embracing in their meaning than the words "political party" which are not used. I am entitled to raise that question because of the advertisement to which Dr Rumley was a party and which was inserted by the Committee for the Defence of Democratic Rights on Campus (UWA). That unquestionably is a political organisation. Does it still exist? Is Dr Rumley a person holding an official position in that political organisation or any other?

**Mr Tonkin**: Which political organisation?

**Mr HASSELL**: The one which placed the advertisement in *The West Australian* newspaper.

Is Dr Rumley a member or an executive office bearer of the Electoral Reform Society, or is he a member of a political party or an office bearer in a political party? I have been told he is not a member of a political party. I have equally been told that his wife is a member of the Labor Party. I have been told that Dr Rumley was actively involved in the last election campaign on behalf of the Labor candidate in the Clontarf electorate. That leads me to mention some things he said.

**Mr Gordon Hill**: Do you believe everything you are told?

**Mr HASSELL**: It depends on who tells me and where I get it from.

I am raising the question as to whether the Government has satisfied itself that the requirements of section 16 of the Electoral Act have been met. I have referred to written and oral evidence of some activities and to a series of statements appearing in a newspaper called *The Times* dated 16 February 1983 in which there appears at pages 14 and 18 quite a large article entitled "Election 1983: Changes may predict results". The article states—

Last week in an exclusive interview, reporter Michael Woodhouse spoke with Dr Dennis Rumley, lecturer and one of the State's foremost political analysts.

Under the heading "Liberal Bias" the article states—

The redistribution has favoured the Liberals by four to five per cent, Dr Rumley says. That means that (on average) a four per cent greater swing would be needed to unseat a sitting Liberal member than was needed under the 1980 boundaries. The swing needed to unseat sitting Labor members has (on average) been reduced.

Many seats have become "less competitive", Dr Rumley continues, meaning that a bigger swing is needed to create an upset, and fewer seats change hands for any given swing.

He went on to describe the appeal of the Labor candidate, Dr David Dale, the man for whom, I understand, he was working in the election campaign. The article continues—

Labor candidate Dr David Dale will have a unique appeal in the electorate, Dr Rumley says.

Mr Pearce: Did Dr Dale get elected?

Mr HASSELL: No, he did not. Dr Rumley's predictions were way out.

Mr Brian Burke: Are you not interested in Dr Rumley's wife and whether she worked for some political party? I think it is relevant that we start to bring his wife into this debate and whether she worked for some political party!

Mr HASSELL: What about the Premier's legislation relating to the disclosure of the pecuniary interests of members of Parliament? Did that say anything about spouses?

Mr Brian Burke: I cannot remember whether it did or not, I would support its doing so, but that is not a question which relates to someone who has been appointed to the Public Service, for goodness sake, nor to what his wife does.

Mr HASSELL: What is the difference? That is the point I am raising and clearly the Premier understands it.

Let me get back to the point about which we were talking. I was asked about his predictions by the Minister for Education. In relation to Clontarf he said—

Despite this Dr Rumley is predicting a very close contest with a possible narrow Labor win.

Mr Williams: He was not quite right.

Mr HASSELL: He was not right and the result was not even close. The predictions, based on a scientific formula that he uses, were way out.

The point is not whether he has a view or what those views are. The point is that he has a very

clearly established position in relation to electoral matters. I think that established position is one that is clearly contentious in a public sense. His opinions are not purely academic and not purely analytical; they are a matter of opinion and a matter of belief. They certainly bring into question his eligibility to hold office. I am not talking about any other office, I am talking about this one. I ask the Premier: Where did this document come from?

Mr Brian Burke: It came from the interviewing panel. I told you that yesterday.

Mr HASSELL: It is not marked on it. The interviewing panel states that Dr Rumley was the most impressive of the external candidates.

Mr Brian Burke: That is what the interviewing panel said.

Mr HASSELL: The Premier just told me that. The panel said also that he would develop the job using contemporary research to assist in redistribution and in the determination of fairness as it contributes to the electoral system.

Mr Tonkin: Where is he meant to be applying his concepts to the redistribution system?

Mr HASSELL: I am not talking about the redistribution system, I am talking about the electoral system. I am reading the words of the interviewing panel.

Mr Brian Burke: Do you know that the Chief Electoral Officer is one of the three commissioners?

Mr HASSELL: Indeed I do. That is very much a part of our concern about this appointment.

Mr Brian Burke: Why—because the Public Service Board says?

Mr HASSELL: Because, as has been explained on a number of occasions, we are appointing a man with a very clearly established protagonistic point of view about the system and how it works.

The question arises: Why has he been appointed? What is the reason for his appointment? It is absolute nonsense and dishonest for the Government to blame the Public Service Board by saying, "He has been appointed because he was recommended for the position". The Premier abnegated his responsibility in that regard yesterday.

Mr Tonkin: The Public Service Board requested us to process his appointment to His Excellency in the Executive Council. Under the Public Service Act, the board doesn't recommend to the Government. It requests us to process the matter. In other words, it asked us to process this matter. You ought to read the Public Service Act.

Mr HASSELL: I have read it. I have it in front of me. I think the comments made by the Minister by way of interjection are interesting when contrasted with what was said by the Premier yesterday. We will be certainly taking a close look at that variation between the two statements. So, Dr Rumley was not recommended by the Public Service Board. That is intriguing because, yesterday, in a very strong statement, the Premier told us that he was recommended by the Public Service Board. That is why he was appointed—because he was recommended by the Public Service Board.

Mr Tonkin: Read the minute. You have it in front of you. Be honest for once in your life. Read the last paragraph and that will put it straight.

Mr HASSELL: I have it here. I know what is in it. The point is that the Government is responsible for the appointment, not the Public Service Board, nor the interviewing panel. It is absolute nonsense and dishonest for the Premier to have done as he did yesterday and again in some of the interjections this evening, as I recall, to suggest that the appointment was made simply because the Public Service Board recommended it. That suggests that the Government makes appointments that the Public Service Board recommends, which clearly it does not. I would like the Premier to interject and tell us if he always takes advice in relation to appointments in the Public Service. Certainly the Government exercises influence in relation to appointments, as it is entitled to do. It is the Government which has to take responsibility for appointments and it is entitled to take a part in the appointment processes; in relation to that I have no doubt whatever that it did.

Mr Tonkin: What part did the Government play in that process?

Mr HASSELL: The Government was responsible for the appointment and it made the recommendation to the Executive Council.

Mr Tonkin: In that process do you say the Government should simply do no more than reject or accept the recommendations of the Public Service Board?

Mr HASSELL: That is what the Government said yesterday.

Mr Tonkin: What could we do? That is the role.

Mr HASSELL: I am sure the Government knows how Cabinet and the Government work. My recollection is that when appointments are made they go to Cabinet.

Mr Tonkin: And are accepted or rejected.

Mr HASSELL: Exactly.

Mr Tonkin: That is the process that you think the Government should fulfill?

Mr HASSELL: That is the normal process because the Government is responsible for the appointment.

The point I am seeking to establish is not how the Government operates its Cabinet or how this Government operates. I am simply seeking to establish that the responsibility for the appointment rests with the Government. It does not rest with the Public Service Board. The Public Service Board has a statutory responsibility to have a part in the recommendation, because under the Public Service Act it is required to have a part in the recommendation to the Governor. Whether or not the recommendation to the Governor is made, it still rests with the Government of the day. All I am seeking to establish is that the Government bears responsibility for this appointment, because yesterday the Premier was trying to suggest that it was the Public Service Board.

Mr Tonkin: You would be the first to criticise if we ignored the Public Service Board.

Mr Old: You are saying every recommendation they put up you will accept?

Mr Brian Burke: I am trying to think of a recommendation that we have not accepted.

Mr Old: Could there be a set of circumstances that you would not accept?

Mr Tonkin: If you recommended it.

Mr HASSELL: I can think of one.

The DEPUTY SPEAKER: Order!

Mr HASSELL: I do not want to embarrass or make it difficult for the officer concerned.

Mr Brian Burke: I cannot recollect one that we have not accepted.

An Opposition member: You must have a good system of working it out before it gets there.

A Government member: Your stupidity has now gone into *Hansard*.

Mr Tonkin: You bleed like a stuck pig.

The DEPUTY SPEAKER: Order! The Leader of the Opposition has the floor. If anyone should read *Hansard* he would have some difficulty determining who is making the speech.

Mr HASSELL: To make the matter quite clear, appointments made from outside the Public Service are subject to the provisions of section 33 of the Public Service Act which contain these provisions, and I quote—

33. (1) The provisions of this section apply notwithstanding any contrary provisions in or under any other Act irrespective of whether

those contrary provisions came into force before or after, or contemporaneously with the coming into operation of this Act.

(2) A person shall not be appointed to a public office the duties of which are ordinarily performed by or within a Department or to be performed on behalf of a Department except with the prior approval of the Board and in accordance with such directions, if any, as may be given by the Board.

I wonder what directions were given by the board in relation to this appointment. The real issue is simply to establish clearly on the record without contest by the Government that responsibility for the appointment of Dr Rumley rests with the Government. It does not rest with the Public Service Board. It does not rest with any body or any person except the Government. Certainly under the Act the Public Service Board has a part in it. Certainly there was a selection panel. No doubt the Minister had some say in the choosing of that selection panel generally or in the specifics. I cannot for my part believe that Dr Michael Wood, an earlier Government outside appointee, was on the selection panel purely by accident.

Mr Tonkin: Who do you think appointed him to that panel?

Mr HASSELL: Goodness me! I suppose the Chairman of the Public Service Board appointed him.

I am not interested in the technicalities of the procedures. If one talks about technicalities it is the Governor that appointed Dr Rumley. I am talking about the substance of what is going on in the governmental processes. The procedures are well known to anyone who has anything to do with the governmental structure.

Mr Brian Burke: Are you saying I asked for Wood to be on that panel?

Mr HASSELL: I do not believe that Dr Wood was on the panel for any accidental reason.

Mr Brian Burke: He was put on by the Public Service Board.

Mr HASSELL: I believe he was appointed because the Government asked him to be appointed to it—

Mr Tonkin: That is not so.

Mr HASSELL: —or because the Public Service Board participates as a matter of policy, general direction or attitude. The Government was moving towards a situation in which there would be an increasing number of outside appointments to the Public Service.

Mr Tonkin: What about all your outside appointments? This is not new. You started it off.

Mr HASSELL: I sat in this House when we adopted the Public Service Act; but the member for Kalgoorlie and the Minister seem to be having some difficulty in remembering what I said very clearly and concisely at the outset. My remarks were that the Opposition was not opposed to outside appointments to the Public Service or to exchanges between the private sector and the public sector, in appropriate cases, where it is to the benefit of the system. The point is that there has been no evidence presented which establishes that the variation from the norm was appropriate, necessary or desirable in this case. Why did the selection panel refer to Dr Rumley as the most impressive of the external candidates?

Mr Tonkin: Because it rated him equally with Mr Chapman.

Mr HASSELL: It rated him equally with Mr Chapman?

Mr Tonkin: Have you not got the panel's comments there? That has been tabled has it not?

Mr HASSELL: The name was left out. We have been given a little bit more information. So Mr Chapman was the other applicant?

Mr Tonkin: That was done to protect that officer. The point is that of the two applicants who were chosen equally one was inside the service and one was outside the service.

Mr HASSELL: Fine, that is very interesting.

Mr Tonkin: But then the Public Service Board looked at that and made a choice from those two applicants.

Mr HASSELL: I did not want to embarrass Mr Chapman or anyone else. He is a public servant.

I still do not think that the Government has given the Opposition an answer to the question of whether Dr Rumley was described as the most impressive of the candidates.

Mr Brian Burke: I told you last night that the interviewing panel put forward two preferred candidates. The Public Service Board then recommended and requested, pursuant to the Act, that the Governor-in-Council appoint Dr Rumley. I explained that to you last evening and I thought you understood me.

Mr Old: How patronising of you.

Mr Brian Burke: They are the details of the interviewing panel's view on each of the seven people involved. Some applicants were within the service and some were not. The two preferred names went to the board and one name went from the board to the Minister and then to the Governor-in-Council.

Mr Tonkin: That name was not changed.

Mr Rushton: It is the normal process.

Mr Brian Burke: As the member for Dale said, that is the normal process.

Several members interjected.

Mr Tonkin: You may have interfered with the Public Service Board, but we do not.

Several members interjected.

Mr Tonkin: That is a slur on Mr McKenna and on members of the Public Service Board. You assassinate characters at will.

Mr HASSELL: We do not whisper about them in the corridors—we do not do that sort of thing behind doors.

Mr Brian Burke: Not much! You took Mr Hunn to lunch at the Ord Street Cafe in regard to the 6PR issue.

Mr HASSELL: I wondered how long it would take the Premier to come up with that.

Mr Brian Burke: I knew two days before.

Mr HASSELL: Did the Premier?

Mr Brian Burke: I am better informed than you.

Mr HASSELL: As a matter of fact the Premier is, because the arrangement for the luncheon was not made two days before—I did not know two days before. He really is Superman.

Mr Brian Burke: Thank you very much.

Mr HASSELL: The Premier is a pathetic version of Superman.

Mr Brian Burke: I do not know about that.

Mr HASSELL: A simple issue which I want to pursue is a very important point about the future Chief Electoral Officer of Western Australia. It is not some discussion about who had lunch at the Ord Street Cafe, and when. It is a discussion about whether it is appropriate that we should effect an external appointment to the Public Service—a critically important departmental head position—when the selection panel equally recommended a man who was a public servant, and presumably one of some considerable experience. That is the issue and the Government has yet to justify why an external appointment was made. It cannot justify it simply by saying that the Public Service Board recommended it, because the Government was making a conscious decision to make an external appointment in an area of considerable sensitivity and importance to all people of the State, not just the Government of the day.

It set out in this critical, sensitive area deliberately to make an external appointment to the Public Service. It once again turned its back on the experience, integrity, impartiality, objectivity, and neutrality of a senior public servant. The

very sort of importance needed to the office was cast aside because the Government had set itself on a course of making an external appointment, not for any reason related to the position—clearly that does not apply—but because the Government was seeking to bring about the politicisation of the Public Service in this State. That is what the issue is about. The Government has picked the worst possible department in which to do it. While politicisation in a number of departments may have ramifications and consequences which are not acceptable to the Opposition in a general or particular way, when it comes to the electoral system, it is unacceptable not only to the Opposition, but also to the community of the State. It is not good enough for the Government to go about its task in the way it has.

This position above all should have been approached on the basis of seeking someone who was, without question, a person who could be put in charge of the Act and accepted by the community from all sides—

Mr Tonkin: You are a whingeing Willie. You will not accept anything this Government does.

Mr HASSELL: —without questions arising. That is the issue which is raised by the censure motion.

Why is it that the Government has made this appointment? No answer or suggestion has been made by the Premier except for the lame duck excuse that the appointment was recommended by the Public Service Board. He has no obligation to accept the Public Service Board's recommendation.

Mr Tonkin: Doesn't he? Read section 29(1).

Mr HASSELL: The Government set out in the hope that it would find someone who was sympathetic and, indeed, it found someone. He is sympathetic to the Government's cause and he has the record of being so.

Let me deal with one aspect of the matter which is again indicative of the lack of good faith on the part of the Government in regard to making this appointment. Let us look at the Government's policy in regard to the Electoral Office and the Electoral Act. I refer to a document titled "Parliamentary and Electoral Reform—Restoring Democracy to Western Australia", and presented by Brian Burke, MLA, Leader of the Western Australian Opposition and David Parker, MLA, shadow Minister for Parliamentary and Electoral Reform. The document is dated January 1983. It is the policy on which the Government went to the people and it has proclaimed it enough times. The Government apparently believes in it. Page 13 reads as follows—

An ALP Government would enact a new Electoral Act which will enshrine the following tenets designed to ensure the complete independence of the electoral process from any self-serving designs of a Government of the day—

Mr Tonkin: We will not draw lines on a map like you did.

Mr HASSELL: It continues—

—and the efficiency of operation of that process.

Paragraph 12 reads as follows—

An Electoral Commission to be established as a statutory agency, replacing the Electoral Department—

Mr Tonkin: That is right, we will do that.

Mr HASSELL: It continues—

—to control and manage the electoral process of the State.

Paragraph 13 reads as follows—

The chief executive of this body to be an Electoral Commissioner appointed—

Mr Tonkin: That is right.

Mr HASSELL: It continues—

—as a statutory office-holder with independence and rights similar to the Ombudsman.

Paragraph 14 states—

The Electoral Commissioner to be appointed on a 5-year term by an appointments committee consisting of the Premier, the Leader of the Opposition and the Chief Justice of the Supreme Court.

That is the Government's policy, and I ask why it has not been presented to Parliament?

Mr Tonkin: It has been presented.

Mr HASSELL: There have been 19 months in which it could have been presented to the Parliament.

Mr Tonkin: If the Legislative Council had agreed to the Bill last year, it would have been presented this year.

Mr HASSELL: That is the silliest excuse I have ever heard. It is absolute nonsense. The Government has had several of its electoral change Bills accepted by the Opposition, as it well knows.

Mr Tonkin: Will you accept this one when we bring it forward?

Mr HASSELL: On 13 July 1983—over a year ago—the then Leader of the Opposition made a Press release, which was widely publicised at the time, in relation to the Opposition's attitude to a

number of matters and the policy options it was considering. These are the very issues that the Minister claims to have taken into account carefully in presenting the Bill to the Parliament. It is the Government's claim. It claims to have taken account of the things the Opposition said when bringing forward this new Bill. This is one of the things that was said in the Opposition's Press release—

An independent Electoral Commissioner would be appointed for a five-year term on the unanimous recommendation (with provision to break deadlocks) of a group—

Mr Tonkin: Since you lost, you are copying us.

Mr HASSELL: The Leader of the House should stop spouting. It is a little different from the Government's policy; not very much but a little different.

Mr Brian Burke: You have had plenty of time; I think we will wind this up now.

Mr HASSELL: If Government members will stop interjecting I will proceed much faster.

Mr Brian Burke: You are going over the same ground 10 times.

Mr HASSELL: I have not touched on this point before; it is entirely new. The Press statement from the Opposition continued as follows—

—consisting of the Chief Justice, the Chairman of the Public Service Board, the Premier and the Leader of the Opposition.

The Opposition had clearly signalled its agreement with those basic propositions put forward by the Labor Party. The only change was that we wanted to introduce to the group making the appointment a person of some importance to the system who was not mentioned by the Labor Party; namely the Chairman of the Public Service Board.

Mr Tonkin: Who you now say is a political appointment.

Mr HASSELL: I query why the Labor Party has not introduced this Bill knowing that it has a broad measure of support for it. Why is the Government proceeding to appoint Dr Rumley to pre-empt the decision and outcome? It has proceeded with the appointment of an electoral commissioner when it has not bothered to proceed with legislation which it said was vital and which it could have brought into the House with a reasonable expectation of success in having it carried. Why is this appointment being made?

Mr Tonkin: Because Mr Coates retired and had to be replaced.



Mr HASSELL: Yes, I know that. However there is no desperate urgency about his replacement, as the Minister well knows. When is Dr Rumley taking up his appointment?

Mr Tonkin: In November.

Mr HASSELL: The Government did not have time in 20 months to introduce those relatively simple measures?

Mr Tonkin: You cannot bring in several Bills all involving the same Act because of the confusion it creates. As soon as this measure is out of the way we will bring in the other one.

Mr HASSELL: The other measure genuinely goes to the professed concern of the Minister about the electoral system. Why was that not introduced and why was this appointment made? I venture to suggest that the Minister had a pretty good idea—although I do not know offhand—sometime before Mr Coates retired that he was due to retire.

Mr Tonkin: He retired early and suddenly. I think it was because of our 55 years-of-age retirement scheme.

Mr HASSELL: The Government has had four parliamentary sittings in which such legislation might have been introduced. It can be seen on all sides and on all grounds that the Government is making an appointment of a political nature to a sensitive office. It is cutting across its own policy and any possibility of consensus between the parties across this House as to what the Government is really up to with regard to the electoral system. It is underlining our deeply held suspicion that the Government is up to no good in this area. It is trying to fiddle the system all the way through.

Several members interjected.

Mr Tonkin: You have a check to use those words considering what you did in Government.

Mr HASSELL: That is the very foundation of the problem we have with the Government in ever trying to get anywhere in this area. The Government is seeking one way or another, by whatever means, to impose its view on what the system is, what it should be, how it should operate and who should be where.

Mr Tonkin: Let the people have a vote at a referendum and see who is right.

Mr Clarko: Will you do that on land rights?

Several members interjected.

Mr Brian Burke: If you think land rights is unpopular you should look at the polls on the popularity of the Leader of the Opposition.

Several members interjected.

Mr HASSELL: I remind the Premier that those who live by the polls die by the polls and in politics all things change from time to time.

Mr Brian Burke: Including the Leader of the Opposition.

Mr HASSELL: Yes, including Leaders of the Opposition, Premiers and all sorts of people. The Premier is good at crowing; he has been crowing for a long time. However, increasingly we see the real objectives of this Government being displayed by its actions. We hear many words in some areas that sound popular. However, we do not see much action because the Government runs into problems with the Trades and Labor Council and union interests. We see changes made in other areas as bit by bit the Government surreptitiously seeks to get away with more and more of its objectives. Politicisation of the Public Service is now clearly demonstrated to be one of its political objectives.

Mr Tonkin interjected.

Mr HASSELL: The Minister is really pathetic and so is the drivel that he comes out with.

Mr Brian Burke: Don't get angry. Things have been quite friendly to this point.

Mr HASSELL: The Government has moved in on the Public Service since the day it took office; it introduced party political advisers, and interposed them between the Public Service and the Minister, and between the Minister and the Government. It has moved into the Public Service with a series of appointments in different positions; it has given jobs to friends and relations. I refer to Mr Dowding and Mr Parker in this connection. Imagine what would have happened if when Sir Charles Court was Premier he had appointed one of his sons to an office.

Mr Brian Burke: Or to his seat, and now he is threatening you. I agree with you absolutely.

Several members interjected.

Mr HASSELL: Imagine if Sir Charles Court had appointed Mr Ken Court, a highly qualified man, to some office in the Treasury.

Mr Court: He would have made a good officer.

Mr HASSELL: Imagine what we would have heard from this Government, the then Opposition. We would never have heard the end of it.

Yet we have in this Government advisers in jobs, their wives in jobs, the father of one Minister in a job, the father of another Minister in a job and it seems to be passed over, put forward and accepted as the norm. We have taken a lot in this area and compared with what might have been said in other circumstances, we have said little. However, when it gets to the stage of fiddling the position of Chief Electoral Officer it is not accept-

able and we shall say something about it. We shall do so not only tonight but also on as many occasions as it has to be said before the Government realises that this kind of hocus-pocus fiddling with government and the system of government is not an acceptable standard. The Government, the Minister and the Premier, as the Leader of the Government in this State, deserve the censure of the House for what they have done.

**MR MENSAROS (Floreat) [7.59 p.m.]**: I second the motion and in doing so I mention that the real reason for the complaint and criticism by the Opposition embodied in this motion is twofold. Firstly, the Government's only consideration appears to be a party political one. That being so it effectively disfranchises about half the population of Western Australia because everything it does is in the interests of those people who either voted for it or supported it. The number varies but it could be said to be more or less 50 per cent of the population.

Secondly, the Government does so secretively. When it was caught out on this occasion it was suddenly ashamed of itself and denied the allegations very sanctimoniously. It does not say openly that it is its policy that whatever it is doing it wants to follow the party political advantages.

In addition to this, the Government knows it is doing the wrong thing. If it were the right thing it would be proud of it, it would not deny it. From this point of view the Prime Minister of Zimbabwe deserves more respect in that at least he says he is going towards a one-party State. But this Government denies it. However, it is doing the same thing, effectively.

Of course the Government is doing this without revealing it to the people. Perhaps it is because if it were revealed the people would not like it.

The Opposition does not overplay its role. The Opposition knows very well that the Government is elected, it carries power, it has its duties and responsibilities for administration and for executive action. Indeed it has the power in many respects with a discretionary right. But the Opposition must do what it is doing in the interests of all the people and not merely a fraction of the people.

We acknowledge that the Government has the power to govern. That is rightly so, because it ensures a stable Government in this State. It ensures that there is a term of three years between elections. This term has never been abbreviated. It is only in the time of this Government that there has been any talk of an early election.

We have a stable Government, and that is rightly so. The Government must implement its

stated policies; nobody quarrels with that. All past Governments, Labor, and Liberal-Country Party, have recognised this fact, and they have acted accordingly.

The system as it has developed contains instruments within the Government, there are built-in checks, not necessarily codified and expressed in legislation, but there are customary checks and balances. Parliament is one of these checks, because Parliament is the place for the expression of public criticism.

**Mr Jamieson**: You know there are checks and balances.

**MR MENSAROS**: I do know that there are. Parliament is the place for public criticism where the power of the Government can be checked in case it becomes dangerous or corrupt.

Several members interjected.

**MR MENSAROS**: The Public Service, which is again built into the system of government, is another check. It is a check which, when policy is executed, prevents impropriety. It has done so in the past admirably. It has always done it, and the Government knows it. It is its aim to assail both these checks.

Look at the parliamentary system now. Why do we need shorter debating times? All Governments before this were able to live quite comfortably with 51, 55, and 57 members able to speak for at least three quarters of an hour. Why did this time have to be cut? Why do we have to work with sessional orders so that the Government can curtail debate? The Tonkin Government and other Governments were quite happy without the shorter debating time.

Several members interjected.

**MR MENSAROS**: This is one respect where the Government is working against these checks.

The subject of this motion is the Public Service, which is another check. The Government wants to get rid of this check. Look at the appointment of advisers. That means that in the view of the Government the Public Service either cannot advise it, or the Government wants biased advisers.

The Public Service is a very good one. It has an exemplary record compared with those of other States. It can advise the Government of the day, taking its policies into consideration, and it can give good advice. But the Government wants biased advice. It is not happy with impartial advice, taking into consideration the policy of the Government.

The saddest thing is that the Government denies this.

**Mr Brian Burke**: May I ask one question? Your leader has consistently refused to say that the

system of advisers will be done away with on the return of a Liberal Government.

Mr MENSAROS: It is not for me to say what the Leader of the Opposition proposes to do. There is no policy yet. He has often said, and I have heard him say it, that he does not want to interpose anyone between the Public Service and the Ministers who are ultimately responsible. He has said that if outside people come in to advise the Minister, they should not be on the Public Service roll.

Mr Brian Burke: You are talking about advisers, and they are not on the Public Service roll.

Mr MENSAROS: They are paid by the Government.

Mr MacKinnon: They are paid by the public.

Mr Brian Burke: Your understanding of your leader's position is that under any Government he leads there will not be a system of ministerial advisers?

Mr MENSAROS: I am not saying that at all. I am saying that no-one will be interposed between the Minister and the Public Service; between the public and the Minister.

Mr Brian Burke: That is not the case now.

Mr MENSAROS: I was advocating exchanges with other Governments such as the Queensland Government and the New South Wales Government. When I was concerned with mines—

Mr Brian Burke: That is what we did with the PIA, and then we were criticised for putting on an adviser.

Mr MENSAROS: Anyway, we are criticising the Government from the point of view that it might be claimed that we do not have proof that would stand up in a formal, judicial court. That might be so.

On the other hand, those of us who know the procedure of government, who know the Public Service—I had nine years' ministerial experience in this—know that the content of our motion is perfectly right, with or without formal, judicial proof.

Let us have a look at how these appointments are proceeded with. I have recommended a number of appointments, not only top ones but appointments further down the scale. In every case I have consulted with the Public Service Board, whether it was with the commissioner, his deputy or someone else. In every case I consulted with the predecessor of the appointee.

Mr Tonkin: I heard you kept interfering.

Mr MENSAROS: I consulted with the officer who retired. We did not have complaints of inter-

fering; that is not interfering. The Public Service Board, in my experience, did not change so suddenly. What are 18 or even 20 months in the life of the Public Service Board? It wants to co-operate with the Government. That is not interference. The board does not want to be adamant and say to the Government that according to past experience it wants this and that.

The Public Service Board establishes the Government's sympathies and wishes. That has been so in the past and I am sure it is the case now. That was the position when I was a Minister. When we were in Government, Cabinet had to approve not only the jobs of a number of the top people in the Public Service, but also those of quite a number of people lower down. In other words, the Cabinet minute was written and the Minister made a recommendation. Sometimes he would leave it open for the Cabinet to decide, but that seldom occurred.

However, the Public Service Board wanted to co-operate with the Government and it did so. It ascertained where the Government's sympathy lay before or after an interview. Further, if a Minister went against custom to any great extent—there could have been people like that—he would not be surprised if, by the time the matter went to Cabinet, the situation had been made clear through other channels. The position in respect of the Public Service Board was not documented, but it was known, in particular, to the Premier and Ministers.

Mr Jamieson: Are you implying—

Mr MENSAROS: I am not implying anything; I am telling the truth.

Mr Jamieson: You are implying that the board would only make a recommendation as to what the Government wanted, and that is not so.

Mr Tonkin: You kept interfering with the Civil Service, didn't you?

Several members interjected.

Mr MENSAROS: I was instrumental in recommending the appointments of the Co-ordinator of the Department of Industrial Development, the Commissioner of the State Energy Commission, the professional heads of the Mines Department, the Under-secretary for Works, the Principal Architect of the Public Works Department, the Chief Engineer of the Metropolitan Water Authority, and others.

Since that time, two of the people concerned have retired, but the others are still serving the Government of the day, and serving it well, as they served us. I am familiar with the process in this respect and the reason I am stating the position,

and stating it truthfully, is to have it recorded accurately. There is absolutely no excuse for what has occurred. I do not use offensive words when I make speeches in this place, nor do I relate my arguments to personal abuse as, unfortunately, do most members on the Government side.

Mr Jamieson: Not much you don't!

Mr MENSAROS: The Government seeks to take refuge behind the recommendations made by the Public Service Board, and regardless of the details involved, that, to say the least, is scurrilous. As the Leader of the Opposition pointed out, the Government, in particular the Cabinet, is responsible for all appointments, despite the fact that the Statute demands that the signature of the Chairman of the Public Service Board should be on the Executive Council minute. That signature is there, as are the signatures of the Ministers and the Premier.

Mr Parker: That is not true. The Public Service Board makes a recommendation in respect of a permanent head of a department. The Minister does not sign the minute, but the Chairman of the Public Service Board does.

Mr MENSAROS: The Government's actions in this respect are scurrilous, because they relate to someone who cannot defend himself in Parliament.

Several members interjected.

Mr MENSAROS: Do members opposite want me to sit down so that the Government can have its say?

Mr Tonkin: Yes.

Several members interjected.

The DEPUTY SPEAKER: Order! So that the position is perfectly clear in the future, I indicate to members that when a member is making his speech and he makes a deliberate effort to ignore interjections, he will receive the protection of the Chair.

If, however, a member wants to answer interjections, even though they be one or two out of 10, he will not receive that same protection.

Mr MENSAROS: All in all, it is inconceivable to me, based on my experience over nine years, that the Government should seek to push all the responsibility for this matter onto the Public Service Board or its Chairman. The Government should not try to do that, because there is no way I can imagine that consultation would not have taken place.

In an answer furnished to me by the Minister to a question without notice, he implied a great deal of consultation had taken place; he appeared to be

proud of it, and rightly so. Then we have the crux of the matter where he said—

Mr Tonkin: I said that I often speak to members of the Public Service Board.

Mr MENSAROS: Indeed, I am saying that the Minister does consult. However, he was quite hesitant and he did not say straightout that no discussion had taken place about the Government's priorities. If any member of the Government had any decency, he would not be able to stand up and say straightout, "We had no ideas about Dr Rumley applying. We did not want him really. He only appeared out of the dark. It was only the Chairman of the Public Service Board who reminded us that there was this academic who happened to have Labor sympathies and who agreed with our one-vote-one-value religion. He came from nowhere. However, we gladly accepted the advice of the Chairman of the Public Service Board". Government members cannot say that and they know they cannot. The Government wants this appointment and it is responsible for it.

Mr Rushton: And no doubt it prompted the appointment.

Mr MENSAROS: If an inquiry took place and these questions were put to the Chairman of the Public Service Board he would not deny that he consults with the Government, that he perceives its wishes and its preferences, and that he did so in this case.

The aspect about which the Leader of the Opposition was critical of the Government and the area in which he censured the Government was in respect of the Government's preference not only in the formal appointment for which it was responsible, but also because its preference went to a person who cannot fit the job. That is the case not because this person is in any way mentally unfit or does not have the qualifications for the position—far from it—but rather because he is biased and is not impartial to the extent this job demands, both statutorily and according to custom.

Although we do not have any expressive written Statute in this respect, it stands to reason that a Chief Electoral Officer must be absolutely impartial. The Leader of the Opposition referred to the statutory rights of the Chief Electoral Officer. He mentioned a number of duties contained in the Statute which the Chief Electoral Officer has to carry out. It is a peculiar position in which a public servant must not only adjudge people, but must also adjudge his peers to some extent—that is, politicians and members of Parliament—during election campaigns and on election days.

The Leader of the Opposition talked about these issues, but I would like to draw attention to another area where the role of the Chief Electoral Officer is even more important. I refer here to the fact that he is one of the commissioners who draws the boundaries within the provisions of the Statute.

Again I do not want to be misunderstood. The credentials of the members of the Electoral Commission are unassailable. The Chief Justice and Surveyor General are impartial. It is not difficult, however, to understand how the commission works. It operates like a board of directors where the chief executive is the Chief Electoral Officer, and he presents recommendations. Would anyone suggest that the Chief Justice and the Surveyor General sit down and figure out the numbers which should fall into one electorate or another and physically draw the boundary line?

Would anyone suggest that the procedure is not that the Chief Electoral Officer, having worked with his staff, works out a recommendation and goes to the meeting of commissioners and says, "This is my recommendation. Do you find anything wrong with it?" That is the procedure. So the role of the Chief Electoral Officer is doubly important.

I am not talking about the appointment to positions of people who have party political affiliations or sympathies. Have members opposite heard me or any other Opposition member complaining about Arthur Bickerton's being appointed to the Greyhound Racing Board? He is a decent fellow.

Mr Tonkin: He replaced Sir Des O'Neil.

Mr MENSAROS: The Minister cannot understand that I am the best of friends with Arthur Bickerton; to the Minister, that sort of friendship does not exist.

Mr Brian Burke: Then you would find it very hard to criticise that appointment.

Mr MENSAROS: We would not want to criticise it.

Mr Brian Burke: But in all credibility you could not do so.

Mr MENSAROS: Was there anything to be criticised in Des O'Neil's appointment?

Mr Brian Burke: We reappointed him to the Lotteries Commission.

Mr MENSAROS: That is what I am saying: There was nothing wrong with it. Who appointed Mr Justice Olney to the Supreme Court?

Mr Brian Burke: Who appointed Ray Young?

Mr MENSAROS: It could not do any harm if those people had party political affiliations. Gerry Dolan appointed me to the board of the Churchlands College. I asked him why he chose me, and he said that I was the right man.

Mr Brian Burke: You recommended my father to become a justice of the peace.

Mr MENSAROS: And why not? I always had the greatest respect for the Premier's father. He was the first man I met when I came here in 1950. What I am saying is that there is a vast difference between those appointments and the appointment of the Chief Electoral Officer. As we have said, the Chief Electoral Officer fills a position which requires him to be absolutely impartial beyond any doubt.

Even if I were wrong in saying that the Government's ultimate aim is a one-party Government, the Government should not even consider for this position having an appointment recommended by whomever it may be in which there was the slightest bit of doubt. But no-one can tell me that no doubt attaches to this appointment. More important than impartiality with this appointee, he should be seen to be impartial. Can a man be seen to be impartial—and he might be entirely impartial—when publications exist that show he takes a partial position in electoral matters and in politics, a position which happens to coincide with the Government's view?

We are not complaining about people appointed from the university campus to a Government job. Anyway, sooner or later the situation will change and, hopefully, we will inherit a university which is free of Labor supporters.

Mr Tonkin: Are you in favour of brainwashing students?

Mr MENSAROS: At least then we will have places of learning where people will not be biased.

Many accusations are made about integrity. Why can we not accept that people can have integrity? Why can we not then act accordingly?

Mr Hodge: You are impugning Dr Rumley's integrity.

Mr MENSAROS: It appears from that interjection that what I have said is not understood or is not wanted to be understood.

There could not be another appointment where the appointee's integrity and impartiality could be so queried as this appointee's when we consider his history. Dr Rumley's history shows that he cannot be seen as impartial. Any proper, responsible Government would realise this and act accordingly.

Perhaps I could take a few minutes to comment on papers I have seen in the Viennese archives, because they are a good indication of what integrity is. In the last century a general was appointed in the war against Bosnia and the allegation was made that he had misappropriated some moneys. The War Minister of the Austrian empire said that the general would have to hand in all his accounts. The general wrote back to say that whatever moneys he had received he had spent and that anyone who did not believe him was an ass. The file with his letter was shown to the Emperor, who made a handwritten note on it "I believe him". That was a time when people could be accepted as having integrity, when people were gentlemen and believed in integrity. This is not a story I have invented. Anyone who wishes could read this in the Viennese archives. The story indicates what integrity is. The member for Welshpool interjects, but I do not believe he understands what it is all about.

Mr Tonkin: Europe is rife with totalitarianism.

Mr MENSAROS: I think I have sufficiently supported the motion and shown that the appointment of Dr Rumley is patently improper. Therefore, the Government richly deserves to be censured.

**MR BRIAN BURKE** (Balg—Premier) [8.27 p.m.]: It is the Government's contention that the Opposition has made out its case in support of the motion very poorly and that the motion would benefit from amendment, which will happen in due course.

If we look to the substance of the motion, members will notice that it differs markedly from the nature of the argument put forward in its support by the Leader of the Opposition.

In supporting the motion, he based his arguments against the appointment of Dr Rumley on two grounds: The first was the allegation that Dr Rumley was biased and the second was that he had, in addition to some bias in respect of the electoral system, a declared political affiliation or leaning. I perceived the basis of the latter to be firstly that Dr Rumley had signed an advertisement objecting to a particular publication, and secondly, that his wife worked on an election campaign conducted during the last election in support of Dr David Dale.

The first matter of bias can be dispatched very quickly. Remembering that Dr Rumley is an academic, in his papers the definition of electoral bias against the ALP—and this allegation appears in a paper entitled "Applied Aspects of Geography" edited by Tanabi, University of Tokyo—is not a

political definition but an academic one, which reads as follows—

Electoral bias is the extent of difference between the proportion of seats obtained in an election and the percentage of seats allocated.

It must be clear to all members that it is possible to have in a particular situation a bias that in no way reflects the view of the person making the statement. The academic definition of bias appearing in Dr Rumley's paper, a definition which states that electoral bias is as I have set out to the House, is not even Dr Rumley's definition. The definition is provided by G. Gudgeon and P. J. Taylor in a paper entitled "Seats, Votes and the Spatial Organization of Elections", London, Pion, 1979.

Several members interjected.

Mr BRIAN BURKE: I do not believe I have ever met Dr Rumley. I am trying to put a serious point in answer to the first of two points raised by the Leader of the Opposition. That was the point that he repeated time and time again: Because Dr Rumley had referred to electoral bias, he was somehow or other politically involved in criticising the present electoral distribution within the State of Western Australia. All I am trying to say is that according to the academic definition, which is not Dr Rumley's definition, but which is a definition provided in the publication to which I have referred—

Mr MacKinnon: Who wrote the publications—Dr Rumley?

Mr BRIAN BURKE: It was written by Mr G. Gudgeon and Mr P. J. Taylor.

Mr MacKinnon: That is the definition that was used by Dr Rumley in the publication; is that right?

Mr Pearce: Because he is an academic, you goose.

Mr BRIAN BURKE: The academic definition states that electoral bias is the extended difference between the proportion of seats obtained in an election and the percentage of seats allocated. That is not a subjective assessment of a particular situation.

Mr MacKinnon: But the definition was used by Dr Rumley.

Mr BRIAN BURKE: That simply indicates that there is a bias, the same way as when one bowls a bowling ball there is a bias in the ball and one may bowl it, I suppose, offhanded or inhanded, whatever term is used.

Mr Spriggs: Backhanded!

Mr BRIAN BURKE: There is nothing subjective about the academic definition that sees bias in that fashion, so for that reason it is very difficult to understand how the Leader of the Opposition can turn away the academic integrity of Dr Rumley's definition. That is the first thing.

The second thing that the Leader of the Opposition said was wrong in our appointment of Dr Rumley—as to his character, let alone the process which I will deal with in a moment—was the signature that Dr Rumley placed on an advertisement that criticised a particular publication. It is important to note that the publication had nothing whatsoever to do, I understand, with the question of electoral distribution or electoral laws. It was an advertisement that objected to the racist and sexist overtones of a particular publication put out on the campus. Those other union radicals that the Leader of the Opposition did not bother to refer to, but who signed the same advertisement included Professor Jayasuriya. I have not known him to be a dangerous radical. They also included Mr R. Hallum who was an Anglican Chaplain.

Mr MacKinnon: What are his politics?

Mr BRIAN BURKE: I have no idea what his politics are.

Mr Old: What is that supposed to indicate?

Mr Pearce: All these people are very respectable.

Mr BRIAN BURKE: All I am trying to indicate is that about 100 names appear here. Professor Jayasuriya is one person whom I know and I would not claim any electoral bias as a result of his signing this advertisement. Professor Peter Reeves, who is a Professor of History, I think, is not known for any political standing or status.

Mr Clarko: Yes, he is; he is one of your mob. He is a total socialist! Ask him.

Mr Pearce: He is a professor of history.

Mr Clarko: Professor Reeves is a committed socialist.

Mr Pearce: These people are respected academics in Western Australia.

Mr Clarko: I am not saying if one is a socialist one is not respectable.

Several members interjected.

Mr BRIAN BURKE: Professor Temrahn also signed the advertisement, as did a number of other people. Referring to that particular publication, let me quote from a letter to the editor that was published at the time the publication was distributed. It is from Graham Milner and Anthea Parker, neither of whom is known to me. They said—

This broadsheet contained some of the most outrageous and disgusting material which has ever been circulated on the UWA campus.

Mr MacKinnon: In what publication was the letter to the editor?

Mr Pearce: *The West Australian*.

Mr BRIAN BURKE: It is in *The West Australian* and it reads as follows—

A public statement demanding that the Liberal Club dissociate itself from the appalling racist and sexist remarks, and witch-hunting attacks on radical campus and community groups contained in this publication, has been endorsed by a wide range of student organisations, members of the academic staff, and off-campus community groups.

I may very well have signed the advertisement had I been asked to do so. I do not know. I was not aware of the publication. I have no doubt that some members on the other side of the House, were they aware of the publication at the time, may well have signed an advertisement that objected to it also. It simply does not amount to a case, leaving aside all the other considerations that are far more important, that a man's character can be assassinated on the basis of academic papers that he has published or on the basis of an advertisement to which he puts his name along with the names of other notable community leaders or on the basis that his wife worked on some occasion on an election campaign. If we set about assassinating characters on those bases, I suggest the only people to be appointed to any position in the Public Service will be those who are pure of heart, soul, or conscience in the future because, quite simply, there is no basis in those two fundamental allegations attaching to the case of the Leader of the Opposition for the conclusion that was drawn by him.

I think it is important to refer also to one or two of the other major points made by the Leader of the Opposition. The first was his constant harping on the fact that attaching to that part of the interviewing panel's report that I gave to him yesterday evening was the statement that Dr Rumley was the most impressive of the external candidates. That was what was said. In relation to the other preferred name that was forwarded to the Public Service Board, this is what was said—

He works well with people in a group, and he was the most impressive of the internal candidates.

Two names came from the interviewing panel to the Public Service Board. Surprisingly enough, one was said to be the most impressive of the

internal candidates and the other was said to be the most impressive of the external candidates. How can the Leader of the Opposition draw strength for his argument from the fact that Dr Rumley was referred to as the most impressive of the external applicants? He could not have been the most impressive of the internal applicants because he was not an applicant from the Public Service.

The most impressive of the internal applicants was clearly a person whose name, along with Dr Rumley's, was forwarded to the Public Service Board. The Public Service Board did not forward without any endorsement the name of Dr Rumley. It was not simply a case of the Public Service Board's refusing to commit itself to Dr Rumley. The Public Service Board in its notification to the Minister about the appointment of the Chief Electoral Officer said —

In the Board's view there is no doubt that Dr Rumley is the preferred applicant.

That is what the Public Service Board said.

Were we not to appoint Dr Rumley on the basis of the advice received from the Public Service Board, we would be in the position of saying, "Despite your view that Dr Rumley is the preferred applicant we are going to appoint applicant X". With due respect to the Leader of the Opposition and his arguments, he would have been the first person to complain had he been approached by someone who had been a preferred and endorsed applicant of the Public Service Board not appointed by the Government, acting on the advice or request of the Public Service Board. In fact, during the debate the Leader of the Opposition referred with some smugness to some knowledge he would not impart to us of one candidate who was recommended by the Public Service Board, but who was not appointed. So on the one hand when someone is appointed that the Public Service Board, not half-heartedly, but whole-heartedly recommends, one is damned; on the other hand, when someone is appointed that the board recommends, one is damned for not appointing him, and the absurdity of that situation must be clear to everyone. It is important for people to understand the process through which this matter passed.

Mr Jamieson: If you didn't accept their recommendation anyway you would have to table reasons in the House under the Act.

Mr BRIAN BURKE: Firstly, advertisements were called nationally and in *The West Australian* newspaper for applications from people who wanted to become the Chief Electoral Officer of the State of Western Australia. Eleven appli-

cations were received. Six applications were submitted by people outside the Public Service Board. These applications were referred to a selection panel, the members of which were Mr D. J. Blight, Dr M. C. Wood, and Mr F. J. Campbell.

Now we are hearing the Leader of the Opposition say it is no coincidence that Dr Wood was a member of the selection panel, but he did not offer any evidence to support that lack of coincidence. He simply got up and said, "I'll bet it is not an accident". That is all he said. There was no evidence. He did not say, "I have been informed the Minister insisted on Dr Wood's being a member of the panel". He simply got up and said, "I'll bet it is no accident that Dr Wood was a member of the panel".

Mr Tonkin: That says more about his mind.

Mr BRIAN BURKE: We cannot object to his saying it, but we can ask him to produce evidence as to why Dr Wood was on the panel, if that was not accidental. I had no knowledge, until I was informed by the Chairman of the Public Service board, that Dr Wood was on the panel. I have no idea why Dr Wood was put on the panel, apart from the normal practice that is followed by the Public Service Board in the appointment of an interviewing panel. I continue to quote—

That panel was appointed, and after examining the applications, it selected seven candidates for interview. A copy of the panel's report is attached for your information.

This was the panel's report, and it simply lists the seven applicants and gives the merits of the different applicants. As I have said before, the great play made by the Leader of the Opposition about the reference to Dr Rumley being the preferred of the external candidates is neatly counterbalanced by the reference to Mr Chapman—whose name I did take out of the material I handed over yesterday, for obvious reasons, and who has been named tonight in the same way. Mr Chapman was referred to as the most impressive of the internal candidates.

That makes symmetrical sense in the recommendations that came forward from the interviewing panel.

This is the final part of the interviewing panel's recommendation—

The interviewing panel wishes to put the names of two candidates before the public Service Board. These are Mr R. J. Chapman and Dr D. Rumley. The panel feels that either candidate would do the job well.



It then speaks about the relative strength of each of the two candidates. Mr McKenna's letter continues—

This report has been considered by the Public Service Board and I have also interviewed Dr Rumley again.

Then he says—

In the board's view there is no doubt that Dr Rumley is the preferred applicant.

The Opposition, led by its leader, would say to us that we should have said to the Public Service Board, "Those practices you followed which we established when we were in Government should not now prevail in the matter of this appointment, and we should cause you to choose someone else and to recommend to us some other name". That is the untenable —

Mr Rushton: That is wrong. If you had listened to the member for Floreat he would have put you right.

Mr BRIAN BURKE: What would the Opposition have us do in that situation—simply refuse to appoint Dr Rumley?

Mr Rushton: We know you would have influenced, and must have influenced, the appointment of Dr Rumley.

Mr BRIAN BURKE: I understand what the member is saying. Where is his evidence for saying that?

Mr Rushton: We do not have to produce it.

Several members interjected.

Mr BRIAN BURKE: That makes it extremely difficult.

Mr Mensaros: I said we might not have evidence that could be presented to a court of justice—

Mr BRIAN BURKE: I am not asking for evidence to present to a court of justice; I am asking for evidence to be produced by the member in this place.

Mr Tonkin: Evidence of any kind.

Mr Carr: This is a censure motion.

Mr BRIAN BURKE: This is a censure motion.

Mr Mensaros: What I said means, if you had an occasion to ask questions informally of the Public Service Commissioner, I cannot imagine that he would say, "I made this appointment without ever knowing what the Government wished or how the Government felt, whether it was sympathetic to the Government or not. The Government did not even know about Dr Rumley, but heard about him when the Public Service Commissioner made the recommendation".

Mr BRIAN BURKE: All I am saying is that the member has no evidence. I am interested to hear what he has to say.

Mr Mensaros: I do not think if you had a conscience you could say that. If you did, you would say I am right.

Mr BRIAN BURKE: The member for Floreat has admitted that he has no evidence, apart from his nine years of experience as a Minister. That really does tell the story about those years as a Minister and the practices followed during that period.

Several members interjected.

Mr MacKinnon: Can you name one political appointment to a Public Service position in this State while we were the Government? One?

Mr BRIAN BURKE: I will touch on a few of the outside appointments of the previous Government in a moment.

Mr MacKinnon: I hope you will refer to some Public Service departmental heads.

Mr BRIAN BURKE: Yes, I will. One thing I want to underline is that the clear statement certainly indicates no duress as far as I am concerned—it is not an inert sort of antiseptic document that seems to be a letter written under duress or direction, influence or instruction, or by request, because it says, "In the board's view there is no doubt that Dr Rumley is the preferred applicant".

Mr Tonkin: "There is no doubt".

Mr BRIAN BURKE: The other point I wish to make is that made by the Minister for Parliamentary and Electoral Reform during his interjection on the Leader of the Opposition, because the Leader of the Opposition failed to grasp that the Chairman of the Public Service Board has certain obligations under the Act that preclude a recommendation, in the strict sense of the word, being made to the Government. Having read to the House what the Chairman of the Public Service Board had to say, I do not think anyone can be under any misapprehension as to the board's position. Pursuant to section 29 of the Public Service Act, the Chairman of the Public Service Board simply says—

I would therefore formally request that you advise His Excellency, the Governor-in-Executive Council, that pursuant to section 29 of the Public Service Act the Public Service Board recommends the appointment of Dr D. Rumley to the permanent head position of Chief Electoral Officer for a term of five years.

I refer to section 29(1) of the Public Service Act which states—

On the recommendation of the Board, the Governor may appoint any person, whether an officer or not, to fill the vacancy in the office of a Permanent Head or the vacancy in a Senior Office.

So it is very clear to those people who can read the Act that the Governor—that is the Cabinet or the Government—is unable to appoint anyone to that position unless there is a recommendation from the Public Service Board.

The recommendation was clearly made pursuant to section 29 of the Act and there was no doubt about the Public Service Board's position. The Leader of the Opposition ducks and dives when he talks about appointments from outside the Public Service. I can recall his words tonight when he said that while the Opposition did not object to people being appointed from outside the Public Service there was a role for people being appointed from outside the service. That is not what the Opposition Leader has been saying publicly.

This is what he had to say during a radio interview as recently as 8.30 a.m. today—

The question is not whether the Government was involved in some way in particularly picking out this man . . .

He spent all night telling us that we were involved somehow, and that somehow or other we were fiddling with the appointment of this man, yet this morning he was saying that the question was not whether the Government was involved in some way in particularly picking out this man, but that the question was whether we were going to have an outsider brought in and put in the position of Chief Electoral Officer, and that there were qualified people within the Public Service with the requisite experience available to do the job.

That is what the Leader of the Opposition was saying this morning—nothing about the "political bias", as he called it this evening, of Dr Rumley; nothing about Dr Rumley's unsuitability for the job, but simply posing the main question which he saw to be whether an outsider should be brought into the service, when he believed—that is, the Leader of the Opposition, not the Public Service Board—that there were people available within the service with the requisite experience to do the job.

The Leader of the Opposition is saying that the Public Service Board's decision is, on the face of it, wrong simply because there was someone inside the service who, in the Leader of the Opposition's view, was capable of doing the job. The applicants from both inside and outside the service were

interviewed. The Public Service Board made its decision, and on radio this morning the Leader of the Opposition said publicly the main question was why someone should be brought in from outside when there was someone qualified inside the service who presumably was an applicant, although the applicant was not named, and who in the Leader of the Opposition's view had the requisite experience.

If we consider outside appointments, the Leader of the Opposition stands on shaky ground in his criticism of someone from outside the service, because under Liberal Party Governments these are just some of the appointments made by the party to which the Leader of the Opposition belongs: Les McCarry—does the Opposition know where he was appointed from? That exceptional public servant came from the University of Western Australia to the Treasury subsequently to become Under-Treasurer. Noel Semmens was appointed from the oil industry to the Department of Tourism. Bruce Kirkwood—

Mr MacKinnon: What were their known political affiliations prior to their appointment?

Mr Tonkin: We do not know; you did.

Mr MacKinnon: I am asking the question.

Mr Jamieson interjected.

Mr BRIAN BURKE: That is the sort of absurdity one can get to. The member for Welshpool draws the line neatly. Mr Knox, the former Director General of Transport was the son of a Minister in the Victorian Government.

Mr MacKinnon: So what?

Mr BRIAN BURKE: That is the sort of guilt by association—

Mr MacKinnon: Does every son follow in his father's footsteps? Of course not.

Mr BRIAN BURKE: I do not know whether Dr Rumley follows in his wife's footsteps.

Mr MacKinnon: Which of those three public servants had known political affiliations before their appointment? Not one.

Mr BRIAN BURKE: I am trying to point out the absurdity of the situation highlighted by the member for Welshpool.

Mr MacKinnon: His interjection was inane and you know it.

Mr BRIAN BURKE: It is the same sort of argument used by the Leader of the Opposition when he said Dr Rumley's wife campaigned for a political party. I do not know whether she did, but because Dr Rumley's wife did or did not campaign for a political party, or Mr Knox's father was or was not a Minister in the Victorian Government—

Mr MacKinnon: What has that to do with the appointment of Les McCarry or Noel Semmens?

Mr I. F. Taylor: You are either thick or deliberately thick.

Mr BRIAN BURKE: The argument is about as silly as that used against me from time to time when I was seeking election within the Labor Party, when people used to say, "Do not support Brian Burke because he is Tom Burke's son and Tom was expelled from the ALP". I was about nine or 10 years' old when it happened. I wondered why people thought it not fit to vote for the son of someone who was expelled from a party. I can see the sort of primitive reasoning that lies behind the mind of some people, because the Leader of the Opposition said tonight one of the reasons Dr Rumley is politically biased is that his wife worked for a political party in some campaign.

He produced no evidence of that, and I do not know whether it is true. It is true to say Dr Rumley should not be considered to be of his wife's political persuasion simply because she took a particular political stance at some time or other.

Noel Semmens was appointed from the oil industry to head the Department of Tourism.

Mr MacKinnon: With what known political affiliations?

Mr BRIAN BURKE: I have no idea. As the Leader of the Opposition said, the question was whether someone should be appointed from outside when there was a person inside the service with the prerequisite qualifications. He did not mention the applicants, but this is what he was saying this morning.

Mr Clarke: Tourism is not a good example.

Mr BRIAN BURKE: There are others. We have gone from Treasury to Tourism. Let us now go to the State Energy Commission. Bruce Kirkwood was appointed from outside the Public Service to the position of Chairman of Commissioners of the State Energy Commission.

Mr Rushton: So what?

Mr BRIAN BURKE: So what is wrong with outside appointments?

Mr Rushton: Who is claiming anything is wrong with them?

Mr BRIAN BURKE: A moment ago I read the comments of the Leader of the Opposition who was complaining about such appointments. He said—

The question is not whether the Government was involved in some way in particularly picking out this man, but the question is whether we are going to have an outsider

brought in and put in this position as chief of the Electoral Department when there were qualified people available in the Public Service with the requisite experience to do the job.

Mr Rushton: And impartiality is essential.

Mr BRIAN BURKE: The Leader of the Opposition was complaining about bringing in outside people to the service, but he was part of a Government which made outside appointments, three of which I have listed; the fourth was Dr Colin Porter.

Mr Coyne: Would you complain if Bill Mitchell was made Chief Electoral Officer?

Mr BRIAN BURKE: That really is a strange comparison. The member for Murchison-Eyre says Dr Rumley's position is comparable with that of W. W. Mitchell. Mr Mitchell was a paid adviser to Liberal Governments. I am not aware of any position Dr Rumley has held in any service within the Labor Party, and in fact when this matter first arose, I took the trouble to ring the State Secretary of the Labor Party and ask whether Dr Rumley was a member of the party, and he said "No".

As far as I can tell there are some quite severe differences. W. W. Mitchell is a prominent member of the Liberal Party and was a paid consultant to successive Liberal Premiers, yet the member for Murchison-Eyre wants to compare his position with that of Dr Rumley.

Mr Dick Fletcher was appointed to the position of Commissioner for Consumer Affairs from outside the service. Dr John Taplin was appointed Co-ordinator General of Transport from outside the service, and Mr Coates himself was not appointed from within the Electoral Department. He was on the attached list, having come newly from the Health Department to that list. So by the Leader of the Opposition's own criteria, he did not have the requisite experience to be able to do all those things.

Mr Rushton: He was a proven administrator.

Mr BRIAN BURKE: Let me recap: The Leader of the Opposition demanded strength for his argument from two factors. The first was the bias he said was present in the article published by Dr Rumley; the second was the political affiliation he claimed Dr Rumley had demonstrated, firstly by signing an advertisement that objected to racist and sexist material found to be offensive by a wide range of people, and secondly because Dr Rumley's wife worked on some campaign in support of a Labor candidate.

Mr Hassell: I said he did.

**Mr BRIAN BURKE:** Well, that Dr Rumley worked on the campaign. As regards that aspect, the Leader of the Opposition did not produce any evidence. Where is the evidence to support that claim?

**Mr Rushton:** Are you denying it?

**Mr BRIAN BURKE:** To the best of my knowledge it is untrue.

**Mr Rushton:** That is an escape hatch for you.

**Mr BRIAN BURKE:** The Leader of the Opposition said Dr Rumley and his wife worked on an election campaign for a Labor candidate.

**Mr Hassell:** No, I did not. You should at least get it right. I said Dr Rumley worked on the election campaign. When I referred to his wife I said my information was she was a member of the ALP.

**Mr BRIAN BURKE:** Let me understand this. Dr Rumley worked on an election; presumably the Leader of the Opposition says he worked on an election in support of a Labor candidate.

**Mr Hassell:** I named the electorate.

**Mr BRIAN BURKE:** Where is the evidence to support the allegation?

**Mr Gordon Hill:** It is all hearsay.

**Mr Hassell:** I am telling you it occurred. That is perfectly good evidence.

**Mr BRIAN BURKE:** Now we have the evidence; it is a repetition of the allegation. If one repeats it twice, or I suppose thrice, it becomes stronger evidence. Where is the evidence?

As far as Dr Rumley's wife is concerned, I have inquired as to whether she is a member of the Labor Party. Is the Leader of the Opposition suggesting that Dr Rumley's wife's membership of the Labor Party disqualifies him from that position?

**Mr Hassell:** I did not say that.

**Mr BRIAN BURKE:** Why did the Leader of the Opposition raise it then? What did he mean by it?

**Mr Hassell:** Did I say that in my speech?

**Mr BRIAN BURKE:** The Leader of the Opposition referred to the fact that Dr Rumley's wife was a member of the Labor Party.

**Mr Hassell:** Her involvement in that is as relevant as your legislation to require spouses of members of Parliament to disclose their pecuniary interests.

**Mr BRIAN BURKE:** Need I remind the Leader of the Opposition that he voted against that legislation? He voted against that legislation and he now wants to draw strength from the legis-

lation that he objected to. He cannot have it both ways.

Let me make it perfectly clear that the Leader of the Opposition raised the alleged membership of Dr Rumley's wife to imply that Dr Rumley was not fit to be the Chief Electoral Officer.

**Mr Hassell:** I did not say that.

**Mr BRIAN BURKE:** Then why did the Leader of the Opposition raise the question of Dr Rumley's wife's membership? I do not know why he raised that matter of her membership of the Labor Party. I do not know whether it is true or not. However, even if it were true, it does not seem to be relevant to Dr Rumley's position in view of the imprimatur that the Public Service Board placed upon his application.

The Leader of the Opposition, in naming those people whom he said were connected with the advertisement to which he referred, used the familiar old tactic of guilt by association.

**Mr Hassell:** Again you are being quite dishonest. I made it absolutely clear as to the basis upon which those matters were being put forward.

**Mr BRIAN BURKE:** The advertisement objected to the racist and sexist nature of a publication which was distributed at the University of Western Australia. The publication objected not to electoral malapportionment or electoral reform in any way, but to the sexist and racist nature of a particular publication put out at the university. It was signed by people whom the Leader of the Opposition did not bother to mention, including Professor Jayasuriya as I said previously. It was signed by people who represented a wide range of community groups both on and off the campus.

**Mr Hassell:** They were an interesting lot of groups.

**Mr BRIAN BURKE:** So far as that evidence is concerned, it is flimsy and shaky. It really does not become the Leader of the Opposition to pretend that those two props support his argument.

I have referred to the question of bias. The academic definition of bias which was one peculiar to Dr Rumley has been twisted by the Leader of the Opposition because Dr Rumley's political stance is contrary to that of the Leader of the Opposition.

In relation to the political appointments, the Leader of the Opposition has forgotten the outside appointments which his party made when in Government.

The Government has acted perfectly properly in accepting the recommendations made by the Public Service Board. The Public Service Board was

quite unequivocal in its recommendations relating to Dr Rumley.

#### *Amendments to Motion*

I therefore move the following amendment—

That all words after the word "be" in line 2 of the motion be deleted with a view to inserting the following words—

congratulated on the appointment of Dr Dennis Rumley as Chief Electoral Officer of the State. Further the House notes that the appointment of Dr Rumley was recommended by the Public Service Board which, in its advice to Government, stated that: "In the Board's view there is no doubt that Dr Rumley is the preferred applicant".

#### *Point of Order*

Mr CLARKO: On a point of order, Mr Deputy Speaker, I request that you examine the amendment which has just been put forward with a view to seeing whether it is not equivalent to a direct negative of the original motion. If it is, I take it that it is not acceptable.

The DEPUTY SPEAKER: Order! The matter before the House is that all words after a certain word in the Opposition's motion be deleted. That is the only matter that is before the Chair. I do not find the amendment moved by the Government to be contrary to Parliament's rules.

#### *Debate (on amendments to motion) Resumed*

MR TONKIN (Morley-Swan—Leader of the House) [9.06 p.m.]: I second the amendment. The reason for deleting the words in the Opposition's motion is that it is quite clearly unfair for the Opposition to suggest that the Premier and the Government should be censured when they have been following recommendations which are not weak recommendations but very unequivocal and strong recommendations that Dr Rumley be appointed. In fact, the board said that, without doubt, Dr Rumley is the preferred candidate.

#### *Point of Order*

Mr CLARKO: On a point of order, Mr Deputy Speaker, I listened with keen interest to your previous ruling with which I totally agree. I wonder whether the Leader of the House is now debating the matter that you said is the matter for debate; that is, the words to be deleted. I think he is debating the words of congratulations proposed by the Government's amendment.

The DEPUTY SPEAKER: The clock has been stopped. It indicates to me that the Leader of the

House has not been on his feet for more than one minute. It is extremely difficult for me, therefore, to determine what motion he is speaking to. I will wait a little longer to determine that. It may be that the member is right. However, I cannot determine that now.

#### *Debate (on amendments to motion) Resumed*

Mr TONKIN: Clearly, the member for Karrinyup is not able to follow a logical argument because I have been careful to say that the words should be deleted. It is clear that the Premier and the Government should not be censured and those are the words that we are deleting from the Opposition's motion.

Mr CLARKO: You were starting to talk about congratulations.

Mr TONKIN: I was saying the words should be deleted because contrary to there being a censure of the Government, the Government should be congratulated because it has followed the recommendations of the Public Service Board.

I remind members that section 29(1) of the Public Service Act states that the Governor may appoint a person, whether an officer or not, to fill a vacancy in the office of a permanent head or a vacancy in a senior office. In other words, it is not lawful to appoint a person unless the board has recommended the appointment of that person.

Mr Rushton: That obviously takes place after consultation with the Minister, the Premier, and the Chairman of the Public Service Board.

Mr TONKIN: It is interesting to hear the member say that and confirm what the member for Floreat said. The member for Floreat clearly indicated that he had followed a practice of politicising the Public Service by leaning on the Public Service Board and interfering with its impartiality. The Leader of the Opposition said that he did not believe in the politicisation of the Public Service and then the member for Floreat, in supporting the motion, went into the nine-year history of his term as a Minister of the Crown. He said that the Public Service Board was a puppet of the Government.

I do not happen to believe that Mr McKenna and other members of the Public Service Board would have been so pliable, especially in the hands of the members who sit opposite. I cannot see them moulding the decisions or the character of anyone.

We assert the independence of the Public Service Board. The Act has been framed very deliberately. If we wanted to have a situation where Governments appointed just anyone, we would not have the Public Service Board, and the

Government would stalk around and pick someone out and appoint him. This Act has been carefully framed to ensure that the Governor may not appoint someone unless the Public Service Board, in the first place, has recommended that person.

Mr Rushton: Why was Dr Wood appointed by a Labor Government?

Mr TONKIN: I have no idea; I had no connection with it.

Several members interjected.

Mr Burkett: Don't tell me that Dr Wood has not got the ability to be there.

Mr Rushton: He is a political person.

Mr Burkett: When O'Meara was made Chairman of the Town Planning Board, was he political? He sought preselection for the Liberal Party. You must think we are mad.

Several members interjected.

Mr Burkett: Who is it? Come on! Three days a week for \$28 000 a year. You are incredible, saintly Cyril.

The DEPUTY SPEAKER: Order!

Mr TONKIN: We have had some eloquent testimony of the kind of political appointments from the member for Scarborough and I thank him for his interjection.

Several members interjected.

Mr TONKIN: We saw that the Leader of the Opposition and the member for Floreat clearly were at odds in their argument because one said he did not believe in politicisation of the Public Service, but the other gave evidence that he had been leaning on the Public Service Board and trying as hard as he could to politicise the Public Service.

Several members interjected.

Mr TONKIN: The Government is quite sure that the Public Service Board is doing an excellent job and I point out that Mr McKenna, the chairman, was appointed by the previous Government. Yet, as soon as the previous Government lost Government, in a fit of pique and a fit of temper, it immediately attacks the character of Mr McKenna. It is a disgraceful situation to suggest that Mr McKenna is a creature of the Government and will do whatever it says. He is not some petty clerk in some Government department, he is a senior civil servant. He is a person whom I would have thought, as the previous Government appointed him, the Opposition would respect, but we see that as soon as it loses office, it becomes petulant and makes these attacks on him.

Mr Deputy Speaker, in accordance with your ruling, I am keeping to the amendment, and I

would urge the House to support it because the Government is sure that what it has to do is stand squarely behind the Public Service Board and ensure that its impartiality is maintained and that the special rights given to it, not by a Labor Government, but by this Parliament, are maintained; namely, that persons cannot be appointed to the head of a department unless the Public Service Board makes that recommendation.

The Government would have been criticised very severely if, in fact, it had said to the Public Service Board, "No, we will not send your recommendation through to the Governor".

As the Premier said, "You are damned if you do, and you are damned if you don't". If the Government accepts the recommendation there is criticism and if it does not accept the recommendation there is criticism for ignoring the Public Service Board and for politicising the Public Service.

I am really shocked at the admissions of the member for Floreat. The Government rejects out of hand his assertion that the Government should turn the Public Service Board into some kind of a puppet and try to make it do exactly what it wishes.

**MR CLARKO** (Karrinyup) [9.15 p.m.]: I oppose the amendment to delete the words as proposed. They should stand. No governmental system, whether it be a monarchy, an oligarchy, or a Parliament can operate efficiently unless it is supported in its executive and legislative decisions by a dedicated, highly qualified, experienced, and reliable Civil Service. Under the Westminster system, the heart of the system is an impartial and non-partisan Civil Service.

Traditionally Ministers in such a system do not need to speculate on the political party allegiance of their civil servants. They take it for granted that they will service them impartially and without partisan and political bias. This, of course, is in marked contrast to the United States where, following a presidential election, it is claimed that a new President removes all the appointees of his predecessor down to the doorman of the White House.

The Burke Government has indulged itself in Tammany Hall-style politics, writ large. Partisan supporters are in and everyone else, unless it suits the Government's devious thoughts, are out. There are jobs for the boys and there are jobs for the girls. Lately there have been jobs for the dads. I am not aware whether there have been any jobs for the mums, but no doubt that will come in time.

If I were a member of the Labor Party I would be aggrieved by now if I had not been given a well-paid job.

Mr Court: You would know where you stood.

Mr CLARKO: I really would because there are very few left who have not been given some position of advantage on the Government payroll.

Mr Court: Some of their supporters are pulling in \$100 000 a year with a husband and wife combination.

Mr CLARKO: It is a serious matter that a member of the staff of the City of Stirling, who was the assistant to the Town Clerk—Mr Lloyd—has been promoted from a position that was, I suppose, in the \$20 000-plus figure to a \$60 000 position.

Mr Burkett: And Malcolm Sargent on many occasions told me that Tony Lloyd was one of the most talented officers ever to join the staff of the City of Stirling. You should contact Malcolm Sargent tomorrow.

Mr CLARKO: I would not argue with the member for Scarborough. I accept that statement as being the total truth. However, if Tony Lloyd had not been a member of the Labor Party, I put it to members of the Government that he would not be holding that position now. That is my argument.

He happens to be one of the people appointed by the Government who is a highly capable person, but many of the people the Government has appointed are inappropriate. For example, the appointment of Bill Thomas as adviser to the Minister for Planning is absolute nonsense. All that fellow ever did was to involve himself in riots and rebellions on the university campus and he did no study. He has no qualifications for that position whatsoever. He was an assistant secretary for one of the building workers' unions. I took a deputation to meet with the Minister, who was most helpful, but while we were waiting to see him Mr Thomas gave us some advice on a subject which he knew nothing about. That is one of the examples why the Government has committed a culpable sin in the appointment of many of its advisers. They do not have the qualifications for the jobs.

Labor Party members and sympathisers who do not have the relevant qualifications are being appointed at the rate of a flood, and that is what the Opposition is concerned about.

In regard to the appointment of Dr Rumley, I would ask the Government to advise me if ever before in the long history of the State a person has been appointed as the Chief Electoral Officer whose claim to fame is that of an academic ge-

ographer? Is there any other State in Australia that has a person as its Chief Electoral Officer who is an academic geographer? Most Chief Electoral Officers have always had one thing in common, and that is a reputation for being sound administrators. They usually have had long experience in the Civil Service. The essence of the job is to have such experience as a civil servant and as a qualified administrator and to be seen to be politically neutral and not to be politically partisan in any way—to be completely above suspicion in all regard.

I ask what experience Dr Rumley has in administration, let alone administration in the Civil Service. People have said that he has some administrative experience at the university. My experience is that people of his level in the universities work in very, very small departments, that the people with whom they deal as lecturers are not of the type that are trained in administration, as in the Civil Service.

Mr Pearce: This is not an attack on the University of Western Australia, is it?

Mr CLARKO: I do not use the vituperative language that the Minister for Education usually uses in this place.

As someone who has worked in the Public Service I am sure you, Mr Deputy Speaker, know that system and did very well but these academics—and I have been a lecturer and I have worked for the Civil Service—both State and Commonwealth—

Mr Pearce: You have not been a lecturer at the university.

Mr CLARKO: There is a great difference between lecturers and civil servants by way of technique and administration practices. Very rarely does one find lecturers who have to be at work at six minutes to nine. They dress to their own particular whim and I am not saying that is good or bad. They follow their own pattern of arrangement and hours, and that is the sort of experience Dr Rumley has. I am not interested in the Minister's interjections unless he can tell me that that situation is not true of Dr Rumley and he can tell me that Dr Rumley has had experience with a large department. If he can tell me that I would like to hear it.

I suspect that his administrative experience in terms of controlling a large number of workers is very small. I think it is very much of one type, and that type of background is not appropriate for a person who will become a head of a Government department.

This is not the first dubious Civil Service appointment. Dr Michael Wood was appointed as

Secretary of the Local Government Department. He is another example of a person whose administrative background I question as being appropriate for the head of a State Government department. It is interesting to note that Dr Wood was a member of the selection panel. Therefore, it is not surprising that he should have selected somebody with a background similar to his own.

Mr Pearce: You do not know how Dr Wood voted and you cannot prove that he voted for the appointment of Dr Rumley.

Mr CLARKO: The Minister finds it necessary to get angry about every point. I am saying that both men have similar academic backgrounds with a similar lack of administrative training for the Civil Service. I am not saying that Dr Wood is bad or evil but that it is not surprising he would be supportive of someone who has a similar background to his own.

Mr Pearce: He may not have voted for him.

Mr CLARKO: The natural and logical thing is for him to support one of his own kind. The whole business gets cosier and cosier. The next selection panel of the Public Service will probably include Dr Wood and Dr Rumley and if another person of similar background applies for a position we could finish up with the whole of the University of Western Australia in the Public Service, before the Minister has had time to drive them out. The Minister is using a whip to drive them out; this is an alternative method using a carrot to lead them out. We have both methods operating at our *alma mater*. We shall soon be in the position of having a fancy clock tower and green lawns at the university but with no-one there. There is good reason to suppose that Dr Wood would have chosen someone of similar background and there is a strong likelihood that Dr Wood and Dr Rumley have been in close association for many years on the campus of UWA. If not close friends, they have at least been workmates who have had a good deal to do with each other. In a few moments I will give an example of an association between them on one particular matter which was made public. It is highly likely that in an institution such as UWA, which is not the largest university in the world, staff members, particularly in areas which have a great deal in common in terms of academic speciality, work in close association.

Mr Pearce: One is in geography and the other in politics.

Mr CLARKO: There would have been an association. This Government is progressively filling career positions in the Public Service with its own cronies at the expense of the talented and ambitious members of the Civil Service.

Mr Burkett: Are you saying that Dr Wood is a crony?

Mr CLARKO: I did not say he was a crony. Tony Lloyd is an active member of the Labor Party. I have put it to members that he got his rapid promotion because of his involvement with the Labor Party. The Government has said that he is capable and I have accepted that. However, it is cronyism if he gets rapid promotion because of his links with the Labor Party. It does not mean that he does not have the ability to do the job, but that he got the job because of his affiliation with the Labor Party. If the member for Scarborough appointed one of his daughters to his office—

Mr Burkett: That would be nepotism, not cronyism.

Mr CLARKO: Yes, the member is correct in that case. However, if we move beyond that and consider the Premier's employment of Bob Maumill's daughter in his electorate office, that is cronyism.

There is a great deal of this going on in Western Australia at the moment and more than has ever happened in the history of the State. I am not saying that some of the people appointed do not have the ability or the qualifications to do the jobs to which they are appointed; some do and some do not. However, even if all the appointees had the requisite qualifications and experience demanded by the positions, their appointments would still represent cronyism.

Mr Davies interjected.

Mr CLARKO: The Minister for the Environment will have his opportunity to speak in a few moments. I would be happy to hear him speak on the Farrington Road issue. We have been waiting to hear his views on that subject, if he is keen to speak.

Several members interjected.

The ACTING SPEAKER (Mr I. F. Taylor): Order!

Mr CLARKO: This Government has put fear into the Civil Service. It has destroyed the opportunities for promotion for the ambitious and talented civil servants. It will also affect those people who are less talented and less ambitious because those of us who have been in the Public Service know that when a promotion is made near the top of the ladder all those people below are promoted along the line. The Government has maltreated the Public Service. It is taking away from these fine, highly qualified people their opportunities for advancement. Many of them have worked very hard to obtain their qualifications. When I was at university I frequently saw



friends employed in the Public Service getting off the trolley bus at four or five o'clock and going into the university to study for their qualifications. They were working for three or four hours at night and that is very burdensome after a day's work. If you, Mr Acting Speaker, were one of those people, I congratulate you. These people went to great lengths to improve their minds and business training in order to become better servants of the fine Civil Service of Western Australia. Their confidence has been absolutely destroyed. It is battered a little more each day.

I refer now to the disgraceful 10 per cent pay cut imposed on civil servants. Only one good thing came out of that. Many had a rethink about their political affiliations.

There is another aspect to the appointment of Dr Rumley and others like him that leaves a bad taste in many people's mouths. It is particularly strange and unfair that such people will be given the opportunity to take leave from their tertiary institution, to grab the goodies from their political friends and, if anything goes sour, to be able to return to their previous positions. In the meantime other people have been kept from occupying those positions. That is a very bad side effect of holding the academic jobs open at the tertiary institutions.

Mr Pearce: We are not doing that.

Mr CLARKO: The Government has done a deal with these people and it is keeping the jobs open.

I refer to the case of Graham Hawkes. I am told that people think that is Graham Hawkes' position. He has had six months to prepare a 48-page second reading speech for the Minister for Parliamentary and Electoral Reform. I do not know what else he did in the six months. The Government thinks that particular person will be popped back into the Education Department at any time. I have read that is what is in the Government's mind: he has only been seconded. All I can say is that the Minister had better be in Government when he is due to come back so that he will be able to make that decision. That example is contradictory to what the Minister said a moment ago.

Mr Pearce: I said we did not have any control over that. Mr Hawkes is an officer on secondment.

Mr CLARKO: He certainly was a Labor Party candidate; I think he was a vice president of the Minister's party. He certainly abused *The West Australian* editorial columns for a decade trying to push his ideas on what the electoral system of Western Australia should be. At least he has been rewarded by way of a bit more cronyism. If we

were returned to Government and started picking out a couple of people who were our candidates, it would be interesting to hear what members opposite would say about that.

If I had my way—unfortunately, I do not always have it—when we go back into Government—

Several members interjected.

Mr CLARKO:—this type of appointee will be sacked on the same day. There will be no golden handshake. There might be a blackened boot applied in the right place. That is what these people deserve. These people are blatant partisans, and political appointees.

This job is an administrative one.

Mr Burkett: I am glad you said that. There was an appointment to the Town Planning Board—

Mr CLARKO: I am running out of time.

Several members interjected.

Mr CLARKO: My leader has quoted from Dr Rumley's academic papers. They show that Dr Rumley's views about the current electoral system is that he is opposed to it.

There is one point I must make. If Dr Rumley did work for the ALP—I understand he worked for a candidate for the electorate of Clontarf—do members think he is a suitable person to be Chief Electoral Officer? I challenge the Government to ask Dr Rumley tomorrow whether he has ever worked for an ALP candidate, or for any political party. If he has, he should have the gumption not to take up the position, and the Government should have the gumption to sack him if he seeks to take it up.

It is a pity that the Minister for Parliamentary and Electoral Reform is not here, because according to the Press he stated that he did not know Dr Rumley personally. I can advise the House—whether this is a personal association I do not know—on 6 June 1976 the Minister representing the Labor Party, Mr Ron Elphick representing the Country Party, and myself representing the Liberal Party, at the invitation of Dr Rumley, went to Rottneest. We debated the question of electoral systems—in effect electoral boundaries, and one-vote-one-value. The Minister, Mr Tonkin, sat at the same luncheon table with Dr Rumley, as did I, and as did members of his family.

Several members interjected.

Mr CLARKO: I do not know whether that means he knows him personally. I would like to ask the Minister whether that is the only occasion on which he has met Dr Rumley. Does he not think that is a personal association with him?

I would accept his statement on that matter. It is important to bring this to the notice of the House, because in this debate the Minister turns out badly.

**MR PEARCE** (Armadale—Minister for Education) [9.35 p.m.]: There are a couple of issues which need to be clarified. The first and simple one is this: The Government has taken the recommendation of the Public Service Board in appointing Dr Rumley to this position.

Mr Hassell: What a pathetic argument.

Several members interjected.

**MR PEARCE**: It is an interesting argument, because I cannot remember—and I ask the member for Welshpool, who has been in this House longer than anybody, whether he can remember—an occasion on which the Government has tabled documents which demonstrate conclusively that a particular recommendation was made by the Public Service Board. It has not been the practice in my knowledge for Governments to do that, but in fact the Premier has done it on this occasion.

I ask the member for Welshpool whether he can remember an occasion when such documents have been tabled previously.

Mr Jamieson: It is the choice of the Public Service Board.

**MR PEARCE**: That is the case. In fact, the recommendation of Dr Rumley, as is indicated in the amendment which I am supporting, was on the recommendation of the Public Service Board. I agree with the Leader of the Opposition—and the Government agrees—in the points that he made earlier in his speech about the need for impartiality in this position, the need for a person who is outside the political process, and for a lack of participation by political people in making that appointment. All the Government says in answer to that is that is precisely the path we have followed with regard to this appointment. A selection panel of three persons was set up to interview applicants. The Government did not nominate any person to that selection panel. The selection panel was set up by the Public Service Board. The recommendations of the selection panel—

Mr Rushton: What part did the Government play behind the scenes?

**MR PEARCE**: The Government played no part behind the scenes. I ask the member for Dale, the Leader of the Opposition and others to reflect on why they are criticising the Government.

Several members interjected.

**MR PEARCE**: Members opposite think they are criticising the Government.

Mr Rushton: Who is the person responsible for appointing a sensitive person to a sensitive area?

**MR PEARCE**: The Government appointed the nominee of the Public Service Board, who was arrived at through a process over which the Government had no overt or covert control.

Mr Hassell: After all these hours of debate neither you nor any of your colleagues, including the Premier, has given one reason of substance for this outside appointment being made.

**MR PEARCE**: We have. We have submitted a substantial reason, and that is that he was the person recommended by the Public Service Board. There can be no more substantial reason for the appointment.

Mr Hassell: You clearly did not understand the argument I put to the House.

**MR PEARCE**: The argument the Leader of the Opposition put was that the Public Service Board should have recommended somebody else.

Mr Hassell: No, it was not.

Mr PEARCE: Yes, it was precisely that.

Mr Rushton: That was not the argument.

**MR PEARCE**: The Government accepts the responsibility, but the Government has indicated to the House and to the people that we appointed the person nominated by the Public Service Board.

Several members interjected.

**MR PEARCE**: If we had done anything else, as the Premier rightly indicated, if we had nominated for this position someone other than the nominee of the Public Service Board, the screams of the Leader of the Opposition would have been heard not only throughout Western Australia, but on the eastern seaboard as well. The implication was that we were trying to interfere with the process by nominating somebody other than the person nominated through the normal channels.

Several members interjected.

**MR PEARCE**: That is the fact of the matter.

Let me tell the House a couple of other things about the personal knowledge of Dr Rumley by members of the Cabinet who rubber-stamped the Public Service Board appointment. I can remember the Minister for Parliamentary and Electoral Reform saying to me, "Do you know Dr Rumley?" and indicating that he had met him once or twice but did not have any personal ability to judge whether the Public Service Board in his view had made the right appointment. I have met Dr Rumley on half-a-dozen occasions, because he is a member of the executive of the Academic Staff Association of the University of Western Australia.

Mr Clarko: Do you consider you know him personally?

Mr PEARCE: I do not. My conversations with him have probably been shorter than those the member for Karrinyup had with him at the luncheon at Rottneest back in 1976. I would have had less than 10 minutes' conversation with him in groups on the half-dozen occasions I have met him. I could not say one way or the other what his attitude on anything would be.

Mr MacKinnon: I think you could say what his attitude on electoral reform was.

Mr PEARCE: I could not say that. I have not discussed it with him.

Mr MacKinnon: He has been making public statements about it since 1976.

Mr PEARCE: As an academic, he wrote an article in a publication produced by the Politics Department of the University of Western Australia with regard to the 1977 election, referring to the electoral geography of the Perth metropolitan area. That was an academic work and doubtless members opposite have read it.

Mr Clarko: Do you mean the 1974 election?

Mr PEARCE: It might have been. I thought it was 1977.

Mr Clarko: That is the one where he sets out Karrinyup, Perth, and Floreat—

Mr PEARCE: That is right. It was purely an academic work.

Mr Clarko: I did not think much of it because he missed some of the basic points when making academic statements. He missed the fact that there are old candidates and new candidates.

Mr Carr: He missed the magnetic appeal of the member for Karrinyup!

Mr PEARCE: That is easy to overlook.

The simple fact is that Governments ought not to interfere with the process of appointment to important and crucial Public Service positions. Everyone accepts that, and the Government has not interfered with the process in this case, because all it has done is to appoint the nominee of the Public Service Board.

Mr Hassell: It was not a nominee; it was a recommendation.

Mr PEARCE: Well, a recommendation then. That is different from the process which operated when the present Opposition was in Government, because I can tell the House that when the member for Karrinyup was Minister for Education he interfered in the process of appointment of officers to senior positions in the Education Department, favouring members of the Liberal Party.

Mr Clarko: That is nonsense. That is false.

Mr Tonkin: Tell us more.

Mr PEARCE: The member for Karrinyup personally interfered in the appointment of an officer to director status who is a member of the Liberal Party and who speaks frequently at Liberal Party conventions with regard to education at director level, against the prevailing opinion inside the Education Department. The member for Karrinyup appointed someone who has caused me many problems since.

Mr Clarko: All I can say is you are not being fair to your officers. Numerous appointments were made and there would be appointees who were not in the Liberal Party.

Mr PEARCE: There was one particular appointee who, it is clearly understood around the Education Department—

Mr MacKinnon: Who does not happen to agree with your views.

Mr Clarko: Do you have any evidence of this?

Mr PEARCE: I do not know how things worked when the member for Karrinyup was the Minister, but it does not matter in the Education Department whether people agree with my views. They are free to advise as they like, but in the end the decisions are made by the Minister and they are implemented by the people employed to do that.

Mr MacKinnon: You told us he caused you trouble.

Mr PEARCE: Because some of the policies do not get implemented and letters take three months to answer.

Mr MacKinnon: Who is in charge?

Mr PEARCE: I am in charge and things get done, too.

Mr MacKinnon: No wonder I am not getting any action.

Mr Clarko: Do you have any evidence of this or is it just hearsay?

Mr PEARCE: The former Minister for Education personally interfered to ensure that a member of his political party, a person from his neck of the woods, was appointed to a director's position in the Education Department.

Mr Clarko: Do you have any evidence of that?

Mr PEARCE: I can name the person, but I do not intend to.

Mr Clarko: I am not talking about naming. Do you have any evidence?

Mr PEARCE: I do not intend to name the person, because it is not my intention to do what the

Opposition has done; that is, to smear individuals who are in public office.

Mr Clarko: You have just done it. Read the *Hansard*.

Mr PEARCE: I did not name anyone.

Mr Clarko: But you can smear people without naming them.

Mr PEARCE: The member for Karrinyup knows who I mean. The House saw how thoroughly the member for Karrinyup blushed when I made that point.

Mr Clarko: You are going on hearsay.

Mr PEARCE: It is more than hearsay. If the members like, I shall table the file.

Mr Clarko: You can do what you like. You just said a moment ago, "I am not here to smear people" and yet you are doing exactly that.

Mr Tonkin: You can't smear a person without naming him.

Mr Carr: You have just had your 20 minutes. How about letting someone else have a go?

Mr Clarko: Didn't you hear him interject on me and on others?

Mr PEARCE: If the member for Karrinyup wants to press this matter—

Mr Clarko: I am not pressing it. Don't threaten.

Mr Tonkin: I'll bet you aren't!

Mr PEARCE:—let him ask a question at question time tomorrow evening and I shall come into the House with a file. I shall name the officer concerned and table the file.

Mr Clarko: And you said a moment ago that you don't smear people!

Mr PEARCE: If the member for Karrinyup asks the question, I will provide the information, and we will find how sincere the member for Karrinyup is by whether—

Mr Clarko: You are obviously mendacious.

Mr PEARCE:—he asks the question come question time tomorrow night.

Mr Clarko: By the way, is your lift open 24 hours a day?

Mr PEARCE: Yes, it is.

Mr Clarko: It is not. You told me—

Mr PEARCE: It is open 24 hours a day, although that subject is irrelevant to this debate.

Mr Clarko: That is not what you said before. What you said you would do did not happen.

Mr PEARCE: On the subject of the lift, I shall tell members a story. When I liberated that lift I was told by officers of the Education Department that, for security reasons, it could not be opened

for 24 hours a day but only between the hours of 9.00 a.m. and 4.00 p.m. I insisted that it be open from 8.45 a.m. to 4.45 p.m.—

Mr Clarko: That is not liberating it.

Mr PEARCE:—in order to allow people a bit of time before and after work. However, I took the word of the people in the Education Department.

A year after that limited, rather than complete, liberation of the lift, the security people said to me, "Look, will you agree to liberating this lift 24 hours a day because it is causing real trouble having to turn the damn thing on and off all the time?" I asked, "What happened about these strange security reasons?" They said, "What security reasons would they be?" The lift is now open 24 hours a day. I learnt a real lesson about bureaucracy in respect of that matter; that is, we should not believe what we are told first time around. That lift is open 24 hours a day; it is causing no great difficulty; I have not yet been assassinated.

Mr Clarko: I was told there were security reasons—

Mr PEARCE: It is obvious one of us is smarter than the other.

The DEPUTY SPEAKER: Order! Perhaps it is time we returned to the motion.

Mr PEARCE: In conclusion, I want to give this warning to the Opposition: If it intends to follow the path of smearing every person who is appointed to any Public Service position under this Government, then it is following a path to self-destruction. Clearly the attitude the Opposition is taking is this: "If you cannot prove anything, throw a bit of mud, because, if you throw enough mud, some mud sticks". That is widely known around Australia as the "Peacock principle".

Mr Clarko: And that is what would happen to you if you tabled one file.

Mr PEARCE: The member for Karrinyup can ask the question—

Mr Clarko: Because we would ask you to table several others.

Mr PEARCE: The member for Karrinyup can ask all he likes.

Mr Clarko: You would just use it to suit yourself. You would not follow a principle. That is what you said to me about two weeks ago when you threatened to put up a file and you asked me whether or not I wanted it. It is up to you to do what you want to do. If you put up one file, you should understand you will be opening Pandora's box.

Mr PEARCE: I shall table the files I want to table.

Mr Clarko: You see, that is the point; but we would be asking you about other files.

The DEPUTY SPEAKER: Order! The member for Karrinyup knows when I am in the Chair interjections are reasonably satisfactory, but they are not satisfactory if they exceed the amount of time taken by the person on his feet.

Mr PEARCE: The fact of the matter is, if the Opposition wants to follow the path it has set itself under its current leader of throwing mud at everybody in the hope that it can build—

Mr Tonkin: And their wives.

Mr PEARCE: And their children. If the Opposition hopes to—

Several members interjected.

Mr MacKinnon: Don't you remember when your Premier crucified a Public Service officer and he lost his job?

Mr PEARCE: The Opposition is making a grave mistake in the way in which it is approaching this matter. There is no chance for it in this line of attack. Clearly the Government intends to follow the course it has followed all along with regard to Public Service appointments; that is, that the best person should get the job, whether he comes from inside or outside the service.

Mr Clarko: As long as he belongs to the ALP!

Mr PEARCE: We have followed a process of advertising significant Public Service positions both inside and outside the Public Service.

Mr MacKinnon: Did you advertise Tony Lloyd's position?

Mr PEARCE: It is part of our approach in Government to seek the best people for Public Service jobs. We have used the open advertisement system widely. That is not something new to this Government, because the previous Government followed the process of looking for outside appointments by advertising widely.

When we were in Opposition, we did not take the line of slinging mud at every outside appointment to the Public Service made by the previous Government. We did not criticise the appointment of Les McCarrey from the university, of Noel Semmens, or of Doug Coates, who came from the Health Department.

Mr Tonkin: And who had no experience of electoral matters.

Mr MacKinnon: He was seen to be totally impartial.

Mr PEARCE: We knew that Mr Coates had been recommended by the Public Service Board.

Mr MacKinnon: He was seen to be a very good public servant who could be trusted to be impartial.

Mr Tonkin: Rubbish.

Mr PEARCE: I wonder about that. When one considers the performance of the man and the by-elections in this State held last year caused by incompetence, particularly the incompetence of the Electoral Office, one wonders about how great public servants these people were. That is one of the things the Public Service Board looked at closely when it recommended the appointment of Dr Rumley; that is to say, there had been a lot of difficulty with the Electoral Office in the past.

Mr MacKinnon: Which by-election?

Mr PEARCE: Mundaring.

Mr Tonkin: Even your candidate said it was the fault of the Electoral Office.

Mr Clarko: In England, the Minister would resign.

Mr PEARCE: In this case the people threw him out, because the Minister responsible for the problems in the Mundaring by-election was a Minister in the previous Government, and the people did a very thorough job on him.

Mr Tonkin: The first thing Mr Coates said to me was what dreadful Ministers Hassell and Pike had been.

Mr Clarko: And you say you don't smear people.

Mr PEARCE: The fact is that the Government believes it has done the right thing in confirming the nomination made by the Public Service Board to have Dr Rumley as the Chief Electoral Officer. The Government is of the view that it would be improper for it to have appointed any other person.

Mr Rushton: You are responsible for his appointment.

Mr PEARCE: Does the member for Dale dispute that Dr Rumley was the person nominated by the Public Service Board?

Mr Rushton: I am suggesting there has been influence in his getting that position.

Mr PEARCE: Can the member indicate the basis on which he makes that judgment when the advice from the Public Service Board carries the words enshrined in the amendment; namely "In the board's view"—not just the view of an individual member of the board, but in the collective view of the board—"there is no doubt that Dr Rumley is the preferred applicant"? In those circumstances the Government felt it had little option but to appoint the person recommended by the impar-

tial Public Service Board, a board comprising people appointed by the previous Government, the present Opposition.

The letter was signed by the Chairman of the Public Service Board, remembering that he is a person who was appointed to that position by the previous Government, the present Opposition; so there is no suggestion there that we have a person who is tainted by having been appointed by the current Government. Officers appointed by the previous Government recommended Dr Rumley, and this Government felt obliged to accept the recommendation.

Mr MacKinnon: Dr Wood.

Mr PEARCE: I am talking about Mr McKenna.

Mr MacKinnon: Who said Dr Rumley was appointed by the Public Service Board?

Mr Tonkin: We are not talking about the panel.

Mr PEARCE: These recommendations are made by the Public Service Board, and the board collectively meets and makes recommendations and sends them to the Government. The recommendation for Dr Rumley's appointment was part of an impartial process, and the Government felt that it had no option but to accept the board's recommendation. In showing this level of propriety, this Government stands head and shoulders above its predecessor in the area of political appointments.

MR MacKINNON (Murdoch—Deputy Leader of the Opposition) [9.55 p.m.]: I oppose the amendment to remove all the words after the word "be". I will comment first on the remarks made by the Minister for Education about what the Public Service should be and particularly about the person who will now occupy the position of Chief Electoral Officer: namely, Dr Dennis Rumley. Firstly, as a public servant, he should be totally impartial. Secondly, his duty will be to provide advice to the Government of the day and to ensure the effective implementation of the Government's policy—not to create that policy, but to implement it. The Public Service, and that position particularly, should be free of political appointments and there should be no party political advisers involved.

The appointment of Dr Rumley causes the Opposition grave concern. If we were to consider his appointment in isolation, as the Government is now doing, a seemingly good argument can be made in support of the appointment. But when we add up all the other political appointments and the other activities of this Government, together with the motion passed at the recent ALP State Conference, it can be seen why we on this side feel

that Dr Rumley's appointment is politically motivated, and deliberately so.

It is important to understand that the position Dr Rumley will be occupying as the State's Chief Electoral Officer is probably above all other positions in the Public Service. It is a position that not only must be free from political bias, but also must be seen to be so by the public. If the public are to have confidence in an electoral system, they must have confidence in the people who are to administer that system; they must believe that the people involved are free from political bias.

The Leader of the Opposition has adequately explained how Dr Dennis Rumley can scarcely be seen to be someone who is free of political bias.

The same applies to Tony Lloyd, who now occupies a senior position in State Treasury. It further applies to Dr Michael Wood, who is the Secretary of the Department of Local Government. Let me touch briefly on Dr Michael Wood's appointment. It is a very strange argument that says we can have a selection committee—and let us assume it was appointed totally independently of any Government interference—that has as a member a person who is, in Dr Michael Wood's case, clearly a political appointment. Were this process to continue, we would have the absurd situation that the selection committee could comprise Tony Lloyd, Dr Michael Wood and Dr Dennis Rumley. They would be choosing people to fill senior Public Service positions, and among the applicants might well be another person closely associated with the Australian Labor Party.

So I reject the notion that in this instance Michael Wood had any qualifications allowing him to be one of those persons who should have been on that initial selection committee. He should have been deliberately excluded if the Government wanted to be seen to be acting impartially.

It is also very difficult to see how the Government could mount an argument, as the Minister for Education tried to do, which attempted to implicate us for the actions we took when in Government.

He was trying to say, "Look, you have been involved in these sorts of political appointments before. You are deliberately trying to smear an individual" which is not the case—"and we of course do not participate in anything like that". Dr Dennis Rumley, looked at in isolation, could well be a good candidate for appointment to that position, but looked at in the sum total of the activities of this Government, his would be a particularly bad appointment. The Minister for Education talks about smears, so let me point out to

him the smear perpetrated by his own leader in last week's *The Sunday Times* under the headline, "Burke says Libs kept it in the party". The article reads as follows—

The Premier, Mr Burke has provided a list of 35 people he claims fall into that category.

The previous sentence in that article indicates the following—

The WA Government claims the Liberal Party stacked committees and boards with party sympathisers in the years before it lost office.

That is a deliberate attempt to smear and intimidate those 35 people and to indicate publicly that those people are associated in some way with the Liberal Party or with the Opposition parties. Let me point out to the House how they perpetrated a smear in the first place. Most members of this House would know Mayor Ray Finlayson of Kalgoorlie and members would be very hard-pressed—and the member for Kalgoorlie would, I am sure, agree—to say that Mayor Ray Finlayson is a sympathiser of the Liberal Party.

Yet in this list, supplied—

Mr I. F. Taylor: He is quite unbiased.

Mr MacKINNON: I am pleased that the member for Kalgoorlie said that, because his Premier has indicated that Mayor Ray Finlayson is a party sympathiser and he was used by us to stack committees.

Mr I. F. Taylor: At one stage he was a Liberal candidate for Kalgoorlie.

Mr Clarko: But he is a pretty independent kind of character.

Mr I. F. Taylor: Very much so.

Mr MacKINNON: The member for Kalgoorlie has also indicated he was a very independent gentleman.

Mr Tonkin: Come on. He was a Liberal candidate and Dr Rumley was not.

Mr MacKINNON: Mayor Ray Finlayson, in all my time spent dealing with him, certainly to my knowledge, is now in no way associated with the Liberal Party in Kalgoorlie, yet the Premier claims that we have used Mayor Ray Finlayson to stack committees. He is one of the people who supports our views.

Mr Tonkin: He was a Liberal candidate. How can you compare him to Dr Rumley?

Mr MacKINNON: How absurd, but even if the statement by the Leader of the House is correct, and even if Ray Finlayson secretly is a closet Liberal—and I doubt that he is—

Mr Tonkin: I am not saying he is now, but he was once a Liberal candidate.

Mr MacKINNON: Let us go back; if he was a Liberal candidate, let us pursue that point.

Mr Tonkin: Dr Rumley was a Labor candidate and look at what you have done to him tonight.

Mr MacKINNON: The Premier stated that we were stacking these committees with people who were Liberal sympathisers. When was Dr Rumley a Liberal candidate?

Mr Gordon Hill: Have you changed your approach or attack on this matter?

Mr Tonkin: Dr Rumley was never a Liberal candidate.

Mr MacKINNON: Let us go back to that smear campaign. The Minister for Education was trying to indicate to us that his side of the House did not participate in those sorts of things.

Mr Tonkin: Dr Rumley was never a Liberal candidate.

The DEPUTY SPEAKER: Order!

Mr MacKINNON: The first person on the list is Mr J. F. Craig, Chairman of the Egg Marketing Board. He is an ex-Assistant Director of the Department of Agriculture. Can any member of this House tell me what is his association with the Liberal Party?

Mr Tonkin: You ask the Premier. He had the list.

Mr MacKINNON: The Minister for Agriculture cannot—

Mr Tonkin: He is not here. What do you mean he cannot?

Mr MacKINNON: The Premier says publicly that this man is closely associated with the Liberal Party.

Mr Tonkin: The Minister for Agriculture is not even here. There is an empty seat.

Mr Mensaros: A man used to distribute Communist literature in the community and on that list he is described as a Liberal.

Mr MacKINNON: That is very strange. We then have the Premier saying that Mr R. C. Russell, who was a member of the Agriculture Protection Board—

Mr Tonkin: Who is Mr R. C. Russell?

Mr MacKINNON: I am not sure.

Mr I. F. Taylor: He was the National Party candidate against Julian Grill in the last election.

Mr MacKINNON: He was the National Party candidate against Julian Grill. Let me draw the attention of the member for Kalgoorlie to the

Agriculture Protection Board Act, in particular, section 5(4) which states—

Members of the Agriculture Protection Board are determined by an Act of Parliament. All of its members are nominated by organisations.

So much for the Premier's claim that the Liberal Party stacked committees and boards.

Mr Tonkin: Of course you did.

Mr MacKINNON: I could go on—

Mr Tonkin: Of course you did.

Mr MacKINNON: I am quoting only the first paragraph of this list. We then have David Milne. I know that man. He is Managing Director of Milne Feeds Pty. Ltd.

Mr Tonkin: That proves it, if you know him.

Mr MacKINNON: He is listed as a member of the Animal Feeding Stuffs Advisory Committee. He seems to be a man well qualified for that position. I do not know Mr David Milne's political affiliations.

Mr I. F. Taylor: I know of him, too.

Mr MacKINNON: He is a nice fellow. He has been accused of being one of the people used by us to stack committees. Many other people are listed here.

Mr Rushton: A camouflage by the Premier.

Mr Tonkin: Mr O'Meara.

Mr MacKINNON: Would members believe that Mr O'Meara is not even on that list? We have the member for Scarborough jumping up and down and his own Premier does not even agree with him.

Mr Burkett: Because the member for Karrinyup said that if you become the Government they will all get skittled, and I said we would put up with that political appointment. He did not tell me he would create the job for him, three days a week for \$28 000 a year.

Mr MacKINNON: The Premier is trying to make political mileage and yet does not include him on the list. The member for Scarborough is way off-track.

Mr Burkett: He was talking about Murray O'Meara.

Mr MacKINNON: Let me show members how abysmal the argument of the Premier was. Mr Scolaro—

Mr Burkett: Mr Scolaro ran against Herbie Graham for the Liberal Party and was non-political. Meet the member for Murdoch—Mr Incredible. That's incredible!

The DEPUTY SPEAKER: Order!

Mr MacKINNON: This man has been contacted to confirm this situation. Mr Scolaro was appointed to that committee on 22 September 1969 and the Premier is trying to tell us that we stacked committees and boards in the years before we lost office. The member for Scarborough seemed to know—

Mr I. F. Taylor: Was he at any time under your Government reappointed to that committee?

Mr Tonkin: You lost office in 1971.

Mr MacKINNON: That member received a payment of \$12 a year for turning up at that very powerful, very political committee. When he was appointed in 1969 he was not even a member of the Liberal Party.

Mr Burkett: Not even a sympathiser?

Mr MacKINNON: Even if he were a sympathiser, how absurd is it for the Premier to be listing 35 people and to publicly smear them?

Mr Gordon Hill: That is what you are doing.

Mr MacKINNON: He is associating many of them with the Liberal Party when they have no association whatsoever with it.

Mr Gordon Hill: Neither is there any social consideration.

Mr MacKINNON: Most of those people were appointed to those committees because they were the right persons for the job. The member for Kalgoorlie would be interested to know that the appointment of Ian Moffatt who was a member of the Tourism Advisory Council—there is no such council now—could be regarded as a political one because he was a candidate in Kalgoorlie standing against the current member. However, the member for Kalgoorlie also could not deny that the same man is well qualified to be a member of any tourist advisory council in this State; in fact, he could well be a member of the Tourism Commission in this State because he is so well qualified.

Mr Burkett: So are Tony Lloyd and Michael Wood.

Mr Tonkin: Are you trying to say Dr Rumley is not well qualified for the job?

Mr MacKINNON: No, that is not what we are saying.

Mr Tonkin: He is probably the best qualified person in this State for the job.

Mr MacKINNON: What we are saying, and what was said by the Leader of the Opposition—

The DEPUTY SPEAKER: Order! The Deputy Leader of the Opposition will resume his seat.

It has become increasingly obvious to me that members are intent on deliberately ignoring me



when I call for order. I do not intend to shout every time I call for order. When I do call "Order" I expect some recognition. I ask members of the Government particularly to respect the Chair, otherwise I will have to do something that will make both the members of the Government and myself very sorry.

Mr MacKINNON: I oppose the deletion of the words after the word "be" because that would be removing the whole point of the motion, and our concern, as expressed, that this appointment is part of a politically motivated campaign. In the words of the motion it "represents an appalling political interference with the independence and integrity of the Public Service and the electoral system of the State".

We are concerned because of the previous political appointments that have been made to the Public Service, as we have outlined with the appointment of Tony Lloyd and Michael Wood. We are concerned about the manner in which political advisers are being placed between departments and the Ministers so that public servants are now messenger boys and girls for the Ministers and their advisers. Equally, we are concerned that this appears to be an ongoing trend.

When we look at the motion or paper agreed to at the Conference of the Australian Labor Party under the heading "The Role of State Executive Policy Committees" we note this statement—

Consultations should, for example, occur on the principles behind relevant parliamentary bills, on programmes for the implementation of policies and appointments to statutory and other bodies.

The Opposition is concerned about political appointments to the Public Service Board. We have advisers, and now we will have other appointments by the Government, through the ALP policy commitment. I ask the Leader of the House: Did he refer this appointment to that body?

Mr Tonkin: Put it on notice. I can give you an answer, "No".

Mr MacKINNON: The answer is "No". It seems strange the Leader of the House ignores his own party.

Mr Tonkin: A man of great independence.

Mr MacKINNON: Therefore, in future, we will have political interference with appointments to all of these independent bodies. It is clear there is to be no such independence. First, the Public Service will be politicised in the form we have indicated; second, we will have advisers who will come between the Ministers and their departmental heads who will not be necessary once the

Public Service is politicised—and, third, any form of advisory body to the Government will have to be vetted first by the ALP and its policy committee.

It is clear that the intention behind the appointment of Dr Rumley is to politicise the one office in this State which should be above politics, and above all other departments.

I oppose the amendment moved by the Premier.

Amendment put and a division taken with the following result—

## Ayes 23

Mr Bateman	Mr Jamieson
Mrs Beggs	Mr Melver
Mr Bridge	Mr Parker
Mr Bryce	Mr Pearce
Mrs Buchanan	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Terry Burke	Mr I. F. Taylor
Mr Burkett	Mr Tonkin
Mr Carr	Mrs Watkins
Mr Davies	Mr Wilson
Mrs Henderson	Mr Gordon Hill
Mr Hodge	

(Teller)

## Noes 15

Mr Clarko	Mr Mensaros
Mr Court	Mr Old
Mr Coyne	Mr Rushton
Mr Hassell	Mr Trethowan
Mr Peter Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Williams
Mr McNee	

(Teller)

## Pairs

Ayes	Noes
Mr Bertram	Mr Thompson
Mr Grill	Mr Blaikie
Mr Evans	Mr Crane
Mr Tom Jones	Mr Bradshaw
Mr Troy	Mr Grayden
Mr Read	Mr Spriggs

Amendment thus passed.

MR BRIAN BURKE (Balga—Premier) [10.18 p.m.]: I move—

That the following be substituted for the words deleted—

congratulated on the appointment of Dr Dennis Rumley as Chief Electoral Officer of the State. Further the House notes that the appointment of Dr Rumley was recommended by the Public Service Board which in its advice to the Government stated that: "In the Board's view there is no doubt that Dr Rumley is the preferred applicant".

MR HASSELL (Cottesloe—Leader of the Opposition) [10.19 p.m.]: The Government, which has the majority can pass any amendment it likes, as this Government will tonight. It can defeat any motion it likes, as this Government will do tonight

with the censure motion. However, the Government really does make a total farce of government when it seeks to turn a motion of censure about an issue as important and as serious as this, into words of congratulation to the Premier and the Government for a decision which has caused such difficulties and problems.

If the Premier wanted to turn the motion around instead of simply defeating the censure, and included in his amendment the information that the appointment was recommended by the Public Service Board and that it was made on the basis of qualifications—which I notice is not included in the amendment—it would bear some measure of credibility. This motion bears no title of credibility because the Government cannot fool anyone by trying to congratulate itself on an appointment which has proven to be so singularly unpopular on this side of the House. Whether or not members opposite agree with our point of view, that in itself—

Mr Tonkin: You would not agree with anything.

Mr HASSELL: That is nonsense.

Mr Tonkin: Come on! You are the greatest whinger I have ever known.

Mr HASSELL: This is where the Government's position is so lacking in understanding and so foolish.

Mr Bryce: You are not like the great statesmen who led your once great party—men like Sir David Brand and Sir Charles Court.

Mr HASSELL: How the Deputy Premier loves to drag up names from the past now that they do not represent any threat to his political situation!

Mr Bryce: They never did, anyway.

Mr Clarko: They kept you over here for a long time.

Mr Bryce: They taught me a few good lessons: I am proud to have served the apprenticeship.

The DEPUTY SPEAKER: Order! I am not sure whether those interjections will be attributed to the Deputy Premier or the Minister for the Environment. If they are to be attributed to the Deputy Premier, I hope in future they will come from his seat.

Mr HASSELL: The amendment does not bear any semblance of reasonableness. It is a stupid amendment and a totally political one which depends on simply using the Government's numbers to achieve a result. This Premier and Government which have presented themselves so often since their election as reasonable and prepared to consider issues, have shown tonight just how unreasonable and foolish they are. The Government

has made an appointment which is so serious in its implications and so wrong that the Opposition has seen fit to move a censure.

Instead of replying with the one legitimate answer to say two things—the qualifications of the man appointed and a special reason for making an outside appointment—the Government has chosen instead simply to turn the words around and pat itself on the back. I am staggered that the Premier did not spend one moment of his time tonight in seeking to justify the appointment of Dr Rumley on the basis of qualifications.

Mr Bryce: You have disgraced yourself tonight on this issue.

Mr HASSELL: In fact, he did a grave disservice to Dr Rumley by failing even to put forward the material that was presumably available on the files as to his qualifications.

The more particular failure of the Premier in dealing with this censure motion was that he gave no reason at all for the appointment being made over the head of an equally favoured senior public servant, other than to say it happened to have been recommended by the Public Service Board.

Mr Pearce: That is the truth of the matter.

Mr HASSELL: In fact, he has left the matter very much as we said it was; that is, the Government set out to make an outside appointment for a very deliberate reason. The Government set out once again to turn its back on the Public Service of this State which it does not trust and cannot abide.

Mr Clarko: And the Public Service does not trust the Government.

Mr HASSELL: The reality is the Public Service in this State is now in a position where it has to make a declaration of loyalty to the Labor Government as the qualification for being accepted.

Mr Pearce: That is rubbish.

Mr HASSELL: Those who are not for the Government in a political sense are taken as being against the Government. The qualities of the Public Service established through centuries of development of that system—qualities of impartiality and dedication in the implementation of Government policy and neutrality in dealings with the public—have been cast out by this Government.

Mr Bryce: This has been one of your poorer performances, Bill.

Mr HASSELL: That is the basis of this Government's performance in making this appointment. It has a fundamental distrust and dislike of the Public Service and it is determined to change it by bringing about radical changes through the system of appointments it has

adopted. No explanation has been given by the Premier or the Minister as to what startling new progress Western Australian Government administration will make because this gentleman has been brought in ahead of an equally highly favoured senior member of the Public Service. The Government has essentially failed to answer the case made against it—the substantive arguments that were put against the appointment of Dr Dennis Rumley. By failing to do so it has given more substance and credence to the points we made in the course of the debate. The Premier's answer was weak and shallow, and it represented an admission by him that he has his own doubts about this appointment.

Mr Bryce: Do you remember some of the scurrilous things you used to say about your departments?

Mr HASSELL: The Opposition has accepted the fact that the Government has made a number of appointments without making any public comment about them in the interests of letting those people do the jobs they have been appointed to do. Let us name some of them. No comment was made on the appointment of Bill McKenzie, or on the appointment of the head of the Lotteries Commission, or on the appointment of the head of the Greyhound Racing Control Board and a number of others. But when it comes to this department—this central department in the Government administration—

Mr Bryce: One you have rigged for years.

Mr HASSELL—one that goes to the heart of requirements for administration of the highest level of impartiality and integrity, we cannot allow the Government to sit back and permit this appointment to go unchallenged and unnoticed. The Premier's defence was not a defence; it was a very poor apology for what has been done.

The Premier's amendment to the motion lacks any semblance of credibility because a Government which seeks to congratulate itself about something which has brought criticism on its head cannot be serious in debating the issues.

Mr Bryce: Not criticism, just vindictive bile.

Mr HASSELL: It says a lot for the validity of the censure motion moved against the Government. It will be defeated of course; it was always going to be defeated on the numbers. That is the system that operates and I am not complaining about it. But one would have thought the Premier could have done better than he did if he had an answer. It is clear he had no answer, and one would have thought he could produce an amendment with some credibility if he were dinkum about the things he was saying.

The fact is that this appointment has been made and I think the Premier has some concern about the fact that he, his Government, and his Minister are being exposed in this case for their fiddling of the whole system. We have suspected that that has been the case all along. It has now been evidenced on a number of occasions through legislation put forward by the Minister.

I oppose the amendment.

Amendment put and a division taken with the following result—

#### Ayes 23

Mr Bateman	Mr Jamieson
Mrs Beggs	Mr Melver
Mr Bridge	Mr Parker
Mr Bryce	Mr Pearce
Mrs Buchanan	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Terry Burke	Mr I. F. Taylor
Mr Burkett	Mr Tonkin
Mr Carr	Mrs Watkins
Mr Davies	Mr Wilson
Mrs Henderson	Mr Gordon Hill
Mr Hodge	

(Teller)

#### Noes 15

Mr Clarko	Mensaros
Mr Court	Mr Old
Mr Coyne	Mr Rushon
Mr Hassell	Mr Trethowan
Mr Peter Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Williams
Mr McNea	

(Teller)

#### Pairs

Ayes	Noes
Mr Bertram	Mr Thompson
Mr Grill	Mr Blaikie
Mr Evans	Mr Crane
Mr Peter Jones	Mr Bradshaw
Mr Troy	Mr Grayden
Mr Read	Mr Spriggs

Amendment thus passed.

#### Motion, as Amended

Question (motion, as amended) put and a division taken with the following result—

#### Ayes 23

Mr Bateman	Mr Jamieson
Mrs Beggs	Mr Melver
Mr Bridge	Mr Parker
Mr Bryce	Mr Pearce
Mrs Buchanan	Mr D. L. Smith
Mr Brian Burke	Mr P. J. Smith
Mr Terry Burke	Mr I. F. Taylor
Mr Burkett	Mr Tonkin
Mr Carr	Mrs Watkins
Mr Davies	Mr Wilson
Mrs Henderson	Mr Gordon Hill
Mr Hodge	

(Teller)

## Noes 15

Mr Clarke	Mr Mensaros
Mr Court	Mr Old
Mr Coyne	Mr Rushton
Mr Hassell	Mr Trethowan
Mr Peter Jones	Mr Tubby
Mr Laurance	Mr Watt
Mr MacKinnon	Mr Williams
Mr McNee	

(Teller)

## Pairs

Ayes	Noes
Mr Bertram	Mr Thompson
Mr Grill	Mr Blaikie
Mr Evans	Mr Crane
Mr Peter Jones	Mr Bradshaw
Mr Troy	Mr Grayden
Mr Reid	Mr Spriggs

Question thus passed.

**BILLS (2): RECEIPT AND FIRST READING.**

1. Acts Amendment (Court Fees) Bill.
2. Adoption of Children Amendment Bill.

Bills received from the Council; and, on motions by Mr Tonkin (Leader of the House), read a first time.

**WHEAT MARKETING AMENDMENT BILL***Returned*

Bill returned from the Council without amendment.

**TRANSPORT: SCHOOL BUSES***Contracts: Motion*

Debate resumed from 22 August.

**MR McNEE** (Mr. Marshall) [10.41 p.m.]: I support the motion.

It appears that we have reached a situation where this matter has now become a question of profit and, in fact, where the Government recognises that people are making a profit. It seems that there will be a mandatory cut of five per cent. I would like the first trade unionist to accept a five per cent cut to stand up and be counted and I would like the person who would argue that trade unionists should take a five per cent cut to witness it. I do not believe they would do it, but that is what we are asking bus contractors to do.

Several members interjected.

**Mr Pearce:** They do not have to take the five per cent cut; they can go to open tender.

**Mr McNEE:** As I understand it, that is the proposition.

Of course, this Government does not understand what business and profit is about. That has been made abundantly clear by the Government in this House on more than one occasion. I do not know how any industry is supposed to act, or to achieve, unless it is in the position of making a profit.

Each bus contractor is responsible for the purchase, maintenance, cleaning, and disposal of his bus in the same way as any person in private enterprise. He has to decide whether he will employ a driver or whether he will drive the bus himself.

A bus contractor does not have access to a Government superannuation scheme as does a civil servant. He does not receive five weeks' annual leave with a 17½ per cent loading and he does not have any form of long service leave. In addition, he is not covered by workers' compensation. However, he accepts those things because he goes into a business for himself. He believes that in the long term he will be able to make a profit because that is the precise reason any person enters into that type of business or any other private enterprise business. Yet, this Government seems to believe that profits are unnecessary.

In fact, the now Prime Minister of Australia has probably spent the last 10 years turning the word "profit" into a dirty word. While trying to do that he exported a lot of jobs with it and now he rushes from coast to coast saying, "Let us pull the country together", after spending a long time dismantling it.

The Government has indicated its inability to grapple with these questions. On 28 August the Minister said that it transpired, during negotiations, that some contract holders were selling their contracts.

What an amazing discovery! I would have thought that there was not a great deal wrong with that. I would have thought also that after people had spent perhaps 20 or 30 years operating a school bus service, they would be entitled to prepare for their retirement.

Of course, the Prime Minister has said that we should look at this matter and decide whether we need to go further.

**Mr Pearce:** The Prime Minister has not been involved in negotiations in regard to school bus contractors.

**Mr McNEE:** I want the Minister to understand how difficult it is for private enterprise to make money. He has probably always been on a salary and been covered by union agreements which a lot of people into whom he is putting the fear of God, have never had.

The Minister said that the fact that people could buy contracts and still make money indicated that bus services were operated at a considerable profit.

Several members interjected.

Mr McNEE: However, no businessman is keen to buy one of the units.

Mr Pearce: Rubbish!

Mr McNEE: They do not want to buy one of those units. This brings me to another point.

Several members interjected.

Mr McNEE: The other day the Minister, with great gusto, was asked a dorothy dix question in this House by the member for Gosnells regarding a school bus contract sale in the Midland area. In part the Minister said the following—

I am advised that the maximum value of the Bedford bus would be between \$30 000 and \$40 000, which indicates a profitability which seems to me to be almost the yearly salary of a member of Parliament. The operator is seeking between \$40 000 and \$50 000 for the Government contract.

I do not know how the Minister arrived at these figures, but what I do know is that the Minister makes assumptions that are not entirely correct.

I remind the Minister that in relation to the sale of a unit there is an asking price and a selling price. I do not know whether the advertisement was realistic, but that is something the industry should determine.

I thought that perhaps I should ask the Minister a question about this matter because I found it rather interesting. Subsequently I asked him whether he had access to the profit and loss statement and if he would inform the House of the total deductions, arriving at the net result. He said that he had quoted the figures from an advertisement in *The Sunday Times* "Readers Mart" and that if I thought, for some strange reason, that the advertisement did not correctly state the profit involved in the contract I should go to the Department of Consumer Affairs. He said that he would be happy to make available to the Department of Consumer Affairs the financial statements of the operator concerned.

I did not ask that question. I asked him whether he had studied the situation. I doubt whether he had because I do not know how a \$41 000 gross contract could net \$33 000.

Mr Pearce: The operator was claiming that profit.

Mr McNEE: I do not know the price of petrol in Mt. Helena but I know that in my electorate it is something in the order of 50c-51c a litre. That is regardless of the fact that some 12 months ago the Government said that it would reduce the price of petrol. However, it decided that it was too hard and broke its promise.

The Government decided that was all too hard; but of course, we make this arbitrary cut of five per cent and say, "Go away and sort it out".

I cannot imagine how many advisers it has.

Mr Pearce: Have you lost count?

Mr McNEE: Those advisers enjoy all the benefits of the fruits of Government. Do they have a few cars thrown in as well? I suppose they do not even polish them; that would be another benefit of being a friend of someone in Government. What about the poor fellow in the country carving out his own living, who is then subject to the total thrust of the Government? That is the point I make: It is very good to be strong and sound and have a great responsibility to the taxpayers' funds. I remind the Minister of that because I rather like that phrase.

Mr Pearce: It is a good phrase.

Mr McNEE: The Minister says that the Government's first obligation in negotiation is to the taxpayers. I wonder whether the Government thought about that when it reopened the Perth to Fremantle railway line? I suppose it did. It is certainly not thinking about those poor fellows out there who have spent a long time consolidating these businesses. I suppose "business" is a dirty word to this Government. Now that they are in a situation where they are very successful and their businesses are appreciating in value, this Government shows its incompetence and lack of understanding and starts to fiddle. That is the net result of what is happening out there now. The Government says the new system will save taxpayers \$1.5 million a year.

Mr Pearce: No, \$1 million. We would be prepared to negotiate on the other \$500 000.

Mr McNEE: I will accept the figure of \$1 million, and ensure a reasonable return on investment for contractors. But the point the Minister has not explained clearly to me is what he really meant last week. Certainly his answer to the question was far from satisfactory. I was not asking him about consumer affairs; I was asking him how much he knew. If the Minister chooses to answer in that way, that is his affair. It is not my job to answer questions; it is my job to ask questions. He is not terribly good at answering them but nonetheless, with a little tuition and encouragement I am sure we will get him doing a much better job in that respect. He must consider the livelihood of the people involved, and if he chooses not to he will face the peril of the electors next election time.

This is a most important matter. I hope the Government does not continue to try to run rough-

shod over people because whether the Government realises it or not, people are in a very fearful and concerned state of mind. I am sure members opposite would not want to be regarded as a Government of intimidation, but that is the only conclusion one can draw, because that is the way the Government has painted the picture. It is not we in the Opposition who paint the picture. We can only make an observation as to what happens; the consequences are the Government's problem.

Mr Pearce: Are you in favour of private enterprise?

Mr McNEE: I would say that the Government has handled this situation in a very poor way.

I still want the Government to assure me, and I have not heard anyone say this, that it knows of any trade unionist who would accept a five per cent pay cut. Of course, doctors can take a 15 per cent cut but they, too, unfortunately are in most cases self-employed; it seems that the attack is made on self-employed people. That is unfortunate because if the Government keeps screwing them hard enough and often enough there will be no self-employed people left. We shall have a utopian situation where the Government controls all the issues and has everything its own way.

Certainly the question is being asked in this industry that if the contractors do not concede and do the things the Government wants, will the Government put in a fleet of Government buses and employ drivers? The Government would then be liable to pay those drivers holiday pay, sick leave, 17.5 per cent holiday loading, etc.

Mr Williams: That is the Government's intention.

Mr Pearce: That is not our intention. We shall put the system out to open tender.

Mr McNEE: Why not say so instead of mucking around? I suppose it is the Government's abhorrence of private enterprise that stops it from doing these things. Nonetheless it makes these decisions and I do not.

I urge the Government to show some compassion for the people in this industry. The industry has a record of safety that is unparalleled. I remind members that if the Government endeavours to cut the profitability of the industry that, in fact, encourages operators to perhaps not be as careful as they should. That is when we start heading down the track of ruin.

I support the motion.

Debate adjourned, on motion by Mr Tubby.

*House adjourned at 10.57 p.m.*

### QUESTIONS ON NOTICE

861 and 873. *Postponed.*

#### FISHERIES: TUNA

##### *Inquiry: Submission*

874. Mr OLD, to the Minister for Fisheries and Wildlife:

- (1) Did the State Government in its submission to the Industries Assistance Commission inquiry into the southern bluefin tuna industry make any recommendation for a compensation component in any financial arrangement for fishermen forced to leave the industry?
- (2) If "Yes", what was the basis of the recommendation?

Mr EVANS replied:

- (1) Yes.
- (2) The Western Australian Government urged the commission to recommend in its final report—
  - (a) a cash grant scheme as a mechanism for structural adjustment assistance for the catching sector of the fishery as an additional incentive to remove tuna vessels from the licensed fishing fleet; the level of assistance required being dependent upon acceptance of a phased reduction in the national quota and marketed price for quota units;
  - (b) a separate, smaller cash grant scheme to provide for the relocation and/or retraining of boat owners and their crews upon the retirement of a tuna vessel from the fishing industry.

875 to 878. *Postponed.*

#### HEALTH

##### *Hydrotherapy Pool*

879. Mr JAMIESON, to the Minister for Health:

- (1) Is he aware of the early need for a hydrotherapy pool to be established to provide for those in need of such therapy in the south-east, and eastern suburbs?

- (2) (a) As there is already a physiotherapy section at the Bentley Hospital complex, is it intended that such a facility will be provided there;
- (b) if so, when will such a facility be available to those requiring it?
- (3) Are there any other plans for such centres in metropolitan hospital complexes?
- (4) Where is the nearest hydrotherapy centre to the Bentley Hospital?

Mr HODGE replied:

- (1) Patients currently requiring hydrotherapy in the Bentley area are treated by Health Department physiotherapists using private facilities. A recent request has been received from the Bentley Hospital that consideration be given to the provision of such facilities on that site. I am unaware of any formal approach for such facilities in the other areas nominated.
- (2) (a) There are no current plans to provide hydrotherapy facilities on the Bentley Hospital site.
- (b) See (2)(a) above.
- (3) The possibility of incorporating such facilities in future assessment/restorative units is being explored.
- (4) The private facility being used by Bentley Hospital is some 10 kms distant. Another privately-owned and operated facility is available in South Perth—10 kms distant. The nearest public hospital facility is at Royal Perth (Rehabilitation) Hospital in Shenton Park—approximately 12 kms distant.

880 and 881. *Postponed.*

#### TAXES AND CHARGES

##### *Increases: Dollar Value*

882. Mr HASSELL, to the Treasurer:

What is the total amount of the increase, expressed in dollars, of State Government charges for the year 1984-85?

Mr BRIAN BURKE replied:

This is a budgetary matter and relevant information will be disclosed when the 1984-85 Consolidated Revenue Fund Estimates are presented to Parliament.

**TAXES AND CHARGES: FID***Review: Report*

883. Mr HASSELL, to the Premier:

- (1) (a) Has the review of the financial institutions duty been completed;
- (b) if so, when was it completed;
- (c) if not, when will it be completed?
- (2) Has the Government received a report?
- (3) (a) Will he table the report;
- (b) if not, why not?

Mr BRIAN BURKE replied:

- (1) (a) Yes;
- (b) the working party report was finalised some time ago, but the Government has only recently completed its deliberations.
- (c) Not applicable.
- (2) See (1)(b).
- (3) (a) No;
- (b) the report contains confidential details of submissions received as part of the review.

**FINANCIAL INSTITUTION: R & I BANK***Palace Tower: Agreement*

884. Mr HASSELL, to the Premier:

- (1) What is the agreement between the Rural & Industries Bank and the Austmark Group for the construction of the Palace Tower?
- (2) Is the Rural and Industries Bank acting as financier or equity participant?
- (3) Is the State Government directly involved in any way?
- (4) Was the transaction carried out at the request of the State Government?
- (5) What is the ratio of the total financial commitment of the Rural and Industries Bank in this transaction to the proprietors' funds of the Rural and Industries Bank?

Mr BRIAN BURKE replied:

- (1) A standard joint venture agreement.
- (2) The bank is acting as a joint venturer.
- (3) No.
- (4) No.
- (5) The outlay by the bank will be spread over a period of three years and will be offset by the sale of surplus properties as well as the accumulation of profits dur-

ing that period. The exact ratio of the investment at any point in time will vary. The bank has completed projections which confirm that the commitment is well within its resources, but for reasons of commercial confidentiality would not wish these projections to be made public.

**GOVERNMENT GUARANTEES***Grain Pool*

885. Mr HASSELL, to the Treasurer:

- (1) (a) Is it fact that the State Government has given a guarantee of a \$150 million loan raising by the Western Australian Grain Pool;
- (b) if not, what is the extent of the guarantee?
- (2) What is the basis of this arrangement?
- (3) Why has it been made?
- (4) Is this the first occasion on which the State Government has been involved in a transaction of this nature with the Western Australian Grain Pool?
- (5) Is the Western Australian Grain Pool a State Government instrumentality?
- (6) What consideration is being given by the Western Australian Grain Pool for the guarantee?

Mr BRIAN BURKE replied:

- (1) to (6) I refer the member to the statement made to the Legislative Assembly by the Minister for Agriculture on Tuesday, 25 September 1984.

**HEALTH: HOSPITAL***Wanneroo: Bed Occupancy Rate*

886. Mr HASSELL, to the Minister for Health:

- (1) What is the bed occupancy capacity of the Wanneroo Hospital?
- (2) What has been the average occupancy for the past three months?
- (3) What was the average occupancy for the corresponding period last year?

Mr HODGE replied:

- (1) Bed occupancy capacity—84 beds.

(2) Month	Daily Bed Averages
June 1984	31.1
July 1984	38.3
August 1984	45.2



Month	Daily Bed Averages
(3) June 1983	44.7
July 1983	50.7
August 1983	49.5

887 and 888. *Postponed.*

## RESOURCES DEVELOPMENT

### *Energy: Cost*

889. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) In promoting the establishment of new industrial development and mineral processing in Western Australia, is the Government proposing to supply energy for any new industry at a price that would cover the cost of generation?
- (2) What relative emphasis is given to international competitiveness in such industries as:
  - (a) chlor-alkali (caustic soda);
  - (b) where ethane from the North-West Shelf gas stream would be competing with similar energy sources for the same industry in Canada, the Middle East etc?

Mr PARKER replied:

- (1) Yes.
- (2) (a) and (b) The Government recognises that international competitiveness is a vital factor in achieving the establishment of new export orientated processing projects in Western Australia.

890. *Postponed.*

## ALUMINIUM SMELTER: EQUITY

### *Western Australian Government: Invitation*

891. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to his announcement published on 16 August 1984, that the Western Australian Government had been invited to take an undisclosed equity in the proposed aluminium smelter, from whom was the invitation received?
- (2) What percentage equity participation is being considered?
- (3) How would any equity participation, if agreed by Government, be financed?

- (4) Is it still proposed that any Government equity participation would be held by the Western Australian Development Corporation as indicated to the Confederation of Western Australian Industry in 1983?

Mr PARKER replied:

- (1) to (4) It is not known to which "announcement" the member is referring. However a fundamental principle of the initiatives in negotiations to establish an aluminium smelter in Western Australia is that the development must result in benefits for Western Australians. As the member for Narrogin would have noted it is the Government's wish to see maximum practicable Australian equity participation in the project and this is accepted by the consortium members who are seeking additional Australian participation.

The Government continues to assess alternatives for ensuring maximum benefits for Western Australians from the project's development and Western Australian equity participation may be one way to achieve this. Matters regarding possible participation continue to be under assessment and are confidential at this time. The Government intends to provide such relevant information at the appropriate time in a responsible and commercially prudent way.

## LOCAL GOVERNMENT: HEALTH

### *Analytical Committee*

892. Mr PETER JONES, to the Minister for Health:

- (1) With regard to the local health authorities analytical committee, was the 50 per cent increase in the minimum charge levied by the committee approved by the State Government?
- (2) Does the State Government approve of the committee employing appropriate staff and establishing its own health inspection service?
- (3) For what reason has the committee now determined that it should become involved in matters relative to herbicide, weedicide and pesticide residues in primary produce?
- (4) Will he immediately seek to review the role of the local health authorities ana-

lytical committee with a view to avoiding duplication and excessive charges for the services it provides and which are not available from other sources?

Mr HODGE replied:

- (1) No. It does not require Government approval.
- (2) The committee is empowered under the Health Act to make such decisions and does not require the approval of the Government. No such proposals have, in fact, been presented to me.
- (3) I understand the committee discussed this matter with the Executive Director, Public Health. The Health Department participates in the market/basket survey which studies the Australian diet generally, but it was agreed more examination of foods at a local level was required.
- (4) The committee has always worked in close association with the department and there is no duplication. I do not believe the charges are excessive. I am sure the member would agree there is a need for more extensive monitoring for contamination in food rather than less and any move to increase surveillance should be encouraged.

#### LOCAL GOVERNMENT: HEALTH

##### *Analytical Committee*

893. Mr PETER JONES, to the Minister for Local Government:

- (1) Are local government authorities required to utilise and financially support the local health authorities analytical committee?
- (2) For what purpose is any such requirement made of local government authorities?
- (3) In view of the Government's requirement to avoid duplication of services provided and the requirement that local government authorities contain operating costs, is there concern at the 50 per cent increase in charges levied by this committee for the current financial year?

Mr CARR replied:

- (1) and (2) The member's question can be answered by referring to part VIII(A) of the Health Act, which identifies the committee's function and powers.
- (3) No, I do not believe there is any duplication and I am confident the increase is

required to meet the statutory requirements of the committee.

894 and 895. *Postponed.*

#### ENERGY: ELECTRICITY

##### *Power Station: South Fremantle*

896. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the reduction in generating activity at the South Fremantle power station, how many staff are currently at South Fremantle power station?
- (2) How many will be relocated and to which location?
- (3) How many is it proposed to retain for "care and maintenance" purposes at South Fremantle and for what period?
- (4) When is it expected that the relocation of staff will be completed?

Mr PARKER replied:

- (1) 95 Persons.
- (2) (a) 21 persons will retire with the station;
- (b) the remainder will be relocated to positions within the commission.
- (3) Five persons for two years from September 1985.
- (4) December 1985.

#### ENERGY: ELECTRICITY

##### *Power Station: Bunbury*

897. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) With regard to the intention of the State Energy Commission to reduce generating activity at the Bunbury power station, when is it anticipated that reduction in generating activity will take effect?
- (2) How many staff will be expected to relocate from Bunbury to other State Energy Commission locations?
- (3) What staff will be retained at Bunbury for "care and maintenance" activities?
- (4) Is it anticipated that staff from Bunbury will be granted preferential employment at the new Muja D power station?

Mr PARKER replied:

(1) 1 October 1984.

First reduction in operating manning in October 1984. Second reduction in operating manning in September 1985. Further reduction as system demand permits.

(2) Four staff will relocate from Bunbury power station to Muja power station in October 1984. Others will be relocated as generation and maintenance requirements at Bunbury permit.

(3) Bunbury will remain operational with reduced manning until a firm decision is taken to close it down.

(4) Persons being relocated from Bunbury will have preference over employees recruited from outside the commission.

#### HOUSING: RENTAL

##### SEC and GEHA

898. Mr PETER JONES, to the Minister for Minerals and Energy:

What is the present percentage relationship between rental levels applying to State Energy Commission housing and those applying to tenants in Government Employees' Housing Authority dwellings?

Mr PARKER replied:

Relationship between rental applied by GEHA and SEC

Major centres—

In major centres of population the commission adopts the rate of 75 per cent of GEHA housing rentals as the basic rental for commission-owned property. Major centres are Geraldton, Albany, Bunbury, Kalgoorlie, and Collie.

Small towns—

In areas not covered above, the basic rental is 60 per cent of GEHA rentals.

North-west—

For locations above the 26th parallel, the basic rental is \$14.20 compared with GEHA rentals of between \$37 and \$47.50.

#### ENERGY: ELECTRICITY

##### Power Station: Collie

899. Mr PETER JONES, to the Minister for Minerals and Energy:

(1) With regard to the environmental review and management programme being prepared by the State Energy Commission on the availability and use for cooling purposes of water in the Collie basin—

(a) has the environmental review and management programme yet been completed and submitted to the Environmental Protection Authority;

(b) if "No", when is it anticipated that the environmental review and management programme will be completed and forwarded to the Environmental Protection Authority?

(2) For what period will public submissions be open and invited for comment on the environmental review and management programme?

(3) (a) Is the environmental assessment of the proposed pipeline from the Collie basin to the ocean at Bunbury part of the environmental review and management programme currently under consideration;

(b) if "No", when will this further environmental assessment be completed and available for comment?

Mr PARKER replied:

(1) (a) and (b) There is no separate environmental review and management programme (ERMP) being prepared by the commission on the availability and use for cooling purposes of water in the Collie basin. The use of groundwater and minewater in the proposed south-west power station will be addressed in the ERMP for this project. Under the current programme, the ERMP will be submitted to the Environmental Protection Authority in March 1985.

(2) The nominal period for public review of the south-west power station ERMP is eight weeks, but this is subject to the discretion of the Environmental Protection Authority.

(3) (a) and (b) Planning for the proposed Muja to Bunbury saline water pipeline has been suspended pending a review by the Public Works Department (PWD) of

management strategies to control the quality of water supplied to great southern towns.

Environmental assessment of the saline water pipeline will be recommenced only if the PWD review confirms the need for such a pipeline. This assessment would be independent of the south-west power station ERMP.

## DEPARTMENT OF CONSERVATION AND LAND MANAGEMENT

### *Administrative Arrangements*

900. Mr PETER JONES, to the Premier:

- (1) With regard to the proposed new Government department to combine the personnel and activities of the Forests Department, the National Parks Authority, the wildlife section of the Department of Fisheries and Wildlife, the Herbarium, etc., what progress has already been made in formulating administrative arrangements for the proposed department?
- (2) (a) Have personnel been seconded for the purpose of establishing administrative arrangements, operating procedures, and similar matters;
- (b) if "Yes", who are the personnel involved and from which departments have they been seconded?
- (3) Is it fact that stationery and departmental bulletins have been prepared?
- (4) What office accommodation has been set aside for the new department as its headquarters building?
- (5) What arrangements are proposed for the existing office accommodation currently occupied by those bodies and instrumentalities which will be subsumed in the new department?

Mr BRIAN BURKE replied:

- (1) Formulation of administrative arrangements for the proposed Department of Conservation and Land Management have been confined to those necessary for incorporation into the department of the Forests Department, the National Parks Authority, and the wildlife section of the Department of Fisheries and Wildlife. The broad structure of the new department has been approved by the Public Service Board and more detailed consideration of individual units of the new

department is currently being undertaken by working groups of officers from the Public Service Board and the component agencies.

(2) (a) Yes;

(b) Dr Syd Shea has been seconded from the Forests Department and Mr David Hampton has been seconded from the Department of Premier and Cabinet. However, a number of other personnel from the component agencies have been working on the administrative arrangements and operating procedures of the proposed department on a part-time basis.

- (3) No. A newsletter entitled *Indat* has been circulated to members of the agencies involved in the amalgamation. *Indat* has been produced to keep officers advised on progress being made towards formulation of the department.
- (4) No decision has been made as to what building will act as headquarters for the proposed department.
- (5) Various options for accommodating the various sections of the proposed department are still being considered.

901 to 904. *Postponed.*

## EMPLOYMENT AND TRAINING: UNEMPLOYMENT

### *Youth: Proposals*

905. Mr COURT, to the Premier:

What are the Government's proposals to solve youth unemployment in the 1984-85 financial year?

Mr BRIAN BURKE replied:

The Government will be announcing, in the forthcoming Budget, a range of measures directed at young job seekers.

## HOUSING: CONSTRUCTION

### *Costs: 1983-84*

906. Mr MacKINNON, to the Minister for Housing:

In the report to the Minister for Housing entitled "Housing Problems! Needs!", it was indicated that building costs for the 1982-83 year rose by only 0.9 per cent.

I ask—

What has been the increase for the 1983-84 year?

Mr WILSON replied:

The building costs increase for 1983-84 was 5.1 per cent.

## HEALTH: NURSING HOMES

### *Patients: Bed Subsidy*

907. Mr PETER JONES, to the Minister for Health:

- (1) (a) Under the subsidy and allowances schemes available for private nursing homes, does the Department of Health continue to pay the bed subsidy to private nursing homes when the patient is temporarily transferred to a hospital for required treatment;
- (b) if "No", for what reason is the payment of this subsidy suspended?
- (2) (a) When payment is suspended, is it normal practice for the facility or institution concerned to seek to recover the bed subsidy directly from the patient;
- (b) if so, is this practice covered by Statute?
- (3) Has he received complaints relating to make-up payments being directly required from the patient who has been temporarily absent undergoing required medical treatment?

Mr HODGE replied:

- (1) to (3) As subsidy to nursing homes is a Commonwealth matter, this question should be referred to the Federal Minister for Health.

## PORTS AND HARBOURS: MARINA

### *Fremantle: Yacht Clubs*

908. Mr MacKINNON, to the Minister for Works:

What yacht clubs, yachting organisations, or individuals who participate in yachting activities were contacted in the process of designing the new marina at Fremantle?

Mr McIVER replied:

- (a) Yacht Clubs—Royal Perth, Fremantle Sailing;

(b) yachting organisations—Bond Syndicate;

(c) individual yachting participants—various members of the above organisations or of the various State authorities associated with the America's Cup steering committee.

## SPORT AND RECREATION: YACHTING

### *America's Cup: Committee*

909. Mr MacKINNON, to the Minister representing the Minister for Administrative Services:

What members of the America's Cup committee are experts in yachting or experienced yachtsmen?

Mr PEARCE replied:

The following committee members are experienced yachtsmen—

Dr John Taplin,

Mr Alan Keil, and

the chairman, Mr N. Semmens.

## PORTS AND HARBOURS: MARINA

### *Fremantle: Danger*

910. Mr MacKINNON, to the Minister representing the Minister for Administrative Services:

Is the Government aware that after completion of the new marina in Fremantle, that on a prevailing south-west breeze it will become difficult and dangerous for—

- (a) yachts to leave the Fremantle sailing club;
- (b) yachts to enter the new marina;
- (c) yachts to leave the Fremantle fishing harbour?

Mr PEARCE replied:

- (a) to (c) Professional advice to the Government is that no dangerous situation will exist as a result of construction of the new marina facility.

The distance from the centre of the planned entrance to the new marina to the centre of the existing fishing boat harbour entrance, and the entrance to Fremantle Sailing Club will be, in each case, 300 metres.

## PORTS AND HARBOURS: MARINA

*Fremantle: Congestion*

911. Mr MacKINNON, to the Minister representing the Minister for Administrative Services:

Is the Government aware that the combined entrance area to the Fremantle Sailing Club and the new Fremantle marina will be severely congested with power boats mixing with yachts tacking in a restricted area?

Mr PEARCE replied:

Professional advice to the Government is that there is no unmanageable congestion in the area referred to. Additional navigational aids are to be installed in relation to the construction of the new marina and will provide adequate safeguards.

The distance from the centre of the planned entrance to the new marina to the centre of the existing fishing boat harbour entrance, and the entrance to Fremantle Sailing Club will be, in each case, 300 metres.

## PORTS AND HARBOURS: MARINA

*Fremantle: Environmental Studies*

912. Mr MacKINNON, to the Minister for the Environment:

(1) What environmental studies have been carried out to ensure that—

(a) existing beaches will not be polluted and flooded;

(b) wave actions formed will not be dangerous to small craft following construction of the new Fremantle marina?

(2) Have working models of the marina been tested?

Mr DAVIES replied:

(1) (a) Northern boat harbour will be built some distance offshore. The notice of intent for the project did not identify pollution or flooding of beaches as potential environmental problems.

(b) and (2) These questions should be referred to the Minister for Works.

## PORTS AND HARBOURS: MARINA

*Fremantle: Consultants*

913. Mr MacKINNON, to the Minister for Works:

(1) Were international consultants used in the planning of the new Fremantle marina?

(2) If "Yes"—

(a) who were those consultants;

(b) for how long were their services used;

(c) what experience did they have in marina designs?

Mr McIVER replied:

(1) No.

(2) (a) to (c) Not applicable.

## GOVERNMENT PUBLICATIONS:

*"WA GOVERNMENT NOTES"**Cost and Distribution*

914. Mr MacKINNON, to the Premier:

(1) What has been the total cost to 31 August 1984, of publishing and distributing *WA Government Notes*?

(2) Would he list for me the organisations to which free copies of the publication will still be distributed as referred to by him in question 676 of 18 September?

Mr BRIAN BURKE replied:

(1) The most recent accounts received—4 July 1984—indicate costs of \$6 975.50. Distribution costs are contained within normal departmental expenditure and are not separated.

(2) Local government organisations

Public libraries

Tertiary institutions—libraries, public relations departments, and student guilds

Service organisations—Lions, Apex, Rotary

All parliamentarians

WA Federal parliamentarians

State Government departments and departmental libraries

WA offices of Commonwealth departments

News and media outlets

State executives of political parties

Trade unions

Industry organisations.

**HEALTH: AIR POLLUTION***Eastern Goldfields*

915. Mr MacKINNON, to the Minister for Health:

- (1) Referring to question 309 of 7 August, concerning air pollution in the eastern goldfields, has he yet received a response from the Minister for the Environment following the reference of the report mentioned to him on 8 May?
- (2) If not, when does he expect to receive a response?

Mr HODGE replied:

- (1) No.
- (2) The member should refer this question to the Minister for the Environment.

**EDUCATION: FOUR-TERM SCHOOL YEAR***Length of Terms*

916. Mr MacKINNON, to the Minister for Education:

Referring to question 670 of 18 September 1984, when will the length of each proposed term be determined so that those people making submissions to him can have some idea of the proposed dates that a four-term school year will encompass?

Mr PEARCE replied:

When all submissions have been received and considered a decision will be made. Ample notice will be given of any change in the dates of school terms.

**HOUSING: CONSTRUCTION***Commonwealth Assistance*

917. Mr MacKINNON, to the Minister for Housing:

Referring to question 788 of 19 September, concerning Commonwealth Government housing funds, to what grants does the amount of \$44.192 million under the heading "other welfare" refer?

Mr WILSON replied:

The Commonwealth Grant of \$44.192 million refers to funds provided to Western Australia for financial assistance for housing purposes generally under the terms of the Commonwealth-State Housing Agreement.

**POLICE: FIREARMS***Review: Recommendations*

918. Mr MacKINNON, to the Minister for Police and Emergency Services:

- (1) Have the recommendations resulting from the review of firearms legislation yet been presented to Cabinet?
- (2) (a) Has Cabinet approved of the recommendations;
- (b) if so, when will the legislation resulting from these recommendations be introduced into the Parliament?

Mr CARR replied:

- (1) No.
- (2) (a) and (b) Not applicable.

**WASTE DISPOSAL: LIQUID***Canning Vale: Alternative Sites*

919. Mr MacKINNON, to the Minister for Health:

Referring to question 671 of 18 September, what alternative sites to Canning Vale are under consideration by the Public Health Department for the disposal of liquid wastes?

Mr HODGE replied:

No specific sites are under consideration.

**EDUCATION: PRIMARY SCHOOL***Burrendah: Administration Facilities*

920. Mr MacKINNON, to the Minister for Education:

- (1) (a) Referring to question 2722 of 4 April 1984, concerning administration facilities at Burrendah Primary School, has a tender been let for the construction of these improved facilities;
- (b) if so, when was the tender let?
- (2) When will construction of the improvements commence?
- (3) What is the anticipated date of completion of this work?

Mr PEARCE replied:

- (1) (a) No;
- (b) Not applicable.
- (2) and (3) not applicable.

This project, as developed, proved to be excessive when estimates were prepared, and the project is being redocumented.

- (iii) revenue requirements of the commission to facilitate public housing programmes;
- (iv) market viability of the land.

## HOUSING: RENTAL

### *Rebates: Commonwealth Responsibility*

921. Mr MacKINNON, to the Minister for Housing:

- (1) (a) Has the State Government made an approach to the Commonwealth with a request that the Commonwealth accept the responsibility to fund all or some proportion of State Housing Commission rental subsidies or rebates;

(b) if so, when was the approach made?

- (2) What was the nature of that approach?

Mr WILSON replied:

- (1) and (2) Yes. The Government made strong representations before and during negotiations for the new Commonwealth-State Housing Agreement. The negotiations resulted in a recognition of Commonwealth responsibility to assist the State in supplementing rent subsidies and rebates.

As a result of our negotiations, the Commonwealth has provided funds under the new agreement in this financial year by way of non-repayable interest free grants, which offset to a degree the cost of rent subsidies.

## HOUSING: LAND

### *Sales: SHC*

922. Mr MacKINNON, to the Minister for Housing:

- (1) Who handles the organisation and arrangement of land sales for the State Housing Commission?
- (2) Have any criteria been established by the commission or its adviser/s for determining the need and priority for development and sale of State Housing Commission assets?

Mr WILSON replied:

- (1) The State Housing Commission.
- (2) Yes.
  - (i) Assessment of demand for public housing, both current and future;
  - (ii) service capacity of the land;

## FINANCIAL INSTITUTIONS: BUILDING SOCIETIES

### *Mixed Money Schemes: SHC Participation*

923. Mr MacKINNON, to the Minister for Housing:

Is it fact that the State Housing Commission will not in future operate in conjunction with building societies' mixed money schemes as it has done in previous years?

Mr WILSON replied:

As a result of the reduction of interest rates on housing loans, there is no need for the State Government to allocate funds for a mix of funds scheme as in previous years.

## HOUSING: YOUTH ADVISER

### *Role*

924. Mr MacKINNON, to the Minister for Housing:

- (1) Has the Government a youth adviser on housing?
- (2) Who is the officer?
- (3) What is that officer's role?

Mr WILSON replied:

- (1) No.
- (2) and (3) Not applicable.

## GOVERNMENT DEPARTMENTS AND INSTRUMENTALITIES: CEP

### *Allocations*

925. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

- (1) Of the \$40 425 617 approved under the community employment programme during the year ended 30 June 1984, how much was allocated to State Government departments, agencies or authorities?
- (2) (a) Will the Minister list these allocations;
- (b) if not, why not?



Mr PEARCE replied:

- (1) \$9 429 277.
- (2) (a) Yes. A list will be forwarded by letter to the member;
- (b) not applicable.

#### EMPLOYMENT AND TRAINING: EMPLOYMENT STRATEGIES FUND

##### *Expenditure*

926. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

- (1) Referring to question 263 of 2 August, can the Minister now advise me as to how much of the \$1 454 720 committed to the State employment strategies fund had been spent as at 30 June 1984?
- (2) When the Minister says in answer to question 263 of 2 August that \$201 837 has been recouped against expenditure by departments does this mean that this is the amount actually paid to the departments from the fund as at 30 June 1984?
- (3) (a) Is the fund still in existence;
- (b) if so, how much remains in it?
- (4) In any event, how much has now been spent or committed from the fund?
- (5) If this is in excess of the \$1 454 720 as advised previously, will the Minister list for me the project to which the funds have been allocated?
- (6) How much of the \$1 454 720 has been spent to date?
- (7) (a) Will the Minister list that expenditure;
- (b) if not, why not?

Mr PEARCE replied:

- (1) \$170 547.
- (2) Yes. Paid or to be paid.
- (3) (a) Yes;
- (b) as at 31 August 1984, the balance in the fund was \$2 245 993.
- (4) The commitment to date on approved projects remains at \$1 454 720 of which \$754 007 has been actually spent as at 31 August 1984.
- (5) Not applicable.

(6) Answered by (4).

- (7) (a) Yes. A list will be forwarded to the member;
- (b) not applicable.

#### BUSINESS: SELF-EMPLOYMENT BUSINESS VENTURES SCHEME

##### *Loan: Restaurant*

927. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

In relation to the self-employment business ventures loan for a restaurant referred to in question 857 of 20 September, what rate of interest is being charged on this loan?

Mr PEARCE replied:

All loans provided by self-employment business ventures scheme are interest free and aside from repaying the loan funds, no other costs are imposed on the applicant.

#### EMPLOYMENT AND TRAINING

##### *Co-Action Scheme: Grants*

928. Mr MacKINNON, to the Minister representing the Minister for Employment and Training:

- (1) At what address is the unemployed metal trades workers communications project—reference question 807, 20 September—operating?
- (2) At what address is the unemployed citizens bulletin project operating—reference question 805, 20 September?
- (3) At what address is the "Tenants News" project operating—reference question 805, 20 September?

Mr PEARCE replied:

- (1) The unemployed metal trades workers' communications project is operating from 28/169 Railway Parade, Mt. Lawley.
- (2) The unemployed citizens bulletin project is operating from 9 Howard Street, Perth.
- (3) The tenants news project is operating from 57 Gresham Street, Victoria Park.

929 and 930. *Postponed.*

# STATE FINANCE: COST SAVING MEASURES

## *Savings*

931. Mr MacKINNON, to the Premier:

- (1) How much did the cost-saving measures detailed by him in his *New Release* of 22 June 1983—reference 83/380—actually save?
- (2) Will he list the savings under the various areas where the savings were achieved?

Mr BRIAN BURKE replied:

- (1) and (2) Compiling this information would tie up considerable resources in the Treasury at a time when the department is heavily involved in preparing Budget papers.

I will give consideration to arranging for the Treasury to supply the member with the detailed information in due course.

# DEPARTMENT OF PREMIER AND CABINET

## *Staff: Monitoring Unit*

932. Mr MacKINNON, to the Premier:

- (1) (a) Has a staff monitoring unit been established within the Department of Premier and Cabinet;  
(b) if so, when was the unit established?
- (2) Who are the members of the unit?
- (3) Is it still in existence?

Mr BRIAN BURKE replied:

- (1) (a) and (b) The member may wish to refer to my news release of 22 June 1983 advising that a small staff monitoring unit had been established within the Department of the Premier and Cabinet.
- (2) Officers of the Department of the Premier and Cabinet and the Public Service Board.
- (3) No.

933. *Postponed.*

# STATE FINANCE: GENERAL LOAN FUND

## *Computer-based Systems*

934. Mr MacKINNON, to the Premier:

- (1) (a) Has the Government introduced computer-based systems into its capital works budgeting;

(b) if so, when was the system introduced?

- (2) Which areas of government is its work related to?

Mr BRIAN BURKE replied:

- (1) (a) Yes;  
(b) the system was introduced in time to accommodate the preparation of the 1984-85 capital works programme estimates.
- (2) The new system initially applies to those projects which are grouped under the public buildings programme.

935 and 936. *Postponed.*

# ELECTORAL: CHIEF ELECTORAL OFFICER

## *Allegations: Ministerial Approaches*

937. Mr HASSELL, to the Premier:

- (1) With reference to allegations made by the former Chief Electoral Officer (Mr Coates) reported in *The Western Mail* on the weekend of 22-23 September 1984, will he inform the House in respect of the period since the present Government has been in office whether he or any of his advisers or officers have made any approaches to the Electoral Department or any of its officers or former officers—
  - (a) in relation to the removal or making available to any person or body outside the department of any departmental or electoral records or copies of records or any information whatsoever from the department;
  - (b) ordering, requesting, or suggesting the replacement of any officer or officers employed or engaged by the department for any purpose by an Aborigine or Aborigines;
  - (c) ordering, requesting, or suggesting the appointment or engagement of more Aborigines within or by the department?
- (2) If any of the above actions have been taken, will he give full details to the House?

Mr BRIAN BURKE replied:

- (1) (a) The Leader of the Opposition would be well aware that numerous requests are made by members of Par-

liament, their staff, and others for information from the Electoral Department. I am not aware of any improper approaches to the Electoral Department in relation to requests for information, other than allegations made by the former Chief Electoral Officer. The former Chief Electoral Officer has indicated in a radio interview that he was not prepared to discuss the matter with me, and has also refused to discuss the matter with the Chairman of the Public Service Board.

The allegations were also raised with the Acting Chief Electoral Officer who advises he has no knowledge of them.

If the Leader of the Opposition is aware of any improper approaches and informs me of them, I will immediately have them investigated.

- (b) and (c) The only approach I am aware of in respect of these matters is a minute from the Minister for Planning and a reply from the Minister for Parliamentary and Electoral Reform, copies of which are tabled.

If the Leader of the Opposition has any further information on this matter, I would be pleased to receive it and I will ensure it is immediately investigated.

- (2) See (1).

*The paper was tabled (see paper No. 166).*

### EQUAL OPPORTUNITY BILL

#### *Federal Sex Discrimination Act: Differences*

938. Mr BRADSHAW, to the Premier:

In regard to the Equal Opportunity Bill, what are the basic differences between the Federal legislation—Anti Discrimination Bill—and the Equal Opportunity Bill?

Mr BRIAN BURKE replied:

It is assumed that the member is referring not to a Federal Bill, but to two Federal Acts—the Racial Discrimination Act 1975 and the Sex Discrimination Act 1984.

For detailed information about the operation of Federal legislation, I refer the member to the Racial Discrimination Act 1975 and the Sex Discrimination Act 1984 as well as the Human Rights Commission, Canberra, which administers these two Acts.

The Western Australian Bill sets out to parallel in most respects the Federal Acts in order to minimise constitutional incompatibility.

In terms of major differences, the State Equal Opportunity Bill provides for broader grounds of discrimination. In addition to covering discrimination based on race, sex, marital status, and pregnancy, it makes it unlawful to discriminate on the ground of religious or political conviction.

Some of the areas covered by the State Bill and Federal Acts differ, in particular, because of the differing areas of jurisdiction. For example, the Federal Acts cover combat duties and administration of Commonwealth laws and programmes. The State Bill does not. The State Equal Opportunity Bill covers discrimination in employment of State Government employees. The Federal Acts do not.

The State Equal Opportunity Bill covers equal opportunity in public employment. Although the Federal Acts do not cover this area, the Commonwealth Public Service Reform Act 1984 and the Merit Protection (Australian Government Employees) Act 1984 make provision for the implementation of equal employment opportunity in the Commonwealth Public Service.

### INSURANCE: BROKERS

#### *Federal Legislation: Western Australian Fees*

939. Mr BRADSHAW, to the Minister representing the Attorney-General:

In view of the current Federal Insurance (Agents and Brokers) Act 1984, will insurance brokers and agents in Western Australia still have to register or pay licence fees under the General Insurance Brokers and Agents Act 1981?

Mr GRILL replied:

The Federal Insurance (Agents and Brokers) Act 1984 has not yet been proclaimed. It will therefore be neces-

ary for insurance brokers and agents in Western Australia to continue to pay licence fees while required to be licensed under the General Insurance Brokers and Agents Act.

940 to 943. *Postponed.*

#### EDUCATION: PRIMARY SCHOOL

##### *Roleystone: Assembly Area*

944. Mr RUSHTON, to the Minister for Education:

- (1) Further to his visit to Roleystone Primary School recently to consider a request for provision of a covered assembly area—
  - (a) is Roleystone Primary School to receive a covered assembly area this year;
  - (b) if not, which schools have been allocated covered assembly areas this year?
- (2) If there has not been a decision, when is it expected to be taken?

Mr PEARCE replied:

- (1) and (2) Consideration is being given to the provision of facilities at a number of schools in the 1984-85 financial year and full information on each will be available when the State Budget is brought down next month.

945. *Postponed.*

#### BUSINESS: COMPANIES

##### *Legislation: Amendments*

946. Mr MENSAROS, to the Minister representing the Attorney-General:

- (1) Is the Government supporting the recent Commonwealth Government proposals to amend the Companies Code to require company directors to make full individual disclosures in their annual reports of salaries, fees, expenses, and all their benefits?
- (2) Are such measures against the recommendation of the National Companies and Securities Commission?
- (3) If answer to (1) is "Yes", would the Attorney General please give his reasons for agreeing to such an infringement of privacy in business?

Mr GRILL replied:

- (1) to (3) See answer to question 707.

#### EDUCATION: TERTIARY

##### *University of Western Australia: Law Graduates*

947. Mr MENSAROS, to the Minister representing the Attorney-General:

- (1) Have law graduates from the University of Western Australia Law School found suitable professional accommodation without delay after their graduation during the past three years?
- (2) What is the expectation regarding the 1983-84 graduates?
- (3) Is the general trend in demand for graduate lawyers according to present predictions on the increase or is it decreasing?

Mr GRILL replied:

- (1) The information is not readily available.
- (2) All but eight students who will graduate this year have been offered articles.
- (3) Predictions by the Law Society indicate that the demand for graduate lawyers is increasing and will exceed the supply.

#### EDUCATION: TERTIARY

##### *University of Western Australia: Law Graduates*

948. Mr MENSAROS, to the Minister representing the Attorney General:

Would the Attorney General please ascertain from the University of Western Australia and advise the House how many law students have graduated from the University of Western Australia Law School during each of the past 10 years?

Mr GRILL replied:

I am advised that the following numbers of students completed the academic requirements for the Bachelor of Laws degree—

1974—20—due to new course structure
1975—51
1976—89
1977—85
1978—85
1979—89
1980—96
1981—78
1982—84
1983—86.

## PRISONS: DEPARTMENT

*Amalgamation with Parole Board*

949. Mr MENSAROS, to the Minister representing the Attorney General:

- (1) Is it proposed to amalgamate the Prisons Department with the Parole Board and/or broadly the parole services in the State?
- (2) If so, can the Attorney General describe the proposed administrative and other steps which are going to be taken?

Mr GRILL replied:

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

## SEWERAGE

*Commonwealth Funding*

950. Mr MENSAROS, to the Minister for Water Resources:

- (1) As infill sewerage work is a very important and very costly outstanding duty of the Water Authority, would he please enlarge on his reply to question 625 of 1984 as to the intensity and way "inquiries" have been made to the Commonwealth Government regarding financial assistance?
- (2) In any event, would he undertake to make every endeavour to secure Commonwealth assistance in the future to make at least some step toward sewerage about 40 per cent unsewered properties in the metropolitan area without undue increases in charges to customers?

Mr TONKIN replied:

- (1) Oral inquiries established that for 1984-85 no funds for infill sewerage could be made available in the Commonwealth Budget. However, infill sewerage priorities and costs are presently being reassessed so that submissions on future financial assistance for this work can be made.
- (2) Yes.

## EDUCATION: TERTIARY

*Murdoch University: Law School*

951. Mr MENSAROS, to the Minister for Education:

- (1) (a) Has it been factually reported that it is the Government's intention to

cause the establishment of a law school at Murdoch University;

- (b) if so, would he please say who and/or which organisations have been consulted in this matter?

- (2) What is the rough estimate for the—
  - (a) capital cost of establishing; and
  - (b) annual running cost, of such a law school?

Mr PEARCE replied:

- (1) (a) At the request of the Western Australian Post Secondary Education Commission, Murdoch University has been exploring the possibility of offering programmes in law and legal studies. The development of a law school at Murdoch University has the support of the Government, but I understand that it is unlikely that Commonwealth funds will be available for this development in the 1985-87 triennium.
- (b) I have been informed that Murdoch University has had some discussions regarding this matter with representatives of the legal profession, the University of WA, Western Australian Post Secondary Education Commission, and the Universities Council of the Commonwealth Tertiary Education Commission.
- (2) I am unable to provide estimates of costs as there is, as yet, no agreement on the nature, scale, and timing of such a development.

## ARTS: PERTH THEATRE TRUST

*Concert Hall: Bookings*

952. Mr MENSAROS, to the Minister for the Arts:

Are the ticket sales in the Perth Concert Hall a part of the Government-owned organisation looking after the bookings of the Perth Concert Hall, His Majesty's Theatre and the Entertainment Centre, and sometimes other venues?

Mr DAVIES replied:

The member's question is a little vague. However for the past 10 years the booking office at the Perth Concert Hall has operated as a service to the public to enable them to purchase tickets to a wide

range of cultural and entertainment activities in Perth.

### TOURISM: BUNGLE BUNGLE

#### *Cattle and Donkeys*

953. Mr MENSAROS, to the Minister for Lands and Surveys:

- (1) Is it fact that there are very large numbers—in the thousands—of donkeys and cattle in the Bungle Bungle area?
- (2) Who are the owners of the cattle?
- (3) Are the cattle properly looked after as required within the terms of the pastoral leases?
- (4) When have the cattle been mustered last?
- (5) Is there any action proposed for reducing and ultimately eliminating these animals from this area to stop erosion and rehabilitate the land around Bungle Bungle?

Mr McIVER replied:

- (1) The latest count made after aerial survey indicates that there are about 2 000 cattle and 1 500 donkeys in the Bungle Bungle area.
- (2) Some of the cattle are unbranded, the remainder belong to various owners.
- (3) No.
- (4) Two years ago. Donkeys are shot as part of an ongoing programme of control.
- (5) Yes.

954 to 956. *Postponed.*

### HEALTH: HOSPITAL

#### *Bentley: Orthopaedic Surgeons*

957. Mr HASSELL, to the Minister for Health:

- (1) What arrangements have been made for orthopaedic surgeons who applied for the advertised posts at Bentley Hospital regarding the availability of resident medical staff and after hours arrangements?
- (2) What will the situation be at Bentley Hospital regarding the supply of instruments in theatres for use by orthopaedic surgeons?
- (3) What sessions will be offered to orthopaedic surgeons and do the positions vary from full-time to sessional, and if full-time, do surgeons receive benefits

similar to other Government positions such as reasonable leave and superannuation etc?

Mr HODGE replied:

- (1) No change is envisaged to the way that orthopaedic surgeons provide their services to Bentley Hospital at present. Surgeons currently accept responsibility for after-hours care for their own patients.
- (2) Arrangements will be made with surgeons on their appointment as to their requirements for instruments.
- (3) Yes. Full-time appointments will receive leave and conditions equal to full time positions in teaching hospitals. Part time or sessional appointments receive benefits proportional to full-time appointments.

The number of sessions which can be offered is flexible, depending on what commitment each applicant is prepared to make for the treatment of public patients at Bentley Hospital.

958 to 960. *Postponed*

### LAND DRAINAGE: LEGISLATION

#### *Reintroduction*

961. Mr LAURANCE, to the Minister for Water Resources:

- (1) Has he indicated to local authorities that the Land Drainage Amendment Bill 1984 which has been withdrawn from the Parliament, will be reintroduced in this current session?
- (2) Is it intended to provide local authorities with further information before the Bill is reintroduced?
- (3) Will he ensure that all interested local authorities have adequate time to study any further material he may make available and respond before he proceeds with the legislation?

Mr TONKIN replied:

- (1) I have advised local authorities and other interested persons that comments on the Bill are being considered and that the Bill will be modified before it is reintroduced into Parliament. I do not expect to introduce the redrafted Bill into the Parliament this year as time will be taken to modify the Bill in line, so far

as is possible and desirable, with the comments received.

- (2) This will depend on the nature and extent of the modifications which will be made to the Bill.
- (3) If there is a need to seek further advice or comment from local authorities, those authorities will naturally be given adequate time to respond.

## QUESTIONS WITHOUT NOTICE

### TAXES AND CHARGES

#### *Increases: Dollar Value*

250. Mr HASSELL, to the Treasurer:

Today I asked the Treasurer a question on notice relating to the total amount of increase, expressed in dollar terms, of State Government charges for the year 1984-85 to which he replied that it was a budgetary matter and relevant information would be disclosed when the Consolidated Revenue Fund estimates were prepared for Parliament. I now ask—

- (1) What distinguishes the situation this year from the situation last year, when the figure this year was not disclosed despite the promise made by the Treasurer to disclose it when he announced the increase in charges, from last year when the Government's figure of about \$58 million was disclosed as the amount of the increase, but it was subsequently found that the total amount of the increase was well over \$100 million?
- (2) What is the difference between the two years?
- (3) Why can he not tell me this year what he could tell me last year?

Mr BRIAN BURKE replied:

- (1) to (3) I wish to correct a wrong impression held by the Leader of the Opposition. I understand that the inaccuracy was in the calculation made by the member's Press secretary. The Press secretary earned the reputation of being the man with the golden calculator immediately after making the mistake.

I am not aware of my having made any mistake of the nature to which the Leader of the Opposition refers. His

question was referred to the Department of Treasury as is the normal practice but the answer that the Leader of the Opposition has been given is one that was referred to me from Treasury for passing on to him.

I am perfectly happy to advise Treasury of the Leader of the Opposition's comments to see whether it maintains its view that the information sought is a matter for disclosure during the Budget process, and as the Budget is delivered to Parliament.

### GOVERNMENT INSTRUMENTALITIES: PERMANENT HEADS

#### *Allegations: Procedures*

251. Mrs BEGGS, to the Minister for Parliamentary and Electoral Reform:

In view of media interest in allegations made by the former Chief Electoral Officer I ask—

Is the Minister able to advise the House of the procedures to be followed by permanent heads in reporting such matters to the Minister, and whether Mr Coates followed those procedures?

Mr TONKIN replied:

The procedure followed is that if a head of department is concerned about anything in the execution of his duty, including approaches by members of Parliament and Ministers of the Crown, he should contact his Minister and report the matter, especially if he regards the approach as improper. If, for some reason or other which I cannot fathom, a head of department does not want to seek a discussion with the Premier or his own Minister, he should go to the Chairman of the Public Service Board.

The problem with the allegations made by Mr Coates is that at no time did he come to me and indicate that something improper was occurring. Therefore, I have not been able to take any action. These allegations have been made and we have asked him to let us know what they are or to speak to the chairman of the Public Service Board who served the Liberal Government and this Government and, therefore, cannot in any way be regarded as a political person. Mr Coates refuses to give the information to either the Government or to the Chairman of the Public Service Board. Under

those circumstances it is impossible for us to work out what Mr Coates is referring to.

I have had the files examined by the Acting Chief Electoral Officer and the only document that might fit the bill referred to the demotion of a person employed under the Electoral Act. I gave a copy to the Premier and indicated that that may be what Mr Coates was talking about. That was released to the Press on Monday and we were told that it did not relate to the allegation. We are placed in an impossible position when the person responsible does not tell us what the problem is.

Furthermore, I have contacted the Deputy Chief Electoral Officer, now Acting Chief Electoral Officer, Mr Ray Shaw, to ask whether he knows what Mr Coates is talking about. He does not know. I have also written to Mr Shaw and he has replied. I am pleased to provide a copy of my letter and Mr Shaw's reply for the information of members. I have no problem about tabling both letters. Mr Shaw is rather nonplussed. Part of his letter states the following—

I am not aware of any improper approaches that may have been made by a Cabinet Minister or a Labor M.P. to the former Chief Electoral Officer, with the following possible exceptions.

1. I understand that immediately after the 1983 Election some form of communication occurred between the Premier-elect and the Chief Electoral Officer concerning immediate discontinuance of the requirement that enrolments be witnessed by qualified witnesses. Naturally I am not aware of the exact terms of the conversation or whether or not they could be considered improper. I do not know whether this is one of those matters that Mr Coates has in mind.

Mr Speaker, you will realise that that conversation was connected with our desire to change the Act, which we have done because we believe it needed to be changed. The discussion related to the

intention to alter the Act. The letter continues—

2. I am aware that correspondence occurred between the member for North Province, Hon. P. Dowding, and this department, through yourself. It concerned a suggestion to the best of my recollections that an Aboriginal be appointed as Presiding Officer at a polling place.

That was released to the Press on Monday. It continues—

In the matter of the questions, I am not aware of any request for removal or making available Departmental records or information other than the request for the supply of additions and deletions lists which are part of regular policy and have been for some years.

Mr Shaw does not know of it either.

Mr Coates had not had previous experience in the electoral office before working as Chief Electoral Officer, unless he had worked there as a junior clerk or messenger boy early in his career. Certainly in the 25 years before his appointment, he had not worked for the Electoral Department and, therefore, he relied heavily on Mr Shaw. When Mr Coates attended meetings with me, Mr Shaw usually accompanied him. Therefore, I find it hard to believe that if something was troubling Mr Coates, such as improper approaches, he would not have confided in Mr Shaw upon whom he relied so heavily.

As a Minister of the Crown, I will have no truck with any person, whether he be a Minister of the Crown or a member of either House of Parliament, interfering with the proper workings of the Electoral Department. Certainly, had Mr Coates come to me and said he was concerned about some matter I would have been very quick to act upon it. I would not have tolerated such a situation.

However, vague comments have been made, Mr Coates will not co-operate and Mr Hassell, the Leader of the Opposition, who presumably has discussed the information with Mr Coates, will not pass it on. Under these circumstances, how can the Government free itself from the innuendo that has occurred and clear



its name if it does not know what the charges are.

*The letters were tabled (see papers Nos. 166 and 167).*

## MINISTERS OF THE CROWN

### *Overseas Travel*

252. Mr HASSELL, to the Premier:

I refer the Premier to the question I asked him last week about overseas travel by Ministers' advisers and/or their wives and the undertaking he gave me last Tuesday in the House to reconsider his answer refusing to give any information. I ask—

Has he reconsidered the matter and can any information be made available?

Mr BRIAN BURKE replied:

The matter has been reconsidered to a partial extent and that may provide some partial relief for the Leader of the Opposition because I understand that, when questioned on this subject by reporters, he complained that he could not take the matter further.

The only thing that has been verified to me is that no ministerial advisers' wives have travelled overseas at public expense. That was one of the allegations made by Mr Coates.

Mr Hassell interjected.

Mr BRIAN BURKE: If the Leader of the Opposition knows what Mr Coates is talking about, please tell us.

Mr Hassell: What has that to do with the question?

Mr BRIAN BURKE: The Leader of the Opposition raised an allegation which is one of those made by Mr Coates.

Mr Hassell: I asked a question a week ago which you refused to answer. You undertook to reconsider the matter, and I asked whether you had done so.

Mr BRIAN BURKE: The Leader of the Opposition is now saying in the context of the answer that although the allegation is similar, it has nothing to do with Mr Coates' allegation.

Mr Hassell: It had nothing to do with it. I am asking the question and you brought Mr Coates into it.

Mr BRIAN BURKE: As far as the Government is concerned, we think it is incumbent upon the Leader of the Opposition, if he knows of these allegations, to tell the House about them. If he has any knowledge or evidence he should bring it forth. If he has any evidence or knowledge about ministerial advisers' wives travelling overseas, let him state what that knowledge or evidence is.

Mr Tonkin: Sly innuendo.

Mr BRIAN BURKE: I have answered the question by saying that I have no information about, neither do those people who checked the matter have any record of, ministerial advisers' wives travelling overseas at public expense.

Mr Hassell: I am not questioning your answer.

Mr BRIAN BURKE: I am not saying that the Leader of the Opposition is. However, if he has any evidence to the contrary that would support Mr Coates' allegation, which is remarkably similar to the Leader of the Opposition's question, he should produce it. If he knows of any substance to any of the allegations made by Mr Coates, with whom no doubt he has been in contact on many occasions recently, please let us know the substance.

Mr Hassell: That is an untruth.

Mr Old: How do you know that?

Several members interjected.

Mr BRIAN BURKE: From a transcript in which the Leader of the Opposition said that he had been speaking with Mr Coates on more than one occasion.

Mr Clarko: That does not mean "on many occasions".

Mr BRIAN BURKE: If that is the case, on those occasions when the Leader of the Opposition has discussed the allegations with Mr Coates, if Mr Coates has provided any evidence to the Leader of the Opposition—I suspect he must have, because the Leader of the Opposition has been saying how drastic things are—would he provide the Parliament with that evidence?

Mr Hassell: It is amazing how you try to turn parliamentary question time into an interrogation of the Opposition and, as I have said before, I will not have any part of it.

Mr Wilson: What an admission!

Mr BRIAN BURKE: I can only conclude that the Leader of the Opposition has no evidence either.

Mr Tonkin: That is right.

Mr BRIAN BURKE: Does he or does he not have any evidence?

Mr Tonkin: Just innuendo.

Mr Hassell: You can conclude anything you like and you can go and jump in the lake. This is question time, when the Government is answerable to the Parliament.

Mr BRIAN BURKE: It is all right to ask questions which imply that ministerial advisers' wives are gallivanting around the world at public expense and, when the Leader of the Opposition is told it is not true to say, "Well, I was only asking a question" in the same way as the—

Mr Old: You have not denied it.

Mr BRIAN BURKE: Of course I have denied it.

Mr Old: You said to the best of your knowledge and that you would make further investigations.

Mr Tonkin: He can't speak outside his own knowledge, you goose.

Mr Old: Do you deny that it happened?

Mr BRIAN BURKE: To the best of my knowledge I have no evidence and I deny that it happened.

Mr Old: You are a great qualifier.

Mr BRIAN BURKE: To the best of the knowledge of the Minister for Parliamentary and Electoral Reform it has not happened either.

Mr Davies: Or to the best of my knowledge.

Mr BRIAN BURKE: Or to the best of the Minister for the Environment's knowledge. In the absence of any evidence by the Leader of the Opposition, if I could turn to the specific question, there is no record of any ministerial adviser's wife travelling overseas at public expense.

lation of the proposed Western Australian legislation to license dental technicians currently before the Parliament, he made approaches to the Tasmanian Government to ascertain the attitude of the current Liberal Government of Tasmania in the light of the long experience with the operation of its legislation?

Mr Clarko: Thank you, Dorothy.

Several members interjected.

Mr HODGE replied:

In the early stages of policy development to prepare for the drafting of this legislation my officers liaised with Tasmanian health officers and, indeed, with health officers of other States which have similar legislation.

However, I admit that I had not sought a political blessing from my counterpart, the Minister for Health in the Tasmanian Liberal Government.

Nevertheless, I have recently become aware of the attitude of the Minister for Health in Tasmania and of the Premier, Mr Robin Gray, from a letter which Mr Gray wrote to a correspondent on 6 September last.

Mr MacKinnon: Who was it to?

Mr HODGE: It was to a correspondent—a person in Tasmania who wrote to the Premier. The relevant extract from the letter reads as follows—

The Minister for Health, Mr Cleary, has advised that the record of dental mechanics in Tasmania over the past 27 years is one of an efficient and valuable service to the public. Very few complaints against dental mechanics have been recorded.

Mr Cleary and I are quite satisfied with the standard of service that dental mechanics are providing.

That is an extract from a letter written by Mr Robin Gray, the Liberal Premier of Tasmania. I thought it would be of interest to advise members of the House that it appears now that right across the political spectrum in Tasmania there is a consensus that dental technicians with chairside status have been of definite advantage to the public in that State. I thought it might be of interest to all members of the House to know that,

## HEALTH: DENTAL

### *Technicians: Tasmania*

253. Mrs WATKINS, to the Minister for Health:

In view of the fact that Tasmania has had legislation permitting dental technicians to deal directly with members of the public for some 27 years, can the Minister advise whether, in the formu-

right across the political spectrum, there is that definite support.

# ARTS: PERTH THEATRE TRUST

## *Bookings: Political Function*

254. Mr MENSAROS, to the Minister for the Arts:

My question has nothing to do with Mr Coates. It is as follows—

- (1) Is it the role of the booking office in the Perth Concert Hall—being part of the Perth Theatre Trust; that is, a Government instrumentality—to sell tickets for a political fund-raising function?
- (2) If it is not, why is it advertised by the ABC that the booking office at the Concert Hall is selling tickets for an "Unusual concert" to be held in the Octagon Theatre to raise campaign funds for the ALP candidate for the Federal electorate of Forrest?

Mr DAVIES replied:

- (1) and (2) The answer is very simple: The booking office of the Perth Theatre Trust does not discriminate.

# WESTERN AUSTRALIAN OVERSEAS PROJECTS AUTHORITY

## *Visit: Malaysia*

255. Mr READ, to the Deputy Premier:

Can he indicate the success of a recent visit by representatives of the Western Australian Overseas Projects Authority to Malaysia?

Mr BRYCE replied:

Yes. Several Western Australian firms are assessing the merits of becoming involved in a multi-million dollar development project in the Malaysian city of Malacca.

The possibility of direct Western Australian involvement was discussed during a recent visit to Malaysia by the General Manager of the Western Australian Overseas Projects Authority, Mr Peter Booth.

Talks are now being held with private industry in Western Australia on the project.

Mr Booth held wide-ranging discussions in Malacca which have led to the following possibilities for co-operation—

reclamation of 1 400 acres of land from the sea for commercial development;

preparation of a local plan embracing 4.2 square miles of central business district and 1 400 acres of reclaimed area; and

development of the 1 400 acres of reclaimed land.

The authority made a commitment to Malaysian officials to provide a proposal for a town planning and engineering study of the Malacca central business district and the 1 400 acres of reclaimed area.

It agreed to follow up with private industry to assess the interest in becoming involved in the dredging and redevelopment of the reclaimed area.

Mr Booth was accompanied to Malacca by Mr H. Bollig, of the architectural and town planning firm of Bollig Abbott and Partners (Gulf) Pty. Ltd., at the invitation of the Chief Minister for Malacca, Dato Abdul Rahim Thamby Chik. It followed a visit by the Chief Minister to Australia earlier last month.

# ENERGY: GAS

## *Pipeline: Dampier-Perth*

256. Mr PETER JONES, to the Minister for Minerals and Energy:

- (1) What progress has been made in undertaking the independent review which was indicated in the Press of the delineated route for the natural gas pipeline from the main Dampier-Perth pipeline to East Perth?
- (2) Is it correct, as was stated in the Press, that the SEC had not advised at least some of the residents along the proposed route that their properties would be affected by the pipeline?

Mr PARKER replied:

- (1) There were two Press reports. One appeared in *The Western Mail* of Saturday a couple of weeks ago. That was a scurrilous report and the journalist involved went to see a poor pensioner couple in the Bayswater-Bassendean area. He told them that a pipeline would be coming

through their garden. When they, in concern, telephoned the State Energy Commission about it and they were told that was not the case, the journalist who wrote the story said that that indicated that the SEC had changed its mind when in fact it was never intended that a pipeline go through their property; that was the reason they were never advised that it would.

A further report appeared in *The West Australian* the following Monday.

Mr Peter Jones: That is the one to which I was referring.

Mr PARKER: It reported a statement made by the Deputy Commissioner of the SEC (Mr Kingsmill) in which it was indicated that he said he would be recommending to me that an independent review of the route be undertaken.

A great deal of work has been done in respect of this route and it has not yet been finalised. However, independent reviews of various aspects of the route have been carried out already. Those reviews have been, for example, in relation to hydrological studies and similar engineering aspects about various sections of the road.

The major informant in the case of *The Western Mail* article was a gentleman who has been very agitated about the route in so far as it passes Joel Terrace in Maylands and that area has been the subject of a number of different studies performed by people outside the SEC.

This issue has been before me in many forms for a number of weeks and, following my review of the work, I decided that, given the fact that the route had not been finalised completely and that the concerns of the shires in the region had been allayed by various meetings, discussions, and alterations to the route as a result of contact with these shires, there was no need for an independent review of the route and that there would not be one.

Mr Peter Jones: I agree with you.

Mr PARKER: Therefore, I did not accept the recommendation of Mr Kingsmill.

- (2) I have not had any approaches from anyone alleging they were not advised by the SEC of the proposed route of the pipeline.

Mr Peter Jones interjected.

Mr PARKER: That is a problem we are having with Mr Bropho which, I am hopeful, will be able to be resolved. But certainly, I have not been advised of any concern other than the concern of different shires which, I understand, has now been satisfied.

#### MR ALAN BOND: AMERICA'S CUP

##### *Win: Recognition*

257. Mr LAURANCE, to the Premier:

- (1) As today is the first anniversary of the winning of the America's Cup by *Australia II*, does the Premier agree with me that not enough has been done in a lasting way to honour the instigator of the successful challenge, Mr Alan Bond?
- (2) Does he agree that the winning of the America's Cup is one of the most outstanding achievements of this century and will bring untold benefits to the people of this State?
- (3) Will he therefore recommend to Her Majesty the Queen that Mr Bond be knighted in recognition of his enormous contribution to the welfare of our State?

Mr Blaikie: Hear, hear!

Mr BRIAN BURKE replied:

- (1) to (3) The member for Gascoyne is obviously not aware that it is now not possible for Premiers to make recommendations to the Queen. Without any notice of the question, and going from my recollection of dealing with these matters on a daily basis, I understand there is now a council which makes these decisions and that nominations are made to the council. So, I cannot recommend to the Queen that Mr Bond be knighted.

Mr Hassell: It is still possible, is it not? It is just that you do not exercise the possibility.

Mr BRIAN BURKE: I am not saying that it is not still possible.

Mr Hassell: I thought you did say that.

Mr BRIAN BURKE: I understand it is possible for the council to make recommendations to the Queen—

Mr Hassell: It is still possible for you to make recommendations if you choose to do so.

Mr BRIAN BURKE: My understanding is that that is not the case.

Mr Hassell: State honours have not been abolished; they have only been suspended because you have not exercised them as a matter of policy.

The SPEAKER: Order!

Mr BRIAN BURKE: If the Leader of the Opposition has the details of the answer, I suggest he give them to the member for Gascoyne.

Mr Hassell: I am only trying to help you with the accuracy of your answer.

Mr Old: It is highly inaccurate.

Mr Blaikie: In order to resolve the situation, we could have a change of leadership and Government.

Mr BRIAN BURKE: I find the member to be a truly helpful and jolly fellow. He causes me not much grief whatsoever.

I do agree with the member for Gascoyne about the significance of winning the America's Cup. I am not sure that I agree with him that not enough has been done to honour Mr Bond for heading up the successful syndicate which won the cup although I do understand he was accorded an honour by the Commonwealth about 11 months ago.

I am perfectly prepared to have a look at the matter, and the member for Gascoyne might like to check with me in a week or two when I will be able to tell him exactly what honour it was Mr Bond received and whether or not it is my view that some additional honour should be bestowed upon him.

## WELFARE AND COMMUNITY SERVICES REVIEW

### *Recommendations: Policy Statement*

258. Mr P. J. SMITH, to the Minister for Youth and Community Services:

Can the Minister advise when the Government expects to make a policy statement in response to the 59 recommendations of the newly-released report of the welfare and community services review?

Mr WILSON replied:

The report to which the member refers entitled *The Well-being of the People* was in fact publicly launched yesterday.

It is proposed that a full policy statement responding to the report's recommendations will be made before the end of 1984. I intend to make an interim statement to the House in the next few days setting out the major recommendations for the information of members. Copies of the report, I am pleased to say, have been forwarded to all members today for their reading, if they see fit to read the documents concerned.

## ENERGY: ELECTRICITY

### *Powerlines: Poles*

259. Mr OLD, to the Minister for Minerals and Energy:

- (1) Has the State Energy Commission been able yet to recover any poles from the forest country?
- (2) If not, has the Minister made any moves to have SEC poles imported so that the contributory extension scheme can go ahead according to plan?

Mr PARKER replied:

- (1) and (2) The SEC has been advised by the Forests Department that there will be a limited availability of poles this year in comparison with earlier years because of the quarantine and dieback control standards which the Forests Department is imposing on the forests with a view to preventing the spread of the jarrah dieback disease. Although initially it was thought that this would not have any direct impact on the availability of sufficient poles for the contributory extension scheme to which the member is referring, it now appears that there will not be sufficient poles for those schemes at the moment. The SEC also has other problems associated with the non-availability of Western Australian forest poles and, consequently, is doing two things:

First, it has decided to import some wooden poles from New South Wales to enable those CES schemes to go ahead; and also in a more general sense it has let a contract to a joint venture including Clough, the Western Australian firm, and a firm, the name of which escapes me at the moment, which is a subsidiary of a German firm, to manufacture prestressed spun concrete poles for more general use.

As well as that, ongoing discussions have been held between the SEC and the Forests Department about the availability of various types of poles, and whether we may be able to look at the standard of pole that we require in certain areas in certain applications, to see whether other trees besides jarrah trees could be used in certain circumstances.

In regard to the CES schemes to which the member is referring, the ones for which moneys have been collected I think will be proceeding with very minor delays and, in some cases, no delays. The ones for which no moneys have been collected are currently the subject of further assessment based on the availability of poles. I am hopeful that all of the schemes currently determined upon will be able to be completed by the middle of next year.

## AUSTRALIAN LABOR PARTY: CAUCUS

### *Agenda*

#### 260. Mr CRANE, to the Premier:

In view of the revelation in today's *Daily News* in an article headed "Toilet Clue to Move", in which it states that the Labor Party's Caucus agenda had been found in a lavatory in Parliament House, I ask—

Can the Premier please advise whether the substitution of Caucus agenda for toilet paper is—

- (a) part of the Government's policy to economise; or

The SPEAKER: Order!

Mr CRANE: To continue—

- (b) part of the Government's policy to put raw materials to their most appropriate use?

The SPEAKER: Order! That is not a question.

Several members interjected.

Mr Pearce: That is disgusting!

## TAXES AND CHARGES: SALES TAX

### *Wine: Government Representations*

#### 261. Mr MacKINNON, to the Minister for Industrial Development:

What action, if any, has he taken since his visit to Canberra to represent the viewpoint of the wine industry in this

State to the Commonwealth Government in relation to—

- (a) the imposition of the 10 per cent sales tax on wine;
- (b) the reduction of Commonwealth charges levied on imported wines; or
- (c) the failure of the Commonwealth to provide for Western Australian representation on the committee established to inquire into the wine industry?

Mr BRYCE replied:

- (a) to (c) I know that the Deputy Leader of the Opposition will be overcome with sympathy when he discovers that I am currently suffering from a bit of an ecovirus and, when I was suffering from the substance instead of the "eco", that prevented me from actually keeping my appointment in Canberra with the representatives of the Treasury and the Minister for Primary Industry. Instead, members of my staff who were going to travel with me, met representatives of both those departments. There have been some very interesting exchanges of viewpoints across the country between my office and that Federal Government office. I regret very much that the Federal Treasurer is not prepared to change his mind.

Mr Blaikie: Intransigent is the word.

Mr BRYCE: The sales tax Bill was actually passed through the Federal Parliament fairly swiftly and within a matter of what seemed like days—it may have been a couple of weeks—the Statute had become law and that Statute will be law. I see no prospects of having the Federal Government rescind it.

## ABORIGINAL AFFAIRS: LAND RIGHTS

### *Scaman Inquiry: Report*

#### 262. Mr WATT, to the Minister with special responsibility for Aboriginal Affairs:

In respect of the report of the Scaman inquiry into Aboriginal land rights, I have heard two differing reports about when it will be made available, one suggestion being tomorrow and another suggestion being Friday. Will he give consideration to making the report available tomorrow, at least to members of Parliament, in view of the fact that country members will experience delays

in obtaining copies of the report if they do not get it tomorrow, as the Parliament is not sitting next week?

Mr WILSON replied:

The announcement of the release of the report has been arranged for tomorrow afternoon, and the report will be available after its launching mid-afternoon tomorrow.

## WELFARE AND COMMUNITY SERVICES REVIEW

### *Poverty: Western Australia*

263. Mr OLD, to the Minister for Youth and Community Services:

- (1) In view of the report of the inquiry into poverty in Western Australia, does he agree with the headline in *The Australian* today which reads, "Poverty in WA at third world level"?
- (2) Has he evidence that some schoolchildren are so hungry that they raid school rubbish bins in search of food scraps?

Mr WILSON replied:

- (1) and (2) I have not seen the headline, but I would think it is a rather gross exaggeration.

Copies of the report are available on request from the department. The report does quote evidence of some pockets of poverty, and no one would deny there are pockets of poverty in rural and urban areas in Western Australia.

Mr Old: As everywhere else.

Mr Peter Jones: It is a pretty damaging comment.

Mr WILSON: It is, but we cannot control that sort of thing. It is a dramatic overstatement of what is contained in the report.

Some elements of the report may concern members, but they refer to relatively small pockets of poverty in Western Australia. We must keep the matter in reasonable perspective when talking about it and in considering recommendations to the Government.

Mr Old: It really needs refuting, in that case.

## TAXES AND CHARGES: SALES TAX

### *Wine: Government Representations*

264. Mr BLAIKIE, to the Deputy Premier:

This follows the answer he gave to the Deputy Leader of the Opposition regarding the imposition of the wine tax by the Federal Government. Does his answer mean that there was no direct State Government representation by any member of the Cabinet to the Commonwealth regarding the tax that will be of such importance to the wine growers of Western Australia, and that the point of view of the Government and the people of Western Australia was represented only by officers of the Government?

Mr BRYCE replied:

No, that is not right. I suspect that the member for Vasse would like to mischievously put that point of view amongst his constituents; but the truth is that I conveyed personally, by telex and writing, the viewpoint of both this House and the Government.

Mr Blaikie: Did anybody make personal representations?

Mr BRYCE: I have spoken personally. If the member takes exception to the distance between the two people who took part in the conversation, it is his prerogative to do so. In fact, I spoke personally to the Minister concerned and sought an undertaking that that tax would not be imposed forthwith, but that there would be some delay—

Mr Blaikie: But you did not make personal representations.

Mr BRYCE: Oh God! I am tempted to give the member for Vasse chapter and verse, but I will content myself by saying that when the member for Vasse seeks to make mischief in the electorate, he should remind himself and the members of this industry in his constituency that only the members of the Australian Democrats in the Federal Parliament voted against that tax in the Senate when the legislation was passed. The members of the Liberal Party and the Labor Party supported the tax, which had been considered by his predecessors at a national level countless times in the last decade.

**TAXES AND CHARGES: FID**

*Review: Report*

265. Mr COURT, to the Premier:

- (1) Has the Government completed its review of the financial institutions duty which was to be carried out after the first six months of operation of that duty?
- (2) If yes, will the report of the review be made public?

Mr BRIAN BURKE replied:

- (1) and (2) I am not sure what the Opposition is doing, but it is asking without notice questions that it has put on the Notice Paper.

Several members interjected.

Mr BRIAN BURKE: That question was on the Notice Paper, and the answer is available today. Perhaps I am making a mistake about it, but I checked an answer to be handed in today, in answer to a question.

Mr MacKinnon: I asked for a copy of the answer, and I have not received it yet.

The SPEAKER: Order! The question has been answered.

Mr BRIAN BURKE: If somebody will give me a copy, I will read it again.

**PLANNING: CANAL DEVELOPMENT**

*Dawesville: Reports*

266. Mr RUSHTON, to the Premier:

Because of the special interest in the open cut between the Harvey Estuary and the sea, will he table any reports favouring that proposition and any reports that oppose it?

Mr BRIAN BURKE replied:

I am not sure to which reports the member refers. I will arrange a briefing for him by the people involved if he makes contact with Mr Beggs of my department about the matter. If he can identify the reports he would like to see, he could take them away with him, I suppose.

