



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
SECOND SESSION
1998

LEGISLATIVE COUNCIL

Tuesday, 11 August 1998

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PARLIAMENTARY DEBATES

(HANSARD)

Second Session of the Thirty-fifth Parliament

Parliament was prorogued on 7 August 1998, to 11 August 1998, where it met for the dispatch of business.

Parliament was opened by His Excellency the Governor (Major General Philip Michael Jeffery, AC, MC).

OPENING OF PARLIAMENT

LEGISLATIVE COUNCIL

Tuesday, 11 August 1998

MEETING OF THE COUNCIL

The Legislative Council met at 11.00 am.

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

OPENING OF PARLIAMENT - VISITORS WELCOMED

THE PRESIDENT: Welcome to the Legislative Council at Parliament House, Perth. The proceedings for this morning have been set out on the notice of proceedings, and some people are lucky enough to have a copy. The first proceeding will be to receive His Excellency the Governor; and once the Governor has arrived, he will invite the Usher of the Black Rod to summon the members of the Legislative Assembly to join us in the Legislative Council for the reading of the Governor's speech. I invite the Clerk to read the proclamation.

PROCLAMATION

The Clerk of the Parliaments (Mr L.B. Marquet) read the Proclamation of His Excellency the Governor summoning the second session of the Thirty-fifth Parliament.

GOVERNOR'S SPEECH

His Excellency the Governor entered the Council Chamber at 11.10 am; and, the members of the Legislative Assembly having also attended in the Chamber obediently to summons, His Excellency was pleased to deliver the following speech -

Mr President and Honourable Members of the Legislative Council.

Mr Speaker and Members of the Legislative Assembly.

We begin today's proceedings by remembering these former members of Parliament who have passed away since we gathered here in March last year. Full tributes have been paid to these distinguished politicians during regular sittings here, but it is fitting that we should mention them again now. The 10 members to whom I refer served in this Parliament for a total of 167 years. They may have also collectively set a record for longevity for parliamentarians. Four lived into their nineties and four others into their mid and late eighties.

Hon Thomas Perry served in the Legislative Council from 1965 until 1977.

The late George Brand served in this Council for six years.

His friend, Hon George Berry, represented Lower North for 12 years.

His predecessor, Hon Eric Michael Heenan, who died recently aged 98, was a member of the Council for 32 continuous years.

Dr Guy Henn sat in the Legislative Assembly for 12 years.

Hon Anthony Lloyd Loton served as President and a member of this Council for 21 years and Hon Claude Stubbs, who died this year at the age of 93, was a member for 18 years.

Harold William Crommelin, who died in April aged 95, had a 12 year parliamentary career, and Hon John McIntosh Thomson was here for 24 years.

Hon John Harman served 18 years as a member, Minister of the Crown and then Speaker of the Legislative Assembly.

These former members served their State and country well and we extend our condolences to their families.

The opening of Parliament this year comes some five months later than usual. There is a very special reason for this.

Accountability and financial responsibility have been important driving forces behind the Government's management philosophy. As part of its continued policy of modernising the financial system, the Government now introduces its Budget and does all its planning for the next financial year in the first half of the calendar year. The change also brings the Government into line with the accepted business practice of a July to June financial year.

In this session the Government will continue its program of financial reforms and efficiencies. For example, the Financial Administration and Audit Act will be substantially amended. As it stands, the Act is not flexible enough to provide for the modern system of government which has made Western Australia the leader in financial accountability in Australia.

Furthermore, the existing Act is overly prescriptive in that it contains matters which would be more appropriate, for example, in performance contracts for chief executive officers or in the Treasurer's Instructions.

Members will be aware from the 1998-99 Budget presentation that the State's balance sheet and other financial statements have provided information about costs which are being incurred but will be paid for in the future.

Western Australia awaits with interest the Commonwealth's new tax package. It is most important that the reforms are in the best interests of the State.

In the wake of the Asian crisis, the Australian economy has suffered some setbacks and in specific sectors exports are down. However, this Government believes that the forecasts of widespread doom and gloom are misplaced.

We do not want to talk ourselves into a downturn. We are riding the storm better than most States and countries in the region and although there is some uncertainty, we have every reason to be confident.

One of the great characteristics of Western Australia has been its capacity to adapt in the face of adversity. This is exemplified in the present circumstances. We are finding alternative markets and in the 12 months to June this year exports were up by 18 per cent. New private sector business investment committed and under consideration in Western Australia represents 35 per cent of the national total which augers well for our future growth.

NATIVE TITLE

The Government believes new investment and development will be enhanced now that the possibility exists for a more practical and workable state-based native title regime.

The Native Title (State Provisions) Bill will be the single most important legislation in this session. It provides for the setting up of a state Native Title Commission which will administer native title claims and make determinations on future grants of land and mining titles in this State.

Throughout the prolonged and exhaustive federal debate on this issue the Western Australian Government has remained consistent and resolute that native title had to be incorporated into state-based land and resource management systems. That goal is now a step closer.

The Native Title Commission will be an independent body responsible for the administration of native title claims and make rulings when consultation or negotiation has failed.

The legislation will allow the log jam of the many thousands of land and mining title applications to be worked through.

Scores of projects and potential investments have been inhibited because of the difficulties apparent in the commonwealth Native Title Act 1993.

Once these developments take shape in this resource-rich State, they will bring with them further benefits to the economy.

The associated Titles Validation Amendment Bill will ensure the validity of titles granted between 1 January 1994 and 23 December 1996 and confirm the extinguishing effect of exclusive possession grants such as freehold and most leasehold titles.

Should the rights of native title holders be affected, the legislation provides for native title holders to be compensated and the new Native Title Commission will have the power to determine the amount of compensation in particular cases.

However, the Government believes the long term future of the indigenous peoples lies in education and jobs.

There is a significant number of Aboriginal youth now graduating from high schools and pursuing further education. For example -

There are 61 Aboriginal people who are teachers, principals or senior administrators in the government school system. There are three district directors or senior administrators.

There are more than 350 Aboriginal and indigenous education workers and 21 Aboriginal liaison officers.

There are now 29 Aboriginal police officers and 104 Aboriginal police liaison officers.

There are scores of Aboriginal health workers throughout the State, including a female doctor.

The exact number of Aboriginal people in the state Public Service is unknown because many people have not proffered details of their ethnicity.

These are just a few of the success stories. Others include -

The Aboriginal Affairs Department is expanding the number of its regional offices from seven to 23. This network is acting in the interests of Aboriginal people in all parts of the State by providing them with greater access to services.

The demonstration projects at Jigalong and Oombulgarri are expected to improve health, living standards and quality of life in Aboriginal communities and give those communities more autonomy in formulating policy and programs.

The proposed special Aboriginal school and training and employment programs.

LAW AND ORDER

Now I would like to deal with the disturbing and controversial issue of law and order.

Nothing is more shocking to the law-abiding people of this State than the cowardly attacks by what can only be described as urban terrorists.

There is genuine outrage at the crimes of violence against people and property - and the Government will not stand for it. Thugs who bash people and invade homes must, and will, pay the consequences.

A Cabinet Standing Committee on Law and Order, involving the Premier and Deputy Premier, will be an integral part of the Government's stepped up campaign against crime.

It will oversee the maximisation of crime prevention strategies as part of a wide-ranging program to rein back the incidence of crime.

The Government has also initiated the Safer WA campaign to consolidate prevention strategies and ensure a rapid and appropriate response to law and order issues.

Safer WA will be a partnership between the Government, the community, police and local councils.

A new Safer WA Council, chaired by the Commissioner of Police, will be the mainspring of this ongoing campaign. The council has the important task of coordinating the efforts of government agencies, local government and the community to address law and order issues.

As a first and very innovative step, the Government will help local councils establish their own security patrol services.

These council surveillance teams, acting under guidance from the police, will be patrolling residential and business areas. If there are suspicious circumstances they will call in the police. The very presence of continuous and regular patrols will be an immediate deterrent. However, it must be emphasised that every citizen who wants to see an end to the current pattern of vicious crime, must be on the lookout for possible offenders. The principles of Neighbourhood Watch are as important today as they ever were.

In the campaign against car theft, the Government will widen the vehicle immobiliser subsidy to include commercial vehicles. The scheme is already a success and it is proven that immobilisers prevent theft. Owners who fail to have the anti-theft device installed are assisting criminals.

Stolen cars can move virtually undetected, suburb to suburb, while their criminal occupants carry out home invasions, bag snatches, ram-raids and joy-riding.

Much is said about police numbers and equipment. Western Australia already has the best "police to population" ratio of any State. Only the Northern Territory has a better one.

Other initiatives include -

The Police budget has been increased by 60 per cent.

There are more officers on active duty.

The Government has opened 15 new state-of-the-art police stations in just two and a half years.

These stations are among the most modern in Australia and the service, as a whole, is one of the best equipped in the nation.

It should be added that the police will be backed up by a range of tougher penalties for serious offences.

Murder, unlawful wounding and assaults on public officers carry much heavier gaol terms and those offenders responsible for aggravated home burglaries should be aware they face maximum prison terms of up to 20 years.

Another priority will be the Criminal Law Amendment Bill (No 1). It will allow the taking of forensic samples from persons in custody and introduce "whole of life" sentences for serious offenders. The Bill has already been passed by the Legislative Council and will be reintroduced into the Legislative Assembly this session of Parliament.

Additionally, the Government will introduce, with immediacy, the Weapons Bill and the Police Amendment Bill (Graffiti Implements).

The Weapons Bill is to address the increasing incidence of the use of non-firearm weapons in offences against people. It will ban the importation, manufacture, sale, purchase and possession of certain weapons.

The cause of much of the crime committed in this State - as in other capitals in the world - has its origins in the dark and dangerous world of drugs.

The peddlers of death snare young people into a world of misery and family crisis.

The new legislation, new police powers and drug education programs from junior school level through to parents, will have the multi-purpose aim of -

catching the criminal pushers;

improving the health and rehabilitation of the users; and

educating youngsters about the dangers ahead.

The Government's Strategy Against Drug Abuse outlines 70 separate initiatives and after just one year of the program 67 of them are under way.

Harm reduction programs such as the community support services, more community drug service teams and rehabilitation services are having a positive impact. Methadone treatment, through GPs, is also an important course of action in the fight against addiction.

However, it is the education programs where the future success against drugs is being determined. Both government and non-government schools are involved in the School Drug Education project which also includes parents and the community. As part of the project, more than 280 schools are engaged in professional development and about 500 have school drug policies.

GRAFFITI

Under the Police Amendment Bill (Graffiti Implements), that repugnant antisocial activity, graffiti vandalism, will be subject to closer scrutiny and heavier penalties.

The Government has campaigned tirelessly to end this criminal vandalism but the offenders have moved away from the focus of city security cameras and have been targeting the residential and suburban business areas.

The Police Amendment Bill (Graffiti Implements) will empower police officers to stop and search any persons who they suspect might have in their possession anything in circumstances which gives reasonable grounds to believe they have the intention of using it to cause graffiti damage.

ROAD SAFETY

An integral part of law and order is the road toll. Many tragedies, described as accidents, are so often caused by recklessness, speeding, inattention and disregard for the law.

Amendments will be introduced to modernise and standardise aspects of road safety and to tighten loopholes through which road offenders can avoid detection.

In summary, a whole raft of legislative changes will give police extended powers essential in the fight against crime and antisocial behaviour.

HEALTH

As a result of new health financing arrangements with the Commonwealth, the State is now in a position to launch an all out attack on waiting times for elective surgery.

The new Medicare health package which the Government negotiated to a satisfactory conclusion only last week is a vast improvement on previous federal offers.

The new agreement justifies the Government's stand and now, with a guaranteed increase of at least \$125m over the previous federal government offer, the State can get on with delivering better health services.

With the extra funds, reducing waiting times for elective surgery will be a priority and the Government will also be better placed to establish major day surgeries for dealing with elective surgery.

Under the new agreement the Commonwealth has recognised the decline in private health insurance - a decline which has put so much more pressure on the State's public health system. Accordingly, the State will receive partial compensation.

War veterans will also benefit under the new five year package. The Commonwealth has made a commitment to extend the eligibility for the veterans' Gold Card to an estimated 50 000 seniors across Australia.

The accelerated effort to cut down waiting times will address a major problem in what is otherwise a world class health service covering every city and township in the world's biggest State.

Western Australians have access to 118 public and private hospitals and 720 health services, which range in size from major medical centres to nursing posts. This network is being expanded all the time and there will be further enhancement through the comprehensive health plans being developed for the north west and south west regions.

Joondalup Health Campus is now serving the vast population of the northern suburbs which is rapidly approaching a quarter of a million people. Bunbury and Peel campuses will open soon and the Armadale-Kelmscott campus will be under construction two years ahead of the Government's election commitment. The \$15m Broome Hospital development has been completed and multipurpose health centres have been or are being built at Katanning, Merredin, Pemberton, Goomalling, Kalbarri, Jurien and Lancelin.

Nursing home and caring services are expanding and improving and increased funding, announced in the Budget, is giving this State the highest quality mental health services in Australia.

Health legislation to be introduced in this session of Parliament includes the Health Amending Bill, the Hospitals and Health Services Amending Act and the Health Professionals (Special Events Exemptions) Bill.

The Health Amending Bill will authorise regulations to control smoking in enclosed public areas. They will take effect in January 1999.

The Hospitals and Health Services Amending Bill will deal with greater accountability and operational management in the metropolitan health service.

The sensitive issue of prostitution needs to be debated and a Bill will be presented to the Parliament.

Not only are tighter health requirements essential, but there is the additional concern about the present inability of the police to have effective controls in this area.

A Bill to address the medical needs of people with a terminal illness will be introduced. This Bill has a number of initiatives aimed at improving the situation for the terminally ill. They include the right of a dying person to refuse medical treatment and pain control and have their decision respected.

EDUCATION AND YOUTH

The new curriculum framework to be introduced from the beginning of the next school year and the \$100m computer program for schools will better equip the children of Western Australia for the next century.

The curriculum framework will assist in improving learning outcomes for all students from kindergarten to year 12 leavers. Throughout their school life children will have the benefit of a standardised learning philosophy. This will provide continuity to their education, culminating in outcomes which will better prepare them for the jobs they wish to pursue as adults.

A commendable and essential aspect of the curriculum will be the teaching of good citizenship and family values.

So teachers can make the transition into the new system, \$1.5m has been allocated for their professional development.

The \$100m computer program is already under way and over a four-year period it will give our school children one of the best computer-to-student ratios in the world.

It is a wonderful initiative which will place our children at the cutting edge of technology.

The year ahead, which will include the passage of the School Education Bill through the Legislative Council, will see many initiatives. The Bill will update the 1929 Education Act. This will be a total overhaul dealing with all aspects of education from learning to teaching.

The Government's recognition of the difficulties associated with minority groups in the education process is exemplified by its commitment to early intervention of students at risk and those who are not reaching their full achievement levels.

Education leads us to the subject of youth.

In all the furore about crime and anti-social behaviour, we must not lose sight of the fact that more than 95 per cent of our young Western Australians are law-abiding citizens. They will go on to uphold this State's reputation as a harmonious and friendly society.

The Cadets WA program is a major youth training and development initiative. It provides young people with an opportunity to develop self-discipline, leadership, self-esteem and a sense of community service.

There are now 68 cadet units in 65 schools with a target of 80 expected by the end of this year. There is also the prospect of transferring another 50 units from the federal to the state scheme. Every high school and college throughout the State is being given the opportunity of establishing units.

Cadets can receive training in a range of areas including the military, the state emergency services, police and St John Ambulance. The latest addition to the scheme is the environmental cadets known as Bushrangers. They are cadets who will encourage other young Western Australians to take an active role in the conservation and management of the natural environment.

Apart from the cadets program -

- there is a Youth Leadership Training School of Excellence;

- there are 27 Youth Advisory Councils around the State and more than 70 local authorities have agreed to join this scheme;

- there is a Youth Awards Showcase;

- a youth enterprise scheme; and

- outstanding footballer Dean Kemp has been engaged by the Government as a role model and "Champion of Youth".

These initiatives are providing additional avenues of opportunity and involvement for our young people and the work they are doing is not window dressing.

Apart from wholesome and healthy activities, they are looking at a broad range of serious interests such as employment, youth suicide, road safety and leadership training.

Western Australia continues to have the highest youth employment rates and the Department of Training, with its "Access All Areas" campaign, has been leading the way in job strategies.

RESOURCES

The mineral and petroleum industries continue to underpin the State's economy, representing 30 per cent of gross state product, or more than \$16b annually, and one-sixth of all Western Australian workers are employed in the resources industries. New projects under way or on the drawing board are estimated to be worth more than \$60b. In the current year, private sector investment will top the \$9b mark.

Key mining legislation will be introduced into the new Parliament.

The Act Amendment (Minerals and Petroleum) Bill proposes to amend the Mining Act 1978, the Petroleum Act 1967 and the Petroleum Submerged Lands Act 1982. The changes will simplify and ease the administrative matters relating to the commonwealth Native Title Act 1993. The Bill also proposes to change the existing Acts so that compensation for native title will pass from the State to titleholders.

The Offshore Minerals Bill will control the exploration for, and the exploitation of, minerals from the seabed within the first three nautical miles of the State's coastline.

The Petroleum Safety Bill was introduced into Parliament in April this year but not debated. It will serve to provide common occupational, health and safety provisions for both the offshore and onshore production of petroleum.

With regard to workplace safety, a code of practice, announced last week by the Minister for Mines, will usher in new safety standards in the mining industry. Underground working sites will require reinforcements and meshing to reduce the risk of rock falls.

The code will be welcomed by both regulators and the public after a number of fatalities in the past year.

PRIMARY INDUSTRY AND LAND CARE

Agriculture remains the second largest contributor to the State's economy, with the gross production valued at more than \$4b.

There are dramatic changes on the land.

Technological advances and diversification have given Agriculture Western Australia an enviable record and many of the State's 10 000 farmers are now pursuing a wide range of alternative growing methods.

Apart from being one of the world's greater producers of conventional cereals, WA is now producing a vast range of other crops, ranging from chick peas and faba beans to genetically engineered cotton plants with inbuilt protection against insect pests. Some farmers are breeding deer, alpaca, ostrich and emu.

The new export Grains Centre and Crop Improvement Institute will be a great fillip to the cereals industry. The focus will be on producing quality high yielding varieties suited to market requirements.

The food and fibre focus project aims to raise the profile of Western Australia and its agricultural, fisheries and food products in key international markets, and Focus Taiwan is the next stage in the campaign for the 1998-99 year and will be launched in November.

A Bill will be introduced to Parliament to establish Agriculture Western Australia as a department under the Public Sector Management Act 1994. Agriculture Western Australia, the Agriculture Protection Board and the Soil and Land Conservation Council will be integrated.

The Bill will lead to the review of a number of Acts within the Primary Industry portfolio.

Restoring agricultural lands to productivity following degradation through salinity is one of the Government's main concerns and priorities and new initiatives on land care, drainage and water management will be undertaken.

COMMERCE, TRADE AND TECHNOLOGY

The State continues to trade effectively in Asia and, during the current downturn, has found good export opportunities in North America and Europe.

Conversely, Western Australia itself has always been attractive to new investors because of its commercial and business expertise, its infrastructure and political stability.

A microcosm of this can be seen at Jervoise Bay.

The planning and environmental processes are under way to ensure that the marine industrial complex will be world class.

Jervoise Bay is a \$203m joint state-federal development to provide essential infrastructure for the \$20b worth of offshore gas and other resource development projects coming on stream in this State.

Jervoise Bay is a thriving enclave south of Fremantle and is home to one of Australia's most successful shipbuilding operations.

Passenger ferries, tugs and pleasure craft, containing the most advanced technology, are being exported to many parts of the world including mainland China and Scandinavia.

Another new facility, at the Bentley Technology Precinct, will accommodate the CSIRO National Centre for Petroleum and Minerals Research.

A \$16m allocation to the Centres of Excellence program will boost world-class research in universities and research organisations.

Of benefit to the entire State will be the enhancement of the telecommunications and network infrastructure. Telehealth has been listed as a lead application in the upgraded system. Under the improvements, hospitals in almost every part of the State will be able to plug in "live" to specialist health campuses in the city or overseas.

TOURISM

Tourism in Western Australia continues to grow steadily and, according to the April 1998 figures from the Australian Bureau of Statistics, the State is still performing strongly.

The State's marketing strategies are being reflected by the promising growth in a number of key market countries.

In the year to April 1998, Western Australia had a positive 2 per cent growth in international visitors, compared to the whole of Australia which was just 0.1 per cent.

Last year, tourism employed about 68 000 people and contributed almost \$2b to the Western Australian economy.

ROADS AND TRANSPORT

The Government's roads and public transport policy is both visionary and pragmatic.

The \$1.3b Transform WA program will give the State the best new road network in Australia, new busways and new fleets of buses.

This year we will see the completion of the master plan for the 34 kilometre Rockingham to Fremantle Transitway, the primary work on the extension of the Kwinana Freeway and the widening or redevelopment of the Narrows Bridge.

Legislation which will enhance many aspects of roads and transport, and road safety, will be introduced during this session.

These include the Transport Co-ordination Bill to ensure the highest standards of safety and efficiency by new and established bus operators. The Bill is now before Parliament.

The Perth Parking Management Bill has as its objectives the improved management and location of parking facilities to encourage further development of a thriving city centre.

This initiative will complement the \$63m Access to the City for People project to be implemented by the year 2000.

The Government Railways Access Bill, now before Parliament, will take rail transport competition to the next level by opening up the rail system to new service providers and a Maritime Bill will open the way for more private ports and the updating of Western Australia's existing marine legislation.

HOUSING

The ongoing feature of the Government's expansive program is the New Living project. New Living does precisely what the name says: It totally refurbishes existing state-owned housing precincts, including street scaping and special security patrols.

It is the State's biggest ever urban renewal program - Kwinana and Lockridge have already been completed and other suburbs about to undergo or now undergoing renewal are Koondoola, Girrawheen, Balga, Coolbellup, Armadale, Langford and Karawara. These projects have received acclaim at the national level.

Homeswest also has in place many other programs to provide affordable home ownership.

Under Keystart, more than 25 000 applicants have been assisted out of rent situations into home ownership.

GoodStart, another scheme launched only a year ago, has given Homeswest tenants and applicants the opportunity to finance a minimum 50 per cent share in Homeswest property.

The legislative centrepiece on government housing policy will be the inclusion of Homeswest, Keystart, financial services, residential land, corporate services and rural housing under a new Ministry of Housing.

DISABILITY SERVICES

The Government's objective is, of course, to assist people with disabilities to have good and suitable accommodation, greater independence, support the carers and meet the needs of rural and remote communities.

Above all, it is imperative that these people have the best possible quality of life.

The Government believes it is achieving these goals with its \$40.4m five year "Count Us In Strategy" to the year 2000.

Over and above the \$40.4m, the Government is providing a further \$3m for support to carers right through to the year 2000 and another \$7m has been earmarked to bolster the agency's work from the year 2000 to 2003.

The review of the Disability Services Act has recently been completed.

Recommendations emanating from that review may lead to legislative changes.

FAMILY AND CHILDREN'S SERVICES

A Bill to amend the Child Welfare Act will be before the House in this session. It will formalise the Child Protection Services Register.

The register is an initiative designed to improve the coordination and cooperation between government agencies which have contact with or responsibility for children who have been maltreated.

The Government will release details of the Five Year Plan on the Ageing later this year. More than 30 government agencies are involved in the planning of the strategy which will better coordinate and improve services for the elderly.

Next year the State will celebrate the United Nations International Year of Older Persons as well as the Centenary of Women's Suffrage.

MINISTRY OF CITIZENSHIP AND MULTICULTURAL INTERESTS

This ministry was formalised only today.

Western Australia has a community living in harmony and the Government wants to focus on the rights and obligations of citizenship and the meaning of citizenship, and to reinforce the importance of a united and caring community.

We want to see all Western Australians working together to make this great State even greater.

This cannot be done with the politics of division and hate.

This new ministry is not so much about politics, but about principle.

It is all about Australian citizens working together for a better Western Australia and a better nation.

The Citizenship portfolio will lead to an expansion of the Living in Harmony program - a community relations strategy promoting tolerance and understanding.

Since the launch less than a year ago, 6 000 different organisations, representing hundreds of thousands of people, have adopted the Living in Harmony charter. They range from resource companies to major department stores and sporting teams such as the Eagles, Dockers and Perth Glory.

Because Western Australia is part of a globalised economy relying heavily on exports and imports for its future, it is in the State's interests to turn our diverse cultures into a competitive advantage. Under the new portfolio, Western Australia will retain all the enrichment of our past but focus on a harmonious and positive Australia.

OTHER LEGISLATION

There is a range of other legislation planned for this session including -

The second - and major - stage of the Government's overhaul of the Environmental Protection Act is due to be introduced later this year. The key principles cover improved environmental assessment processes, upgraded pollution abatement notices and provisions leading to a public register of containment sites, together with their clean-up.

Amendments to 26 pieces of separate legislation for the water industry including by-laws and regulations.

Amendments to the Western Australian Land Authority Act 1992 to redefine the functions of LandCorp.

The Transfer of Land Act 1893 will be amended.

The Motor Vehicle Dealers Act will be revised in line with recommendations of the National Competition Policy review.

Changes to the Builders Registration Act 1939 and the Home Building Contracts Act 1991 will strengthen

the powers of the Builders' Registration Board and consumers will be better protected against builder failure, fraud and misconduct.

The Real Estate and Business Agents Amendment Act 1998 will give greater protection to the public with regard to fees, dispute resolution and other matters.

Amendments to the Royal Commissions Act 1968 will reflect the recommendations made by Commissioners Marks and Davis regarding contempt.

The Public Interests Disclosure Bill and the Statutes (Repeals and Minor Amendments) Bill 1998 will complete the other legislation.

CONCLUSION

Western Australian people can be optimistic that the work carried out on their behalf in this Parliament will be positive and beneficial.

I have already described many initiatives and projects as being world class and it goes without saying that we are fortunate to enjoy all that this State has to offer.

The parliamentarians, of course, have the job of protecting this greater State.

It is true to say that the clean air we breathe and the water we drink, and our generally good roads, housing, education and medical facilities do not happen by accident.

They happen because of the hard, dedicated and continuous work of the State's legislators, who through long hours of individual and committee research, parliamentary debate and amendment, bring us laws that by and large are of great benefit to the whole community.

For this you all deserve the community's thanks.

May God bless you in your deliberations.

I now declare the second session of the Thirty-fifth Parliament open.

CHARLTON, HON ERIC

Resignation from Legislative Council

THE PRESIDENT (Hon George Cash): I advise that since the last meeting of the House, Hon Eric Charlton has resigned his seat in the Legislative Council. I will read to members a letter that I received from Hon Eric Charlton. It is addressed to Hon George Cash, President of the Legislative Council, Parliament House, Perth, Western Australia.

Dear Mr President,

Pursuant to section 8 of the Constitution Acts Amendments Act 1899 I hereby resign my seat in the Legislative Council of Western Australia.

Yours sincerely,
Eric Charlton, MLC,
Minister for Transport.

It is dated 28 July 1998. Accordingly, on receipt of that resignation I advised the Governor in the following terms. The letter is addressed to His Excellency the Governor, Government House, Perth, Western Australia and reads -

Vacancy in membership of the Legislative Council

Pursuant to section 156B(2) of the *Electoral Act 1907*, I have the honour to advise Your Excellency that a vacancy has occurred in the membership of the Legislative Council by reason of resignation on Tuesday, July 28, 1998 of Hon Eric Charlton, Member for the Agricultural Region.

I enclose a copy of Mr Charlton's resignation for Your Excellency's information.

It is signed George Cash, President of the Legislative Council and dated 29 July 1998.

DAVIES, HON DEXTER

Election to Legislative Council

THE PRESIDENT (Hon George Cash): I invite the Clerk to read a letter from the Electoral Commissioner notifying His Excellency of the election of Hon Dexter Davies.

The Clerk of the Council read the following letter dated 10 August 1998 -

By notice dated 29 July 1998 you informed me of a vacancy in the Agricultural Region of the Legislative Council.

On 30 July 1998, I published the notices required by section 156C of the *Electoral Act 1907*. Nominations for the vacancy closed at 12 noon on 10 August 1998.

At the close of nominations, I had received one nomination from a qualified person, Dexter Melvyn DAVIES.

In accordance with section 156D(3)(a), I have declared Dexter Melvyn DAVIES to be elected as a member of the Legislative Council to fill the vacancy in the Agricultural Region.

I am pleased to inform you of Mr Davies' election, as required by section 156D(3)(b) of the *Electoral Act 1907*.

CRIDDLE, HON M.J.

Appointment as Minister for Transport

THE PRESIDENT (Hon George Cash): I indicate to members that I have received written notice that Hon M.J. Criddle, MLC, member for the Agricultural Region was appointed by the Governor as Minister for Transport with effect on and from 28 July 1998. I say on behalf of all members, congratulations to you, Hon Murray Criddle. You have always been a very committed, dedicated and diligent member of this House and I am sure that that signals well for your success as the Minister for Transport

Members: Hear, hear!

The PRESIDENT: I also indicate to the House that I have approved changes to the seating arrangements. Hon Murray Criddle is taking the seat previously occupied by Hon Eric Charlton. Hon Murray Montgomery will now occupy the seat vacated by Hon Murray Criddle and the Hon Dexter Davies will occupy the seat vacated by Hon Murray Montgomery.

DAVIES, HON DEXTER

Swearing-in

THE PRESIDENT (Hon George Cash): For the information of members who may not be aware, this morning I had the pleasure of swearing in Hon Dexter Davies as a member of this House. We, as members of the Legislative Council, welcome you to this House of Parliament and trust that your terms in this House will be most successful and enjoyable

Members: Hear, hear!

[Questions without notice taken.]

JURIES AMENDMENT BILL

Leave to Introduce

HON N.F. MOORE (Mining and Pastoral - Leader of the House) [12.17 pm]: In order to assert and maintain the undoubted rights and privileges of this House to initiate legislation, I move, without notice -

For leave to introduce a Bill for an Act to amend the Juries Act 1957.

Question put and passed; leave granted.

Introduction and First Reading

Bill introduced, on motion by Hon N.F. Moore (Leader of the House), and read a first time.

GOVERNOR'S SPEECH

Distribution of Copies

THE PRESIDENT (Hon George Cash): Honourable members, for the sake of accuracy I have obtained copies of His Excellency's speech, which will now be distributed to members.

ADDRESS-IN-REPLY*Motion*

HON SIMON O'BRIEN (South Metropolitan) [12.19 pm]: I move -

That the following address be presented to His Excellency, Major General Michael Jeffery, AC, MC, Governor in and over the State of Western Australia and its dependencies in the Commonwealth of Australia-

May it please Your Excellency -

We, the members of the Legislative Council of the Parliament of Western Australia, in Parliament assembled, beg to express our loyalty to our Most Gracious Sovereign and to thank Your Excellency for the speech you have been pleased to deliver to the Parliament.

I was at Government House on Friday, 26 June, when I had cause to reflect that His Excellency, and Mrs Jeffery, separately and together, work tirelessly in the interests of Western Australians and make a tremendous contribution to the public life of this State. Therefore, it is with great pleasure that I am able to speak to a motion which is couched in these terms, and I thank the House for the privilege of moving the Address-in-Reply.

At the function on Friday, 26 June at Government House His Excellency hosted more than 300 people from over 100 organisations to mark the anniversary of the Together Against Drugs campaign. Among other things, that campaign anticipated the formation of 40 local drug action groups in the two years to mid-1999. By June of this year 43 groups had already been established, which involved the broad community tackling drug abuse in their towns and suburbs. These numbers indicate the high level of concern in the community about drug abuse. I acknowledge the Government's policy initiatives including the establishment of 10 new community drug service teams, more beds in rehabilitation services, increased capacity for day treatment and parent support services, together with public and school education campaigns.

It is not enough to rely solely on law enforcement action, education or treatment programs for users. All of these things and more must be done, and to a large extent are being done, by some dedicated and committed people. Our support for these dedicated men and women should be automatic. However, in some cases they have a hand tied behind their back because some people work to actively promote the use of drugs in one form or another in our society. I am not prepared to put up with that. I do not think this Parliament and other leaders in our community should put up with it either. We need to address the issue of whether we are prepared to put up with it and what sort of messages we will send to our community.

Today I have a limited time to address an issue that I would like to canvass at some length. However, the practicalities of this occasion mean that I must focus my speech on a specific issue. I want to challenge the culture of social acceptance of illicit drug use. In doing so I will draw members' attention to articles which appeared recently in community newspapers. I will quote the opinions of several prominent Australians, which members may find of interest. I will teach those members with a bent towards domestic science how to make crack cocaine in their own kitchens. I will tell members about a chap called Lenny Bias. This House needs to hear his story. A common thread will emerge in each of these elements. As I move to my conclusion, and my view on what we should do about this problem, that common thread will become apparent to all members.

Recently, members would have received a communication from a fellow called Brett Kelly. He is a chap from the eastern States who found himself unexpectedly out of a job. He is a young bloke and he thought about what he would do to get himself back on track. He commenced a project to interview prominent Australians. To get together his collection of interviews, he wrote to all sorts of people saying that he was not prepared to collect the dole and he would try to produce and sell a product, with half the proceeds to go to a worthy cause - Youth on the Streets. I thought it was a brash idea, so I sent off a cheque. In due course the book arrived. It is not a pamphlet; it is a couple of centimetres thick. His brother took all the photographs as Brett interviewed prominent Australians. He even wrote on the flyleaf of my copy, "Dear Mr O'Brien, thank you for your support". That led me to wonder whether I was the first person to buy one! Good luck to Brett Kelly. It is an interesting read if members get the opportunity.

In his interviews with these prominent and well-known Australians - Prime Ministers, well-known celebrities, entertainers, and so forth - Brett Kelly ranged over a number of issues of some importance to us now and in the future. It probably does not surprise anybody here to learn this, but, sadly, some of the views of prominent Australians on issues outside their area of expertise are pretty shallow. Nonetheless, some interviews are insightful.

I turned with some interest to the interview with Peter Garrett. Peter Garrett is the lead singer of Midnight Oil and a well known activist who is involved with the Australian Conservation Foundation. Members know that few of Peter Garrett's political views mesh with mine. Nonetheless, Peter Garrett is an intelligent and thoughtful person, so I

turned to his interview. I will read some of the questions and answers into the record because they comfortably fit with what I am trying to say today. Peter Garrett was asked -

If your child had a drug habit would you want society to view them as a criminal or as an ill person requiring treatment?

Peter Garrett's response was -

I don't see that viewing them as a criminal is particularly useful, even though certainly in relation to certain drugs, I think it should be made very clear that they are dangerous and also that there are penalties for use.

He was then asked -

If how we've been dealing with this issue for the last 20 years isn't working, should we be looking 'outside the box' for different solutions?

Peter Garrett's answer was -

I don't know that there is a long term solution to drug abuse in historical terms, because I think there is always within any society a level of drug abuse. It is just whether they are mandated or not and how they are ameliorated. You cannot wave a big stick in our society over people to the extent that some people would like to in order to restrict drug use.

At the same time I believe that our whole society, from politicians down to ordinary men and women in the street, need to decide that they want to address the issue and devise meaningful ways of taking on the question of drugs. This seems to me to require a multilayered, multidimensional approach, with physical resources, financial resources, which government would provide. Government already provides some. You would have to think through clearly issues of addiction and criminalisation and you'd have to think about issues of actual counselling. Those are complex questions and to my way of thinking drug addiction itself and the scale of it - I mean it's terrifying, for example, the price of heroin. I think this is genuinely fearful and quite capable of destroying sections of society, the users themselves and the families who are effected by it.

People can't sit back in their lounge rooms watching *A Current Affair* and think it's a set of cliches which require putting more people in jail. It needs a much broader approach than that.

Peter Garrett's conclusion really struck a chord. He continues -

Ultimately I think there is, if you like, a spiritual aspect to drug use in a society where people feel that they have to turn to these things anyway. Not enough love. Not enough creativity. Not enough community and allowing a drug culture to actually exist, which we clearly do, means that we will have drug abuse for some time to come.

Hon Ljiljanna Ravlich: He may not be talking about hard drugs.

Hon SIMON O'BRIEN: He specifically referred to heroin.

I turn now to some press coverage that was recently given to an incident which occurred in the Fremantle region. About 20 police, including the youth liaison officer, the inspector in charge, officers from the drug detecting dog unit and other officers, visited three high schools in my region: South Fremantle Senior High School, Hamilton Senior High School and the Christian Brothers' College, Fremantle.

Police did that in order to look for drugs because there were reports that drugs were being taken into the school and they were asked if they would do something about it. About three weeks after this my attention was drawn to an article in *The Fremantle Herald* of 18 July. The story was headed "Drug raids anger parents" and was written by Richard Collins. I know Richard Collins. He is a decent fellow but he and/or his editor have really let themselves down with the tone of some of the story. He refers to recent drug raids on schools angering parents at South Fremantle High School and the Youth Legal Service. It reads -

The criticism belies the assurances of local principals that parents and teachers supported the raids, which netted only a small amount of marijuana and a bong.

The article goes on with that tone, indicating that a former P & C association president, Bruce Blond, had lashed the school. He claimed that children were left bewildered, felt unsupported, and were angry and frightened as a result of this police action. The article continues -

James McDougall of the Fremantle-based YLS reserved his criticism for the police, accusing them of staging a scare campaign they wouldn't dare use against adults.

The article goes on in that tone, quoting both McDougall and Blond, and refers to children being left in limbo and confused about how they feel. The *Fremantle Gazette* is another paper in the area. There may be other press coverage also, but this newspaper reported on 3 July the incident with pictures and an article by a chap called Scott MacLean. The story was headed "Students approve police presence". It reads -

Fremantle students seemed to enjoy the break in routine as police and sniffer dogs swept through their schools as part of a drug-search operation last week.

That is except for those who got caught with illegal substances, were marched off to a mobile policing unit and issued with juvenile cautions.

It also notes that part of what was seized was quantities of cannabis, smoking implements, a knife and a number of stabbing implements. It refers to a small airgun and a pronged knuckleduster as being among the articles seized. I have been able to talk to some of the people involved in this incident. I have spoken to officers who took part and to the inspector in charge. I asked, "What the dickens is going on? Which story is the true one?" The police are very angry about the article in *The Fremantle Herald*. The police were invited to go to those schools. They thought that a PR disaster was coming and that they would have all the bleeding hearts up in arms against them.

Hon Ljiljanna Ravlich interjected.

Hon SIMON O'BRIEN: There is nowhere else to look when talking about bleeding hearts.

Several members interjected.

The PRESIDENT: Order! I am trying to listen to Hon Simon O'Brien. If he would address the Chair, I would be able to hear him.

Hon SIMON O'BRIEN: I will address the Chair, Mr President. The police were keen to come to my office. They left the sniffer dogs at home, but as belies my youthfulness the youth liaison officer attended. The police wanted to show me some of the articles that had been seized during their visits to those schools. Among the articles were knives and stabbing implements which would be banned under the proposed legislation to which the Governor referred in his speech earlier. The police were upset because they had made sure the school principals had requested them in writing to visit the schools because the school principals had had reports of drugs and they thought the police could look around and talk to a few people. I was disappointed therefore with the different approaches to the story about the incident adopted by the two newspaper reporters, who both claimed to work for grassroots community newspapers operating in the same area.

The rights issue here is about Western Australian high school students being able to go to their place of education without having to worry about weapons and illegal drugs being on the premises.

Last week I spoke to the principal of a major high school in my region and the principals of all the primary schools which feed into that high school about illicit drugs in schools. At those discussions I was told about nine-year-old children who are taking cannabis to their schools. I was staggered to find out that nine-year-olds - plural - are taking cannabis onto school premises. I do not think that most of them use it.

Hon Tom Helm: They do not bring an apple for the teacher; they bring cannabis.

Hon Greg Smith: The teachers appreciate it.

The PRESIDENT: Order!

Hon Tom Helm interjected.

Hon SIMON O'BRIEN: This raises all sorts of questions. I presume that a nine-year-old would not be using cannabis, although I am getting to the stage where nothing surprises me about drug use. Where do these children get bags of cannabis from? They pinch them from someone.

Hon Ken Travers interjected.

The PRESIDENT: Order! The member should address the Chair and not worry about unruly interjections.

Hon SIMON O'BRIEN: I have not been worrying about unruly interjections. However, I caution members not to joke about this issue because I will be coming to a point in my speech at which I will ask members to agree with me on something.

Hon Ken Travers: I was being serious.

Hon SIMON O'BRIEN: I acknowledge that interjection then. If a nine-year-old child takes cannabis to a primary school, that child acknowledges the intrinsic value of the commodity by stealing and possessing an illegal substance, and by trying to sell it and by showing it to his mates to show them how cool and adventuresome he is and how grown up he has become. Tragically of course sometimes children get the wrong message from their parents or their older siblings, who display those sorts of values in their homes. I am staggered by some parents who not only smoke illegal drugs in their homes in front of their young children indicating that it is okay to do so, but also think it is cute to buy their children a dope-leaf earring or something similar to wear to school.

Another dangerous practice occurring among primary school children in that locality at the moment is the practice of what is called ripping, which is a bit of a dare or lark. It involves jumping over someone's fence or onto the roof of a shed or wherever people are growing their cannabis and ripping them off. The children then take the cannabis to their primary schools to show their mates. This practice is very dangerous because people who grow illegal drugs do not like having them ripped off. In many cases they booby trap them by tying razor blades to the stems of the plants or in some cases even rigging up small explosive devices.

Hon Ljiljanna Ravlich: Have you spoken about this to the Minister for Justice?

Hon Peter Foss interjected.

The PRESIDENT: Order! I am trying to listen to the member.

Hon SIMON O'BRIEN: We are told that one of the problems with the current political landscape is that people in positions such as ours do not listen to what they are being told. When people as responsible as primary school principals ask me to come to their meetings to hear about these things it is time to take this issue seriously. When police inspectors tell me that cannabis crops are being booby trapped and nine-year-old children are in danger of injuring themselves when they rip off the plants, I take it seriously.

Hon Christine Sharp: It is obvious - let's legalise it!

Hon SIMON O'BRIEN: In arguing the case I am presenting this morning I will refer to at least one illicit drug by describing what it is, what it does and how people view it. Cocaine use in Australia is fairly limited compared with that of many other drugs and therefore perhaps not quite as surrounded with controversy as cannabis, for example. Members may not know much about cocaine. It is an alkaloid extracted from the leaves of the coca bush, native to South America, which United States drug enforcement agencies seize by the tonne. About 250 to 500 kilograms of coca leaves are needed to make a single kilo of cocaine.

The conversion process involves treating the leaves with various chemicals and solvents, including kerosene, sulphuric acid, hydrochloric acid, ether, acetone and ammonia in a multi-step process which produces cocaine hydrochloride, a white crystalline powder with two main pharmacological characteristics. It has an anaesthetic property which numbs the tissue surrounding the area into which it is introduced. Cocaine hydrochloride is used clinically in Australia in limited forms. Its anaesthetic properties are useful in some ophthalmic surgery and other procedures.

Cocaine's other use, and the one for which it is abused, is as a stimulant of the central nervous system. It is taken by snorting, which means inhaling it through the nostrils, which results in a sense of elation after several minutes, sometimes as long as five to 10 minutes. The elation peaks after 15 to 20 minutes - these are general figures - then declines and ceases anywhere from 30 to 60 minutes after snorting. Cocaine can also be made into a solution and injected directly into the bloodstream, but that is risky.

It is not uncommon for users to experience a period of depression, anxiety or irritability after they use cocaine. It is called "crashing" and is a period of depression, in stark contrast to the elation previously experienced.

Health risks associated with cocaine have been observed such as irregularities of the heartbeat, including ventricular tachycardia, which is an extremely rapid heartbeat; ventricular fibrillation, which is a weak and irregular heartbeat; raised blood pressure, which could result in cerebral haemorrhage or stroke; and heart attack.

Cocaine hydrochloride cannot be ingested through smoking. I believe that if it is exposed to the heat of a naked flame, the stimulant properties are lost; therefore people do not smoke cocaine hydrochloride. However, when a substance is smoked, and the smoke, with the active ingredients, is drawn into the nasal passages and the lungs, it reacts very quickly. Smoking a substance results in much more rapid entry into the bloodstream than sniffing it and allowing the substance to dissolve on the nasal membranes.

Some users have developed the practice of "free basing", which means to remove the cocaine from the hydrochloride

base. Initially that was done through a dangerous process involving ether which can lead to minor explosions and fires. A number of people hurt themselves badly trying to achieve that.

Since then another phenomenon called "crack" cocaine has been developed. It is made by mixing in a kitchen blender cocaine hydrochloride and a similar amount in mass of baking soda with a sufficient amount of water to create a fairly loose solution. It is then heated over the kitchen stove in a small pan with high sides. I understand that when the mixture is heated - I do not claim to be a chemist - the hydrochloride base reacts to the heat separating from the cocaine and bonds with the baking soda to form an innocuous residue. This creates a "free base" of almost pure cocaine which is wax-like in appearance. After all the water from the pan has evaporated, the remaining cake of cocaine settled in the bottom is broken into pebble size chunks 2 or 3 millimetres wide. They look like little rocks. In fact on the west coast of America this substance is called "rock" rather than "crack".

Bearing in mind what I said about smoking a substance as a drug user's option, the small amount of crack is placed in a glass "pipe" which looks like a sphere with a hollow stem attached to it, and heated by a naked flame. This causes it to give off a vapour which can be inhaled. The inhalation of the vapour produces an almost instant "high" - a real rush of sensation - far more intense than the delayed high that comes from cocaine hydrochloride, although not as long lasting. Afterwards the "crash" is even more intense than the crash from using regular cocaine. To relieve that depressed feeling the user simply inhales more crack to create yet another high. For that reason it has been described as instantly addictive. It is not physically addictive, but it is psychologically addictive and it is attractive to people with addictive personalities.

Until this phenomenon called crack was invented cocaine was expensive and tended to be seen by the public as something used by people of great wealth such as movie stars. Recently an outrageous television advertisement was shown locally for a brand of choc milk. It showed some attractive people in plush surroundings. The woman involved was rolling a \$100 note into the shape of a straw. The selling point at the end was to plunge the straw into the carton of choc milk. It was not until the end of the advertisement that it was obvious that it was about choc milk. Everyone viewing the paraphernalia and sophisticated images in the advertisement would have anticipated that the straw was for inhaling cocaine. Cocaine has always been associated with the wealthy jet set person, which has some appeal to members of the general public.

Crack is very cheap. One of those little doses I described can be acquired for between \$3 and \$7, or around \$5 on average. It is still possible for an addict to go through hundreds of dollars worth of crack in a day, but it is a pretty cheap entry fee into this "sophisticated", cocaine abuse culture. Drug usage soared in the United States with the development of crack.

It is difficult sometimes to find comprehensive and comparable data on these subjects. Many studies have been conducted, a lot of which were not well coordinated. However, some comprehensive and comparable data has been collected on drug use in the United States of America since 1979. It is recorded that there were 5.7 million cocaine users in the USA in 1985, which was about 3 per cent of the total population. I then saw that 1.4 million people were using cocaine in 1992, which represented 0.7 per cent of the US population. I wanted to find out more about the cause of this decline. Had people gone onto something else? A line graph display of the overall level of US cocaine usage indicates a steep drop from the end of 1985 onwards; its use plummeted from that time, although many people in the US still use cocaine.

I wanted to know what caused that drop from 5.7 million to 1.4 million cocaine users. I made some inquiries. That sharp decline in cocaine usage after 1985 probably occurred for a number of reasons. However, whenever I followed up a line of research on this period by asking people in the US by email, telephone or whatever, for the reasons for this reduction, the same name kept being mentioned. I refer to Lenny Bias, who was a basketball player at the University of Maryland. He was aged 21 years at the time of this incident. He was no ordinary basketball player. This guy was a star. He was to be the next Michael Jordan in a country which idolises champion basketballers. Many disaffected youth look to star basketball players as role models and symbols of success to which they aspire. Lenny Bias not only represented potential; his talent was being realised. He had signed a contract with the Boston Celtics basketball club over several years for a figure - I have not been able to confirm this - in excess of the entire salary cap of all Australian Football League teams put together! This kid had been given such a contract a few hours before the defining moment. He had the world at his feet, yet Lenny Bias, having snorted cocaine, was found dead.

I am told that this death made people in America sit up and take note. Suddenly, cocaine use was not funny and easy anymore. Sure, everybody knew before that event that cocaine use could be dangerous - one would certainly hope people knew that - but it was reinforced when this super-fit athlete had a heart attack using cocaine to celebrate securing his contract. Plenty of members of this Chamber are, or have been, parents of teenagers. Teenagers become very upset if they are labelled a loser. All of a sudden, Lenny Bias, who had been a pin-up boy to half of America, and who had the world at his feet, was the biggest loser around. People woke, knowing about the super contract he had signed the day before with the Boston Celtics - which was a footnote - and read the big story that was he was

dead. Something about that seemed to stick in the consciousness of American youth. Some people point to that incident alone as the principal reason for people taking notice and deciding not to use cocaine as a so-called recreational drug.

The experience of many communities is that reducing drug abuse has two main keys: First, the knowledge that drug abuse is harmful to the health of the user, particularly the user's brain. Drugs are not, as some would have us believe, benign. Second, it is important that an understanding be developed that social approval and incidence of drug abuse correlate. A direct relationship is involved. If drugs are seen in some way as sexy, sophisticated, cool, trendy, the thing to do and harmless fun, a powerful impetus applies for the curious to try them. Conversely, it has been shown that if such perceptions can be reversed, a dramatic drop in drug use can be achieved. This applies not only to the cocaine story I have just outlined, but also with other drugs.

This explains in part why the average kid would not dream of sniffing petrol. Why not? Is it any more dangerous than taking a quantity of heroin, the purity level of which one can only guess, mixing it into a thick, coarse liquid, and sticking it by needle into one's vein? The health dangers of sniffing petrol and other solvents are well known. Perhaps a greater deterrence is that sniffing petrol is anything but cool. It is beyond the pale for anybody with a modicum of self-respect to engage in that behaviour. The reported downturn in the use of crack cocaine in the US, and angel dust before that, are cases in point.

Substances of abuse and victims will always exist; however, we do not have to accept that drug use must be endemic. That means questioning the messages promoted in our community. The former New South Wales Supreme Court Judge Athol Moffitt was reported in the *Sunday Times* the day before yesterday as blasting those who advocate "responsible" use of illicit drugs; the report read -

"To teach kids how to use drugs responsibly . . . that's the kiss of death," he said.

"When people say 'don't use ecstasy, but, if you do, only use a little bit', it has to be one of the worst things you can do because it immediately indicates to kids that it is in some way acceptable."

I take great exception when the term "harm minimisation" is twisted and used to indicate that drugs are normal and we must ensure, therefore, that people use them safely. That sends out the appalling message that drugs are not necessarily harmful and that their use is acceptable. Another example of our failure to send the right messages is our tolerance of the flourishing industry glamourising the cannabis sativa plant. How many dope-leaf T-shirts, ear-rings and other symbols do we see in our streets? How many movies depict drug users as with-it, beautiful people? How is a teenager meant to react to these forces and messages? Peer group pressure and popular culture are powerful forces. We need to stop sending mixed messages and adopt a clear, uncompromising and undiluted message; namely, that illicit drug use is harmful to users, their families, and their colleagues in the community at large.

The community's policies and initiatives must not promote the use of drugs. No-one should be encouraged to use drugs by glamourising them or claiming that drug use is an acceptable standard in our society. We should act at all times to promote, secure and maintain an environment free from illicit drugs. That is a message worth sending, and one which needs to be observed. I have asked community groups and councils in my region to adopt that message via a document I released titled "A Statement of Resolve Against Illicit Drug Use". I hope that community groups will accept that statement as an article of policy in schools, churches, associations and homes.

I thank members for their courtesy during my speech. I commend the motion to the House.

HON MURIEL PATTERSON (South West) [12.59 pm]: I formally second the motion.

Debate adjourned, on motion by Hon Bob Thomas.

House adjourned at 1.00 pm

QUESTIONS WITHOUT NOTICE**WESTRAIL***Sale of Freight Business and Rail Track Infrastructure***1. Hon TOM STEPHENS to the Minister for Transport:**

I join Mr President in congratulating the Minister for Transport; I wish him well.

- (1) On what date did Cabinet approve the sale of Westrail freight business and rail track infrastructure? Was the Minister present at the Cabinet meeting?
- (2) What is the estimate of the number of Westrail staff who will take redundancy and those who will choose redeployment, and how much has been budgeted for these costs?

Hon M.J. CRIDDLE replied:

- (1)-(2) Quite obviously I was not present at the Cabinet meeting. It was the Monday before I was elected. I ask that the other issues be put on notice.

PORTS*Privatisation***2. Hon TOM STEPHENS to the Minister for Transport:**

- (1) With reference to the recently released report from the Chamber of Commerce and Industry of Western Australia study recommending privatisation of port operations, does the Minister support proposals for the privatisation of regional ports around Western Australia?
- (2) Does the Minister support the statement by the chief executive officer of the Fremantle Port Authority that the port maximises the competitive advantage to customers?
- (3) Is the Minister prepared to rule out any privatisation strategy for regional ports in Western Australia?

Hon M.J. CRIDDLE replied:

- (1)-(3) The Government's policy is to go down the commercial route. I will certainly follow that approach with regard to privatisation. Ports will make their own decisions on this issue, and I will make decisions as a result of that.

BRIDGES*Second Bridge across The Narrows***3. Hon N.D. GRIFFITHS to the Minister for Transport:**

Before asking my question, I congratulate the Minister on his elevation to the Ministry.

- (1) Does the Minister endorse the proposal of his predecessor for a second bridge to be built on The Narrows?
- (2) Was the Minister consulted about this decision or was he one of the many people affected by the decision who were not consulted?
- (3) What is the estimated total cost of constructing a new traffic bridge over the Swan River at The Narrows?

Hon M.J. CRIDDLE replied:

- (1)-(3) Obviously, I will do things much differently from the way my predecessor did them. Members in this Chamber will know that my approach to life is different from that of the previous Minister, but I should say that I will be looking at the process by which this decision was made. Obviously, I will take that into account in the future.

I understand the cost of the bridge is between \$60m and \$70m, and the decision just made will reduce the cost by \$10m.

ANIMAL WELFARE BILL**4. Hon J.A. SCOTT to the Minister representing the Minister for Local Government:**

- (1) Does the Government plan to table an animal welfare Green Bill during the spring session of this Parliament; and, if so, when?

- (2) Will the Minister table an animal welfare Bill - that is, not a Green Bill - before the end of 1998? If not, when will he table the Bill?

Hon M.J. CRIDDLE replied:

I ask the member to put that question on notice.

RACING RADIO

Albany

5. Hon MURIEL PATTERSON to the Minister for Racing and Gaming:

- (1) When will the proposed AM band racing radio transmitter be up and running in Albany?
- (2) Who has funded the start up costs and who will be responsible for the ongoing running of the service?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) While there are no proposals for an AM band racing radio transmitter in Albany, an FM band, 104.9FM, is proposed to be commissioned in October 1998. This is subject to a site sharing agreement for the transmitter being negotiated with Albany Community Radio.
- (2) The Totalisator Agency Board will fund the start up and ongoing operating costs. I know this service will be well received by the people in that area.

PLUMBERS' REGISTRATION LEGISLATION

6. Hon HELEN HODGSON to the Minister representing the Minister for Water Resources:

- (1) Does the Government intend to introduce legislation amending the registration requirements for plumbers?
- (2) If so, when is this legislation to be introduced?
- (3) What organisations have been consulted in the development of policy in this area?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) No. However the Government intends to introduce an amendment to the Water Services Coordination Act 1995 to allow for the establishment of a plumber licensing board.
- (2) Presently the amendments are scheduled for the autumn 1999 session of Parliament.
- (3) Following the issue of a Green Paper on plumber licensing and inspection in 1997 and a statewide series of public forums in the first half of 1998, 411 responses were received from government, relevant industry bodies and the general public.

MAIN ROADS

Kwinana Freeway Southern Extension

7. Hon JOHN HALDEN to the Minister for Transport:

- (1) Has Main Roads Western Australia called for expressions of interest to design and construct the southern extension to the Kwinana Freeway?
- (2) Has Main Roads increased the number of short-listed companies from three to six; and, if so, why?
- (3) Is it correct that Main Roads will provide \$150 000 in compensation to the five unsuccessful tenderers?
- (4) If yes to (3), how does the Minister justify this additional expenditure of \$750 000, which will be paid by the taxpayers of Western Australia, when originally no form of compensation was envisaged by Main Roads?
- (5) Is the Minister aware that the decision by Main Roads to increase the number of short-listed companies from three to six will cost industry in Western Australia an additional \$1m, and this investment will return nothing to the companies or to the State?

Hon M.J. CRIDDLE replied:

The question contains a lot of detail, and I ask that it be placed on notice.

LEGAL AID

*Attorney General's Approach to Federal Government***8. Hon KEN TRAVERS to the Attorney General:**

In view of the federal coalition Government's proposal to spend an additional \$10m of taxpayers' funds on a political advertising campaign in support of its goods and services tax package, and recent reports that the legal aid system in Australia is in danger of collapsing due to lack of funding, when did the Attorney General last approach the Federal Government seeking extra funding for legal aid in Western Australia?

Hon PETER FOSS replied:

About a week and a half ago.

MINISTRY OF JUSTICE

*"Assessment of Existing Prison Infrastructure and the Projection of Future Needs" Report***9. Hon LJILJANNA RAVLICH to the Minister for Justice:**

I refer to the report of the Ministry of Justice completed by Australasian Correctional Services, dated 29 November 1996 and entitled "Assessment of Existing Prison Infrastructure and the Projection of Future Needs" tabled in this place on 1 July 1998, and ask -

- (1) Has the Minister read the report?
- (2) Is the Minister aware that it is a breach of United Nations' conventions and other internationally recognised codes of prison practice to house unsentenced detainees with prisoners?
- (3) If yes, why is the department continuing to house unsentenced detainees with sentenced prisoners in Western Australia, given that the report identifies this practice as a breach of the United Nations' conventions?
- (4) Why did it take the Government 20 months to table the report in this place?

Hon PETER FOSS replied:

- (1)-(3) There is a lot of detail in that question and, unfortunately, no pads were available on the table to enable me to make a note of those details. I will try to work my way through the questions.

As the member is aware, the Government has taken a lot of action since that report was released. It was a report to Cabinet, and the Government was under no obligation to table it and it would not normally have been tabled in this House. I decided to table the report so that people would not think there was more in it than there was.

Hon Ljiljanna Ravlich: There is plenty in it.

Hon PETER FOSS: I am sure there is.

The PRESIDENT: Order! Hon Ljiljanna Ravlich knows it is a new session and there are rules in this place.

Hon PETER FOSS: The member must keep in mind that the report was written by a person who hoped to tender for the provision of a private prison, and it must be read with that in mind. It contains some useful things and some which I regard as hyperbole for the purpose of selling the concept of private prisons. I read through the report although I did not study it in perhaps quite the same detail as the member did, and I relied to some extent on an executive summary and other things. I have discussed it with the officers. As a result, a number of recommendations were made by the Government; for example, it has announced it will go ahead with the Wooroloo prison, which will be a 750 bed medium security prison. At the time of the announcement, I indicated that such a prison would give greater flexibility. One of the problems at the moment, and it will probably always be a problem in some of the regions, is the lack of flexibility. For example, remand prisoners are frequently taken to Kalgoorlie to allow them visits. We could not possibly provide a separate remand facility in Kalgoorlie.

Hon Ljiljanna Ravlich: You have 100 unsentenced remand detainees.

Hon PETER FOSS: Would the member like me to finish my statement?

Several members interjected.

The PRESIDENT: Order!

Hon PETER FOSS: As I was saying, in some cases we will not be able to overcome it, and the country is a classic example. Kalgoorlie has a minimum security prison with a most unsatisfactory maximum security area. That maximum security area is used mainly for remand prisoners, because most of them are maximum security, and for those who are sent there for visits. That is a problem and I do not see any simple solution to it because those remand prisoners will normally be kept in the C.W. Campbell Remand Centre. If they are at that centre, they cannot be visited by their relatives from the central desert area. We will continue to need facilities there, and in Broome, and Greenough and other regional centres so that remand prisoners have the capacity to be visited.

At the same time I also announced a complete revamp of Canning Vale Prison. The effect will be that Canning Vale Prison and the C.W. Campbell Remand Centre will be amalgamated. There will be two separate prisons within each facility. It will be for remand prisoners; people who are undergoing assessment and assignment. In that area we will also have highly dangerous prisoners with a mental disability, because it makes sense to have them there.

We will be doing all of those things, but we will rationalise it. We happen to live in Western Australia, and one of the practicalities of the matter is that we will continue to have people taken to those gaols for the purpose of allowing them visitors. No matter how many prisons we build, no matter how much we expand the size of remand facilities, that will continue to happen.

STATE FORESTS

Aboriginal Sites

10. Hon NORM KELLY to the Minister representing the Minister for the Environment:

- (1) Given the announcement by the Department of Conservation and Land Management that there is to be a moratorium on logging in Dombakup 24, due to the presence of significant Aboriginal sites, can the Minister give an assurance that other forests coupes currently being logged do not contain similar significant sites?
- (2) If not, will a similar moratorium be imposed on other sites?
- (3) Given that a University of Western Australia Centre of Archaeology survey has highlighted the inability of CALM to recognise Aboriginal sites, does the Minister have full confidence in CALM's prelogging procedures?
- (4) What steps has the Minister taken to ensure CALM will change these procedures?

Hon MAX EVANS replied:

I thank the member for some notice of this question.

- (1) I am advised that the archaeologist commissioned by the Department of Conservation and Land Management to report on the area has indicated that he is not aware of any other sites in or near state forest, similar to the Northcliffe silcrete quarry, which occur on private property near Dombakup 24 coupe.
- (2) Not applicable.
- (3) I am not aware that the UWA Centre of Archaeology has highlighted an inability by CALM to recognise Aboriginal sites.
- (4) A draft report has recently been received by CALM from the archaeologist. Consideration will be given to the contents of the final report when it is received in the near future. The responsibilities of land managers under the provisions of the commonwealth Native Title Act shortly to come into force are also being considered. If necessary, adjustments to CALM's procedures will be made following this review.

HARBOUR CITY CANAL DEVELOPMENT

11. Hon CHRISTINE SHARP to the Attorney General representing the Minister for Planning:

Will the Minister table the deed of agreement which has been signed by the City of Mandurah and Cedar Woods Properties Ltd and/or its subsidiaries in relation to the rezoning of the Harbour City canal development; if not, why not?

Hon PETER FOSS replied:

Yes. I seek leave to table the document.

Leave granted. [See paper No 7.]

MINISTRY OF JUSTICE

*"Assessment of Existing Prison Infrastructure and the Projection of Future Needs" Report***12. Hon LJILJANNA RAVLICH to the Minister for Justice:**

I again refer to the report of the Ministry of Justice, entitled "Assessment of Existing Prison Infrastructure and the Projection of Future Needs", tabled in this place on 1 July 1998, a report which found that up to 100 unsentenced detainees a day are being housed at facilities other than Canning Vale Remand Centre with sentenced prisoners. In reference to the recent case of three American sailors acquitted of sex-related charges -

- (1) Why were the three sailors held in remand for 14 months before going to trial?
- (2) Given the lack of opportunity for bail, what avenues were taken to expedite the trial?
- (3) Will compensation be paid by the Western Australian Government for the time they spent in custody?
- (4) How many people have been held for over 12 months in remand and are still awaiting trial?

Hon PETER FOSS replied:

- (1)-(4) Some of these matters are very much within the knowledge and control of the courts. They make the decision about whether people should be granted bail and the rate at which people are brought up before the courts. I do not specify that a case should be given priority over others. The courts deal with that aspect. I have received no requests for compensation from any of these sailors. Going by the normal rules that apply to compensation, I doubt that they would be eligible for it.

Hon Ljiljanna Ravlich: Fourteen months is a long time for them to be deprived of their liberties. They were found to be innocent.

Hon PETER FOSS: They were not found innocent; they were found not guilty. In this country we do not yet have the Scottish verdict; that is, not proven. In Scotland there are three verdicts - guilty, not guilty and not proven. If compensation were to be introduced for people found not guilty, a third verdict may be required before we started to do that.

Going back to the question of delays in trials, the District Court Chief Judge has indicated to me that when the four new criminal courts open in December, he believes any backlog will be removed. At that stage we will probably find that defence counsel will be putting up their hands and saying that the cases are getting to trial too quickly. Obviously there must be some time between a person being charged and his going to trial, to enable the proper preparation of a defence. We would like to see the delay between people being charged and going to trial being the minimum period.
