

Legislative Council

Tuesday, 11 April 1995

THE DEPUTY PRESIDENT (Hon Barry House) took the Chair at 3.30 pm, and read prayers.

PETITION - SEWERAGE, CONNECTION

Hon John Halden (Leader of the Opposition) presented a petition bearing the signature of one person requesting the Legislative Council to ensure that connection to the sewerage system be not made compulsory and that an annual fee be not payable if one is not so connected.

[See paper No 259.]

MOTION - URGENCY

High Court Decision, Federal Award Coverage for State Public Sector Employees

THE DEPUTY PRESIDENT (Hon Barry House): I have a letter dated 11 April which is addressed to the President -

Dear Mr President

At today's sitting, it is my intention to move under SO 72 that the House, at its rising adjourn until 9.00 am on December 25 1995 for the purpose of drawing the House's attention to a further defeat to the State Government in the High Court and to the implications of that High Court's ruling of April 7th, 1995, on the constitutionality of Federal Award coverage for state public sector employees and in particular the potential for the decision to further increase the cost to Western Australian taxpayers of the government's economically irrational privatisation agenda.

Yours sincerely

Alannah MacTiernan MLC

In order for this motion to be discussed, it will be necessary for at least four members to rise in their places.

[At least four members rose in their places.]

HON A.J.G. MacTIERNAN (East Metropolitan) [3.36 pm]: I move -

That the House at its rising adjourn until 9.00 am on 25 December 1995.

The Opposition does not want to gloat today. However, we think it is important that we point out that this is the second in what will be, by the end of this year, a trifecta of very important High Court cases which this Government has lost. The first decision was the Mabo decision. This Government challenged the constitutionality of the federal native title legislation and, at the same time, had to defend a challenge to the validity of its own extinguishment of native title. The third piece of legislation which will come before the High Court, we hope in June, will relate to another important principle for the Labor movement; that is, one-vote-one-value. That case is being conducted by the Leader of the Opposition, Jim McGinty, on behalf of the Australian Labor Party and on behalf of all disfranchised or underfranchised Western Australians who suffer under the current unfair electoral laws of this State.

The case that we wish to discuss today relates to the constitutionality of the federal Industrial Relations Commission making awards and determinations for state public sector employees. We think this is a very important issue for Western Australia today for a number of reasons. It opens up for another 90 000 Western Australians - or confirms; I do not think many of us doubted that the decision would be handed down in the broad terms that it has - the right to seek the protection of the federal industrial relations system and to move from the harsh and punitive regime that has been imposed by this State Government. This regime has basically stripped away award safety nets, and has

attempted to strip away a range of access to the Industrial Relations Commission and formal recognition of unions, which provide the industrial strength of working men and women. The High Court decision found that virtually all public sector employees, including public servants, can be covered by federal awards. On a conservative estimate this affects 90 000 Western Australian workers, and includes hospital workers, cleaners, painters, public servants, teachers and virtually anyone employed in the public sector. A very small band of exceptions were made in relation to Ministers and judges - it may be interesting to point out to Mr Kierath that it was acknowledged that these were not employees and hence could not be subject to workplace agreements either. The coverage also exempted parliamentary clerks and heads of government departments. Another important exemption was ministerial staff employed in ministerial offices. These exceptions are small in number and in our view they do not affect the basic principle and the very great victory this represents for the Labor movement.

The case was conducted by the Victorian Government and various other authorities intervened, including the Western Australian Government which supported the Victorian Government's position. The case of Victoria and Western Australia was fundamentally that implied limitations were necessary on the Commonwealth's power to preserve the States' constituent elements of the federation, and those implied limitations mean that the commonwealth conciliation and arbitration powers are to be read down to preclude federal industrial relations legislation applying to state public sector workers. This was argued at various levels. It was argued at its broadest level that this Constitution limitation would impede coverage of all state public sector workers. A less extravagant claim was that it would cover all state public sector workers not engaged in trading enterprises. The third level of generality - if they did not win on that point - was that it would not cover state public servants or administrative officers. The case was argued on these three different levels of generality, but at every level the court rejected the arguments and found there was nothing inconsistent with those implied constitutional rights and the power for the Commonwealth to exercise its conciliation and arbitration powers under the Constitution to provide coverage for state public sector workers, whether or not engaged in trading enterprises, and whether or not they are state public servants, administrative officers or otherwise - with that very small band of high ranking officers and those who have a particular political position by being ministerial staff. The court found that the setting of wages and conditions of state employees did not impede the right of States to exist and discharge their proper governmental functions. The court placed a caveat on the decision saying that awards could not control the identity, qualification and number of persons to be employed. Nor could they control the term of employment or the number or identity of persons it wished to dismiss from its employment, with or without notice, on redundancy grounds. It is an important provision.

Hon Peter Foss: You are not wrong there.

Hon A.J.G. MacTIERNAN: Thank you, Mr Foss. This provision has been misunderstood by some, and certainly from reports coming from the Government it appears that it has misconceived the extent of those restrictions. In particular, the fundamental misconception is that the caveat is being taken to read that federal awards cannot cover redundancy conditions for public sector workers. Some statements in the judgments are being pointed to in this regard. The Opposition makes a very clear distinction between two aspects of redundancy. There is no doubt that the High Court has said State Governments have the right to make public sector workers redundant and to involuntarily sever their employment, and that right in itself cannot be impeded by the operation of awards. It also makes it clear that these awards cannot prescribe which people can be made redundant and which cannot. For example, an award provision such as last in, first out cannot be the subject of a federal award in respect of state public sector workers, and nor could the provisions that were ultimately struck down in this legislation. These provisions applied to a couple of federal awards that fundamentally covered Victorian health workers, and they provided that the State Government was prevented from dismissing certain classes of public servants on the ground of redundancy

at all. It is one thing certainly to say that State Governments will not be impeded in making people redundant in terms of the numbers and the identification of the personnel they want to make redundant, but it is quite a different proposition to argue that the federal awards cannot make determinations on the amount of remuneration to accompany such severance. On this point there is a fundamental misreading of the decision by many persons close to government.

This is quite significant in the context of the Government's privatisation agenda. Members will all be well aware that the Government introduced the Public Sector Management Act redundancy and redeployment regulations basically to reduce the cost of redundancies, redeployments and involuntary severance within the public sector. This decision today means that many workers - many of whom already have interim award protection under the federal Industrial Relations Commission, and many of whom have applications before the federal Industrial Relations Commission - now have a way open to proceed. This finding on the dispute has provided there is no constitutional impediment to their seeking federal coverage, and they will be able to avoid the fundamental provisions of the Public Sector Management Act regulations. These regulations diminish the amount of money paid to redeployees, the length of time for salary assistance, the capacity for a person to refuse redeployment, and the breadth of jobs considered to be suitable positions for redeployment. We see this very graphically at the Building Management Authority. The Government clearly has a major problem; it has thousands of people on the redeployment list, particularly blue collar workers, who have been made redundant by virtue of the Government's privatisation policies. Hon Eric Charlton, who is not here today, has reminded the Government that it cannot keep adding more and more people to this redeployment list.

Hon George Cash: Mr Charlton is here today. At present he is on parliamentary business outside the Chamber.

Hon A.J.G. MacTIERNAN: I am sorry. He is not in the Chamber at the moment. I was not drawing any conclusion from that.

The Government cannot rely on these reduced rights and entitlements found in the public sector management regulations; the cost of redundancies and redeployment - already high - will skyrocket. It is time that the Government started owning up to the impact of privatisation, and started delivering to the people of Western Australia some real economic justification for the processes in which it is engaged - and made much more severe by the results on Friday.

Mr Kierath has tried to present this decision as some sort of victory. Someone has looked at the words of the High Court judgment and seen the words "minimum wages and conditions" and Minister Kierath has sought to make some conclusion about the capacity of the federal Industrial Relations Commission to make paid rates awards. It is clear that the Minister has fundamentally misconceived the words of the High Court. There was no discussion by the High Court of the distinction between a minimum rates award and a paid rates award. No doubt, under the terminology of the federal industrial relations legislation, it will be paid rates that will be the appropriate rates for the state public servant transferring to the federal jurisdiction. The decision is no victory for the Government. Indeed, the possibility arises of a greater financial burden for the people of Western Australia.

HON PETER FOSS (East Metropolitan - Minister for the Environment) [3.52 pm]: It is no wonder that Hon Alannah MacTiernan spent three minutes talking about every case except the relevant one. Obviously she was reluctant to deal with this case. If this is considered a loss we could do with a few more losses like it. Two cases were put to the High Court, one from Victoria and the other from South Australia. The Solicitor General of South Australia was junior by Mr Cock of Western Australia's Crown Law Department. This State's proposition was accepted by the High Court. I will read the words of the High Court - something Hon Alannah MacTiernan was reluctant to do - because her interpretation and apologies for it do not serve as well as the High Court's words. I refer to page 26 of the judgment by Chief Justice Mason, and Justices Brennan,

Deane, Dawson, Toohey, Gaudron and McHugh. Justice Dawson adopted in their entirety not only the arguments of South Australia but also those of Western Australia. The judgment reads -

At this point it is convenient to consider South Australia's argument based on impairment of a State's "integrity" or "autonomy". Although these concepts as applied to a State are by no means precise, they direct attention to aspects of a State's functions which are critical to its capacity to function as a government. It seems to us that critical to that capacity of a State is the government's right to determine the number and identity of the persons whom it wishes to employ, the term of appointment of such persons and, as well, the number and identify of the person, whom it wishes to dismiss with or without notice from its employment on redundancy grounds.

One of the important points in privatisation, and one of the things which was tried to be stopped by application to the High Court, was the public sector management regulations which dealt with the ability to say to a person in the Public Service, "Here is a job in the private service; your job - which you cannot have in government - is available to you in the private sector." Whenever a change occurred in employment in the private sector, people would struggle for the opportunity to work for the new employer but, for some reason, when it comes to government, people do not seem to want that. What the unions fight for in the private sector they resist in the public sector. It is something to do with body snatching by unions that stops the changeover. That is an important part of the judgment, and that is exactly why application was made to the High Court to prevent those regulations. The High Court said - and I read it again because I want to make certain that we hear what the High Court said -

It seems to us that critical to that capacity of a State is the government's right to determine the number and identity of the persons whom it wishes to employ, the term of appointment of such persons and, as well, the number and identify of the persons whom it wishes to dismiss with or without notice from its employment on redundancy grounds.

The next part is where the member said that it meant something else. It reads -

An impairment of a State's rights in these respects would, in our view, constitute an infringement of the implied limitation.

It is quite clear. It continues -

On this view, the prescription by a federal award of minimum wages and working conditions would not infringe the implied limitation -

And even that was qualified. It continues -

- at least if it takes appropriate account of any special functions or responsibilities which attach to the employees in question.

The High Court said that it would prefer not to have the Federal Government around, or even the federal commission making minimum conditions. However, we do not have a major problem with that, in effect, because we already have minimum conditions and we believe it is most unlikely that minimum conditions in excess of ones imposed under state law are likely to cause the unions to go chasing. All along, we have said that in those areas that matter to us we have the capacity to say who will be in the Public Service and who will not be in the Public Service; and to change things from being in the Public Service to the private service has been said unreservedly by the High Court to be a matter which is within the power and capacity of the State.

Hon A.J.G. MacTiernan: That is not in dispute.

Hon PETER FOSS: I thank the member very much. That is the essential part. That was what the unions tried to stop us doing by making applications for interim awards.

Several members interjected.

The DEPUTY PRESIDENT (Hon Barry House): Order! Hon Alannah MacTiernan

spoke for 15 minutes without interjection. I suggest she give the same courtesy to the Minister. She has the right of reply.

Hon PETER FOSS: I do not like to hold anything back from the Parliament, so I will make certain that all matters are put to it. The judgment continues -

There may be a question, in some areas of employment, whether an award regulating promotion and transfer would amount to an infringement. That is a question which need not be considered. As with other provisions in a comprehensive award, the answer would turn on matters of degree, including the character and responsibilities of the employee.

In our view, also critical to a State's capacity to function as a government is its ability, not only to determine the number and identity of those whom it wishes to engage at the higher levels of government, but also to determine the terms and conditions on which those persons shall be engaged.

Leaving aside the ones where minimum conditions could be set, even that does not apply for the other people. It continues -

Hence, Ministers, ministerial assistants and advisers, heads of departments and high level statutory office holders, parliamentary officers and judges would clearly fall within this group. The implied limitation would protect the States from the exercise by the Commission of power to fix minimum wages and working conditions in respect of such persons and possibly others as well.

The note at the bottom of that page reads -

Once the regulation of the relationship between these persons and their State Government is determined to be outside federal arbitral power by reason of the implied limitation, it is unnecessary to consider whether, construing s51(xxxv) without reference to the implied limitation, these persons might have been capable of becoming parties to an industrial dispute extending beyond the boundaries of their State.

The essential point is that to the extent that the High Court makes statements, any reservations are to the benefit of the State; to the extent that it gives it uncategorically, it is to the benefit of the State. It says that those implied limitations do not apply to those people and possibly others as well. The judgment says that minimum conditions do not interfere with the States. For some people, even that will not apply. That is, specifically to some it does not apply, and possibly others as well. There is a question whether other conditions of employment could be dealt with, but the judges say that that is a matter of degree; categorically the ability to say that a person is redundant and no longer employed was plainly said to be within the power of the State.

Members may recall that one thing the interim award sought to put back in place was the general order preventing people from being removed from the Public Service. If they are made redundant it requires that certain payments be made and they remain within the Public Service. The public sector regulations allow greater flexibility, so people can be required where there is a job available for them to transfer into the private sector. That has been an important part of the capacity of this Government to see some sense in having jobs which could reasonably be in the private sector transferred to the private sector, and people within the public sector being asked to keep their public sector jobs within the private sector. I am grateful to Hon Alannah MacTiernan for raising this point. Unfortunately, a news bulletin put out by Mr Kierath explaining this to the public did not get much attention. I sincerely hope that the attention this has been given today will remedy that unfortunate effect and people will recognise the benefits to this State from the High Court decision.

HON TOM HELM (Mining and Pastoral) [4.00 pm]: I support the comments of my colleague Hon Alannah MacTiernan. I could not resist the temptation to gloat after watching Hon Peter Foss squirm and wriggle while he stated that he had no problems with the High Court's recent ruling 7:0 against the State on Mabo. His Government was beaten in that action. Fancy a Minister of this Executive saying in this place that he had

no problem with that result when he knew that the matters contained in the High Court ruling would eventually be matters for further action in the court. These matters are determined in places other than the High Court.

The Minister says he has no problem with people going from the public sector to the private sector and doing the same job. This morning I spoke with a woman who worked on high tech printing equipment with State Print for nine years before it was sold off by this Government. She was transferred to the company which successfully tendered for State Print. She was required to work on older equipment, and she asked to be retrained. She was not refused; but she was not retrained. Recently she lost the top of her finger because she was using equipment which she was not trained to use. The Minister cannot say that working in the private sector is the same as the public sector. Some aspects of the Public Service are good and some are bad. That is the same in private enterprise. The High Court has decided that issues like redundancy and unfair dismissal can be tested in the High Court. Minister Kierath said that it was not in the best interests of the unions to go to the federal industrial relations system. He warned the unions that they would not be subject to state awards. The Minister for Education told schoolteachers that if they transferred to the federal award they would not receive the provisions of the State award. This Government is using bully boy tactics to force its employees out of the union movement. The High Court decision has overturned this Government's tactics.

The Minister for the Environment and also Hon Alannah MacTiernan mentioned the exceptions identified by the High Court. Basically, I do not care whether chief executive officers are excluded by the High Court, because they are pretty handy at wielding the axe and being unsympathetic to the aspirations of public servants in general. We have seen the relocation of government employees. They are offered a position in private enterprise or they must go onto a waiting list for a job that is suitable for their qualifications. I do not know how many thousands of people are on that waiting list.

The beauty of this decision is that it exposes that this Government did not demonstrate any benefit to the taxpayers in privatising public sector services. Privatisation has been tried in the United Kingdom and the United States and it has meant that the user, the taxpayer, has paid more for the service. No-one has demonstrated to me that large private sector corporations are run any more efficiently than large organisations in the public sector. I have worked for Hamersley Iron Pty Ltd and I was associated with Broken Hill Proprietary Co Ltd. I am not singling them out for criticism, but all big organisations are bound to have some inefficiencies. The conservatives on other side see privatisation as a way of looking after their mates. That will not help taxpayers. The Government has not demonstrated that privatisation will mean cost savings, increases in services, or more efficient operations. These guys have the ice age philosophy of, "We know better. We do not have to explain; just trust us."

The High Court is not composed of communist radicals. For the most part High Court justices were appointed by conservative Governments. The High Court has ruled that people have a right to hold a view and voice an opinion about certain matters. It is clear, as Hon Peter Foss has pointed out, that certain exceptions apply to that right. Fundamentally those public servants who can transfer to the protection of federal awards are happy. The approach of Hon Norman Moore, the Minister for Education, to schoolteachers is to offer them a 5 per cent pay increase with certain conditions attached. He will not tell the teachers what those conditions are; he wants to negotiate in secret. He has offered a 5 per cent minimum increase if teachers sign workplace agreements, but the conditions are secret. Why does he want to keep those conditions secret? Why does he want parents shielded from knowledge of the wages and conditions of schoolteachers?

The High Court has agreed with the commonsense attitude that workers should be given an explanation of why certain things happen to them. The Government cannot specify a redundancy provision when the job still exists. That is the track this Government is going down. The Government says that because it has no further need for an employee's services that employee is redundant. How can that employee be redundant if the job still exists? The Government must demonstrate the difference in the job that is being offered and the job that was being done. The employee will then have an opportunity to argue in

front of the commission that it is a matter of unfair dismissal, just as it is a case of unfair dismissal if someone is dismissed because he or she is black, white, brindle or even from Liverpool. That is not the argument that was presented in this case. If the High Court had allowed the argument that Western Australia was promoting there would be no provision to argue that dismissal was as a result of a personality clash. Employees can now argue against dismissal and the Government is entitled to argue its case. Before this High Court ruling the employees could not do that. The State Government had taken that right from them and they had no place to go. The public statement of this Government is that employees can like it or lump it. The Public Sector Management Act and its regulations make no provision for appeals.

We said that until workers were satisfied that they were being listened to we would see continuous disharmony. At midday tomorrow in Forrest Place we will see a demonstration by public servants critical of the Government's moves to privatisation. The people will vote with their feet, backed by the High Court's judgment. The State Government will be unable to wriggle out of this situation. This Government chose to go down a certain path, probably on the advice of Hon Peter Foss. Maybe now it will understand that he is a friend of Crichton-Browne and is not worth listening to, because every time it has listened to him it has gone down 7:0 or 6:1.

HON SAM PIANTADOSI (North Metropolitan) [4.11 pm]: I agree with the comments of my colleagues, Hon Alannah MacTiernan and Hon Tom Helm, about the brave front being put on by Hon Graham Kierath, the Minister for Industrial Relations, over this issue. Listening to Hon Peter Foss' interpretation of events -

Hon Peter Foss: I just read the judgment.

Hon SAM PIANTADOSI: The Minister is trying to pre-empt my remarks. Hon Peter Foss was supporting Mr Kierath's attempts to put on a brave face, and that is to be expected, given the 6:1 decision handed down by the High Court. It was obviously not a victory for Mr Kierath and his colleagues, including those in Victoria. It was not a 7:0 decision against the Government this time; nevertheless, a 6:1 decision is a considerable majority against the Government. It certainly means that people in Western Australia will have alternatives. Some unions have already indicated that the decision will not necessarily mean they will immediately move into the federal arena. However, they now have that option, one that Hon Peter Foss and his Cabinet colleagues tried to deny Western Australian workers, one that gives the workers access to justice.

Mr Kierath's response to the judgment shows that once again he is trying to cover his tail. He always gets onto his back foot. In an article of 8 April, Julie Butler and Mark Duffield reported that Mr Kierath and his Victorian counterpart, Phil Gude, claimed that the decision had a sting in the tail. I quote -

"Unions could quite possibly not be able to obtain awards which set actual wages and conditions for State employees," Mr Kierath said.

He was trying to cast a cloud over the judgment and to cover his own position. He was trying to say that the decision had not been a victory for the union movement against him and his Government; it had been only a partial victory. If Hon Peter Foss and the Minister for Labour Relations want to have any credibility at all they will accept the decisive decision against their arguments. The Government wants to attack the working conditions of Western Australians, notwithstanding the fact that the High Court has decided against the Government. I guess that in time Hon Peter Foss and his colleagues will have a copy of the umpire's decision.

Hon Peter Foss: I read the decision. You thought I was defending Mr Kierath; I was reading the High Court's words.

Hon SAM PIANTADOSI: Perhaps when I read *Hansard* that will be clarified.

Hon Peter Foss: My words were the High Court's words.

Hon SAM PIANTADOSI: The Minister for Labour Relations has been very active in trying to destroy the union movement and the rights of workers in this State. I am unsure

whether Mr Foss supports Mr Kierath fully or whether he would like to distance himself from Mr Kierath. We are concerned that Kierath is again baring his teeth and trying to impress upon the people of this State that he will not be intimidated by the High Court's decision. The last thing we want to see is more industrial conflict brought about by the reluctance of the Minister for Labour Relations to accept the court's decision and the failure of his colleagues to take him to task and have him accept the decision. We see his attitude regularly. Hon Peter Foss has said that he read the decision, but he did not say to the House or to Western Australians generally that he and Mr Kierath do not share the same view of this matter. I am unsure whether Hon Peter Foss was presenting his own views or those of the Government.

Mr Kierath's comments in the article to which I have referred indicate clearly that he is prepared to accept confrontation. Hon Alannah MacTiernan has explained what has been happening in departments under the control of Mr Kierath, where people who are waiting to be redeployed are hanging about because of changes made to the system that have not been thought out. The Government tells us that its changes will save money, yet we have people enduring long periods of not knowing what will happen to them. Mr Kierath is opening up old wounds and looking at confrontation all over again. I know Hon Peter Foss is honest enough to admit when one of his colleagues has made a mistake. He and his colleagues in Cabinet have a perfect opportunity now, following this recent High Court decision, to cop it on the chin and admit the Government was wrong. The Opposition hopes they get Mr Kierath to desist from any more confrontation because people will take only so much. The long term cost - a catchcry members opposite have adopted, especially with the private contractors - through disputation will be great to our community.

HON KIM CHANCE (Agricultural) [4.20 pm]: The motion refers to the Government's economically irrational privatisation agenda. It is clear that the ability of workers within the state government system to seek coverage under a federal award is an impediment to the State Government's agenda. My colleagues have pointed to that adequately. The Government has an agenda of privatisation, whether the Opposition agrees with it or not. The fact that some of the State's employees are able to seek coverage under the federal award is an impediment to that agenda. This is what that issue is all about. I can understand why the State Government wants to avoid a situation where in industrial matters its own employees are subject not to the jurisdiction of the State, but to the jurisdiction of the Commonwealth. I agree with the Government that that is not an ideal situation. I do not think any of us argues that the ideal situation is that the State's own employees should come within the State's industrial relations jurisdiction.

It means a lot of things when the State's employees want to seek coverage in the federal arena. What it means most of all is that the State's own employees do not trust the industrial relations mechanisms of their own employer which are available to them within the State. In short, it is a vote of no confidence in the State Government. Obviously the State Government is embarrassed about that. Hon Peter Foss was pleased to highlight a section of the decision which he says was in the Government's favour. I have no argument with him on that point of fact: Clearly, that part of the decision, which Hon Alannah MacTiernan read out in the same way as Hon Peter Foss did, twice -

Hon Peter Foss: It is an interpretation.

Hon KIM CHANCE: The Opposition agrees with Hon Peter Foss. That part of the decision clearly came down in the Government's favour. We will not argue about that; however.

Hon Peter Foss: It showed how minimalist that was.

Hon KIM CHANCE: I do not think that is right. In the short time Hon Alannah MacTiernan will have to reply to close the motion, I am sure she will concentrate on that point. The favourable decision related to a small part of the overall question that was put to the High Court to determine. What is important ultimately is that the High Court has supported the rights of employees of the State Government who are covered by federal

awards not to be subject to the draconian conditions of the Public Sector Management Act. It is not that little sliver of the question on which Hon Peter Foss chose to concentrate.

Recently I met a number of employees of the Water Authority in Geraldton. On a head count some five different unions were represented at the meeting. The significant difference between those members and the likely outcome of their position was to which union they belonged, and whether that particular award had state or federal coverage. The future of members of the Australian Workers Union, which represents Water Authority workers in my electorate, did not look too bad. However, that was because they had federal coverage; whereas the couple of metal workers who were there, whose award had only state coverage, did not look too happy about their position. I would like to go on a little longer, but I know that Hon Alannah MacTiernan wants to close the debate.

HON A.J.G. MacTIERNAN (East Metropolitan) [4.25 pm]: I must admire the pollyanna traits that we see in Minister Foss and Minister Kierath in trying to find something good out of something that has in most respects been a negative decision for the Government. Let us make no mistake about this: The matters that were determined by the High Court involved 15 separate appeals; 15 separate decisions of the Industrial Relations Commission and inferior courts that were simultaneously appealed by the Victorian Government, supported by the Western Australian and South Australian Governments. Thirteen of those appeals supported by this Government were dismissed absolutely; two out of 15 were upheld. I put it to members that these are not of inordinate significance and are not fundamentally opposed by the union movement in this State. Some evidence of that already exists. There is no doubt that the Government was not arguing simply about a limited concern in relation to redundancy payments for workers who were going into the private sector or the capacity to offer people positions in the private sector. It was arguing a much broader case than that; namely, that a range of public sector workers - in particular, those who are generally classified as government officers or public servants and those who are engaged in administrative functions - would not be subject to federal awards. The Government lost that case comprehensively. It tried also to bring various other public sector workers into that prohibition - and in that regard it failed as well.

The Minister raised the Riordan decision, as if somehow this decision will interfere with the interim award granted by Riordan. The Minister needs to update his advice because a variation has already been agreed to by all the parties to this award which makes some provision for modification of the redundancy payments where a position has been taken up within the private sector.

Hon Peter Foss: There has to be, because this says that we are entitled to do it.

Hon A.J.G. MacTIERNAN: It was already done before this ruling.

Hon Peter Foss: We have a right to legislate. You know that now.

Hon A.J.G. MacTIERNAN: That is not the issue. The provision of the award that was struck down was a total prohibition on involuntary severance. The Opposition argues that this ruling provides an opportunity for a broad range of public sector workers to avoid the provisions of the regulations governing redundancy and redeployment under the Public Sector Management Act.

Hon Peter Foss: Why don't you refer to what the High Court said, rather than interpreting it.

Hon A.J.G. MacTIERNAN: This decision makes it clear that in terms of number and identity and persons and numbers to be selected, there is no doubt that the federal Industrial Relations Commission cannot make determinations on that matter. However, that is quite different from saying that it cannot make determinations on the level of compensation those displaced workers are to receive. Hon Peter Foss knows as well as I do that the Government has all these people on redeployment lists but will not be able to redeploy them. There will be a capacity for federal awards to make determinations about

levels of payment of redeployment. This will inflate the cost of redeployment. The federal Industrial Relations Commission clearly has the jurisdiction to make awards relating to the level of compensation to be made to those workers who are made redundant, whether voluntarily or involuntarily.

Motion, by leave, withdrawn.

PAY-ROLL TAX ASSESSMENT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon George Cash (Leader of the House), and read a first time.

Second Reading

HON GEORGE CASH (North Metropolitan - Leader of the House) [4.31 pm]: I move -

That the Bill be now read a second time.

The primary purpose of this Bill is to seek to amend the Pay-Roll Tax Assessment Act to put in place more equitable and efficient grouping provisions for payroll tax in Western Australia. Members would be aware that payroll tax is imposed on a business or a group of businesses which pay wages in excess of a certain threshold level, currently \$550 000 in a financial year. The grouping of businesses is necessary to prevent an otherwise liable employer from splitting the business operations into separate entities to ensure that the wages paid by each entity fall below the payroll tax threshold. In the absence of such grouping provisions, an employer's liability to pay payroll tax could be negated. Generally, a group of businesses is one in which there is common ownership of 50 per cent or more in each business. The wages of these commonly owned businesses are aggregated to determine any payroll tax liability.

The Act provides that where a business is grouped on the basis of only a bare 50 per cent interest, the Commissioner of State Taxation has a discretion to exclude it from the group. However, exclusion is permitted only where the commissioner is satisfied that the business is operated substantially independently of other businesses which have common ownership. The circumstance where a bare 50 per cent interest is held in a business commonly arises in joint venture situations where the joint venture partners each hold a 50 per cent interest in the business. This can often occur in family business situations where, for example, a father may provide his daughter with the capital to start a business and in return take a 50 per cent interest in it. In such a case, the Act provides that the business in which the daughter has an interest would be grouped with any other business in which the father has a controlling interest. As a result, payroll tax may be chargeable on the wages of the daughter's business unless the commissioner exercises his discretion and excludes that business from the group.

The problem with the current arrangements is that although a person may have only a bare 50 per cent interest in a business, the Pay-Roll Tax Assessment Act automatically considers that to be a controlling interest in that business. Accordingly, if the same person has a controlling interest in another business, those two businesses automatically constitute a group for the purposes of payroll tax. The reality is that outside the payroll tax context, a bare 50 per cent interest is not a controlling interest and the commercial sector understandably has considerable difficulty accepting the artificial position in the Act. Moreover, the position under the Act is at odds with what constitutes a controlling interest for the purposes of the Corporations Law. This can cause problems. For example, the requirement to register for payroll tax is not always apparent to employers with a bare 50 per cent interest in a business if the level of wages paid by their business is below the taxable threshold for payroll tax. Employers do not perceive themselves as having a controlling interest in the other business; therefore, they often do not recognise that a payroll tax liability has been triggered by the combined wages of the group of businesses exceeding the payroll tax threshold. These employers usually only become aware of a payroll tax liability following an investigation by the State Taxation Department.

For those businesses not excluded from the group there is also often a large retrospective assessment with penalties because the identification of the grouping liability is invariably some years after the event. Technically, the employer also commits an offence and, if prosecuted and found guilty, faces a fine of up to \$2 000. Even where the businesses are subsequently excluded from the group by the commissioner because they are operated substantially independently of each other, a considerable workload is required to arrive at that position. This is time consuming and unproductive for both the employer and the State Taxation Department. To address these problems this Bill seeks to amend the Act so that from 1 July 1995 the grouping of businesses on the basis of a controlling interest of a bare 50 per cent will no longer apply. As a result of this change those businesses which are currently grouped solely on the basis of a 50 per cent interest will, upon application to the commissioner, be removed from the group. The proposed change will make the concept of a controlling interest in the legislation more consistent with a common understanding of that term in both the corporate sector and the Corporations Law. This should increase the understanding of employers as to what businesses should be grouped for payroll tax purposes and, consequently, which should register for payroll tax purposes.

The existing principle of the commissioner not being authorised to exclude a business from a group where an interest of greater than 50 per cent is held will continue to apply in all cases except those involving a discretionary trust. A beneficiary's interest in a discretionary trust is deemed by the Act to be more than 50 per cent; therefore, the authority to exclude a business operated by a discretionary trust is still necessary to ensure that no anomalous groupings occur.

The anti-avoidance provisions currently in the Act which ensure grouping occurs in certain cases where common employees or management exist will remain unchanged. This will ensure that the tax base is not artificially narrowed by these changes. Although the cost to revenue of these changes is difficult to quantify, it is estimated that the annual cost will be between \$5m and \$10m.

This Bill also proposes amendments to the Act to simplify and update its operation. The Pay-Roll Tax Assessment Act currently contains a number of references to the Companies (Western Australia) Code. As members would be aware, this code has been replaced by the Corporations Law and amendments are proposed in the Bill to update the Act to reflect this. These changes will have no substantive effect. In addition, the Act currently contains some 25 sections or subsections which are specifically relevant to the assessment of payroll tax in respect of the financial years prior to 1981-82. The Bill seeks to remove these provisions from the Act with relevant saving provisions inserted. This will reduce the volume of the legislation without having any material effect on its operations. Taken together, the amendments proposed in this Bill will improve the equity and efficiency of the payroll tax arrangements in this State. I commend the Bill to the House.

Debate adjourned, on motion by Hon Tom Helm.

LAND TAX ASSESSMENT AMENDMENT BILL

Introduction and First Reading

Bill introduced, on motion by Hon George Cash (Leader of the House), and read a first time.

Second Reading

HON GEORGE CASH (North Metropolitan - Leader of the House) [4.39 pm]: I move -

That the Bill be now read a second time.

The purpose of this Bill is primarily to ensure that the two new energy authorities - Western Power and AlintaGas - will be subject to land tax under the Land Tax Assessment Act. Western Power and AlintaGas are expected to compete openly and

fairly with each other and with the private sector. To be able to do this, they must be subject to the same taxes and charges as their competitors. In the absence of these amendments, and proposed amendments to the Land Tax Assessment Regulations, the corporations would be able to avail themselves of the general exemption provided in the Land Tax Assessment Act for public statutory authorities. Clearly this would provide them with an advantage in comparison with private competitors who would be subject to land tax. The introduction of competitively neutral operating environments for the state's trading enterprises is a critical component of the Government's corporatisation and commercialisation reform program. This Bill provides specifically for the Land Tax Assessment Act to be amended so that state government agencies prescribed by regulation are excluded from the definition of "public statutory authority" for the purposes of the land tax exemption. It is intended to exclude Western Power and AlintaGas from the definition in time to ensure that they are liable for land tax for the 1995-96 year of assessment. The amendment also provides flexibility to prescribe other government agencies which may be commercialised in the future, to ensure that they also will be liable for land tax.

Following these amendments to the Act and the associated amendments to the regulations, Western Power and AlintaGas will be subject to all relevant state taxing Acts. They will also pay to the State the equivalent of commonwealth income and wholesale sales taxes and local government charges. As a result of these changes it is estimated that Western Power and AlintaGas will pay land tax of around \$1.1m per annum, in aggregate. This figure was calculated on the basis of advice from the Valuer General's Office as to the market value of the State Energy Commission of Western Australia's land holdings prior to the new energy authorities being established. Any impact of this measure on the tariffs charged by Western Power and AlintaGas should be insignificant relative to the efficiency benefits from the authorities being exposed to competition. I commend the Bill to the House.

Debate adjourned, on motion by Hon Tom Helm.

ADDRESS-IN-REPLY

Motion

Resumed from 6 April.

HON TOM STEPHENS (Mining and Pastoral) [4.42 pm]: I take this opportunity to acknowledge, firstly, the arrival of my new parliamentary colleague, Hon Val Ferguson, on her return to the State Parliament. I apologise to Hon Val Ferguson that I missed her maiden speech, but I had the pleasure of reading it, and I look forward to the many years of close association which we will now have as a result of her election to this Chamber by this circuitous route. Hon Val Ferguson will contribute substantially to the work of this Chamber and to the parliamentary committees, and in her work as a representative of her region and of the people of Western Australia, particularly as a member of the Australian Labor Party, with whom she has had a long and dedicated association, having been one of the inaugural members of the Karratha branch in the north west of the State and having given years of dedicated service to the people of Western Australia through the Australian Labor Party.

Hon Val Ferguson's arrival in the Chamber has come about as a result of the departure of my friend and colleague Hon Tom Butler to greener pastures. I am sure Hon Tom Butler will be missed by us all, and I have taken the opportunity, and take it now again, as is the custom, of wishing Hon Tom Butler well in his parliamentary retirement. I know that will not be a retirement from politics, which has been his lifelong engagement. Hon Tom Butler has been involved in our party since the mid-1950s and has loomed as a significant figure in our party's history.

I turn now to an issue which has been brought to my attention by some students associated with the Aerotechnical Skills College which had, until this week, been operating at Jandakot. This issue was first raised in this place by me in a question on

notice to the Minister for Education, Hon Norman Moore, on 29 March. The question was asked because students of all ages - of whom there are a number of representatives in the Chamber today - who have been associated with the college and have had the opportunity of undertaking some course work at the college received a letter dated 27 March from Mr Len Moss, the Managing Director of Aerotech Holdings Pty Ltd, which states -

Dear Students and Parents,

Aerotech Holdings Pty Ltd has been placed in Voluntary Liquidation which means that the College will no longer have a home after the 31st of March 1995.

These premises were acquired to house the College because it had the capacity to provide training in all aspects of the LAME qualification. It appears that the costs of running this place as a very active maintenance organisation has in fact cost the College its home. In hindsight, this place should have been run with the focus on the College and the aircraft maintenance activity relegated to the minor activity. Collectively, we have been pioneers in this concept of training, it is a new developing and well accepted concept, and because it is, I have been negotiating with interested parties to take over the College concept. Understand that it is a very attractive concept which means it ought to be taken up by someone. Dave Cozens has also been speaking to investors with the mind to continue as has Trudy Robins.

I am suggesting to you to consider yourselves as taking an early, extended break and I further suggest that potential exists for the College to be saved. Don't write it off yet! History is paved with organisations going through extremely difficult times only to revive and be better and stronger than they otherwise would have been. Try to see that adversity always has the seed of success within it.

I need you all to remain positive and supportive over the next month - personally, all of my business and private assets have gone into these aviation related enterprises, so you can be assured that it is vital and highly motivating to me that at the very least, our College is saved.

You should hear from me again in the third week of April, let's all keep our chins up.

Yours sincerely,

L.S. Moss
Managing Director

That letter was presented to me by a long term associate from the north west whose son had attended that college over recent months. He told me that both he and his son, and other students associated with the college, had placed themselves in a situation where they were paying substantial fees to a private education provider. I took the opportunity of telephoning Mr Moss, and he spoke to me about his high hopes for this training facility. He made it clear to me that the college had run into financial difficulties, and he expressed great regret about that because of the impact it would have on the students. Understandably, the students have even greater regret about the fact that their fees and their time have potentially been put at risk by the closure of the college in recent days.

I drew that letter to the attention of the Minister for Education in the question which I placed on notice on 29 March, and the Minister indicated that he would take steps to assess the situation with which this college and the student body were faced and would ensure that he got a briefing from the Department of Training. *The West Australian* covered that question on Saturday, 1 April in an article by Torrance Mendez, entitled "Students grounded by school closure", which states -

A pioneering WA aviation college closed yesterday despite owner Len Moss' claims that it was a success.

Thirty-three students training to be engineers and pilots must wait to see whether investors can salvage Jandakot-based Aerotechnical Skills College.

It goes on to quote my comments that are found within my question. I argued that the Government should take immediate steps to ensure that the students have the opportunity to continue their studies. The article continues -

John Binks, father of a student, said his son wanted to be an aeronautical engineer and he had felt confident about sending him to the college because it was accredited by the Government. . . .

The college was founded by Mr Moss in 1993 with a unique plan to school students in combined trade certificates and subjects licensed by the Civil Aviation Authority.

"At graduation they would become licensed engineers and private pilots, when normally engineers go through an apprentice system," Mr Moss said.

But the college had no graduates because it collapsed before anyone could complete the four-year course.

Mr Moss blamed its failure on the college's sister company, Aerotech Holdings Pty Ltd, which went into voluntary liquidation with debts of about \$300,000.

Aerotech is an aircraft maintenance company which owned the college facilities in Jandakot where students did practical work and were taught by tutors and engineers.

But Aerotech's financial strife meant there would no longer be a college unless investors provided the facilities.

"I am speaking to investors at the moment and an airline company is involved but I'm not prepared to name it," Mr Moss said. Students paid for the \$9500-a-year course quarterly in advance but no one would be out of pocket because the college would have been in recess after the March quarter ended yesterday.

"The kids wanted a future in aviation and they have been let down," Mr Moss said.

First thing on Monday morning in my office I had a call from Mr Stewart MacDonald, a student at the college who expressed concern to me about inaccuracies in the article, as he saw them. He indicated that the student body met with many parents of the students and staff and had selected him and another as student representatives. During our conversation he identified the goal of the students and the teaching staff at the college; namely, to see what could be done to ensure that the student body was not left having wasted its investment in time and funds.

I am aware that many of the students came to this college because the course had been accredited through the state government accrediting agency set up for that purpose under Statute. Under the State Employment and Skills Development Authority Act the skills, standards and accreditation board provides that accreditation, although a document that has been passed to me says that the State Training Board under section 31 of the Act accredited the skills formation applying to licensed aircraft maintenance engineers.

Hon N.F. Moore: The State Training Board has the powers of SESDA under the interim arrangement.

Hon TOM STEPHENS: I see. I indicated to Stewart MacDonald that the students should gain urgent access to officers of the Department of Training and hopefully the Minister for Education so that the Minister's attention could be well and truly focused on the problems with which the students are faced. I undertook, on behalf of the students, to see whether an early meeting could be organised between the student body and the Minister. A little while ago student and staff representatives came to see me again. They asked me to enter into this debate, if I intended to proceed, in a spirit of providing the Government with an opportunity of hearing from the students. In collaboration with the staff and the Government, the students were keen to see what could be done to get on to the next phase of their training without dragging the issue into a knock 'em down, slog 'em out, political debate.

The proposal to meet with the Minister last week was not successful. I met with the students at the State Parliament, together with a couple of my colleagues, Hon Kim Chance and Hon John Halden, and listened to the extremely difficult circumstances with which most, if not all, of them are faced. Some have cut themselves off from existing jobs to undertake their studies. In some cases the students have taken out substantial loans to sustain them and their families while they are undertaking this training at the college.

On the day following my appointment with the students, in my office at Newman, I heard from the parents of a Newman based student of the efforts to which they had gone to ensure that he could be set up with the resources to enable him to study at the accredited training facility at the Aerotechnical Skills College. I could not help but be concerned to hear the very difficult circumstances with which these students have been faced. Many of the students are in the Gallery to hear their case put succinctly - not theatrically, not dramatically and not in any political way. They are saying, "We have a problem that has arisen by virtue of the collapse of this college."

As a group, these students exist separately from the college. Their interests do not necessarily coincide with those of the managing director. Some feel they have a case against the college, perhaps under the Fair Trading Act. Their fees have been taken; their examination fees have been paid. They feel that the college may possibly be in breach of the contractual arrangement they have entered into with it. However, that is a separate issue that students will be able to explore with departmental officials who fall within the portfolio of Hon Peter Foss.

The students were very pleased that the Minister made available department officers to meet with them. A senior member of the Minister's office staff, Mr Thom, listened to the circumstances with which the students were faced. The students were pleased to receive an assurance from the Minister's office that the matter would be drawn to his attention at the very earliest opportunity. At the same time an officer would undertake to explore with both the Minister's department and other government agencies the opportunities to pick up the students in these circumstances and to see whether the students can complete their course work to achieve the qualifications that will leave them as licensed aircraft engineers. In those circumstances the student representatives are very keen to give the Minister this opportunity to explore the possibilities that are available.

[Questions without notice taken.]

Hon TOM STEPHENS: I hope that the House and, in particular, the Minister for Education will recognise that I am not particularly well suited to the task the student body has given me; that is, to diplomatically put its case to the Government.

Hon N.F. Moore: You could do it well if you tried hard.

Hon E.J. Charlton: You could win the most improved this year.

Hon TOM STEPHENS: I will continue to endeavour to put their case diplomatically in the hope that the spirit with which they were listened to today when they went to the Minister's office is the spirit in which their case will continue to be considered by the Minister and his department when seeking a resolution of this matter. I feel I have to this point inadequately communicated the spirit of the meeting I attended with the students; that is, they communicated successfully to me -

Hon N.F. Moore: You can be sure that your inadequacy will not affect their case.

Hon TOM STEPHENS: I am sure the students will be glad to hear that. It is important; nonetheless, part of my inadequacy is that I have failed so far to communicate that this group of students is not only faced with tragic circumstances if the matter ends at this point, but also they have willingly and vigorously set out to undertake training at considerable cost to themselves and their parents.

Hon P.R. Lightfoot: And to the taxpayers.

Hon TOM STEPHENS: With limited cost to the taxpayers. Some students receive Austudy but, as members will have heard, not all receive Austudy. A number of those

students have not cost the taxpayers one cent, because they have entered into a training program supplied by a private education provider.

Hon Reg Davies: They are Australian students.

Hon TOM STEPHENS: That is correct and they made the point to me and at the Minister's office this morning that if they were overseas students, they would be protected in part by the legislation passed by the previous Government in 1991 for institutions of this sort providing educational programs for foreign students. It is very sensible legislation which has had some effect in allowing this sector to build a reputation to attract overseas students to Western Australia to undertake educational training programs. That has been a benefit not only to those students but also to Western Australia. However, in this case we are dealing with local students who have had the misfortune of seeing their college go kaput. In those circumstances, they legitimately draw to the attention of me, the Minister, the Government and anyone who will listen, that when they went to this training program they were presented with the accreditation from the State Training Board of Western Australia. The accreditation certificate states that -

This is to certify that the Skills Standards and Accreditation Board, has accredited, under Section 31 of the State Employment and Skills Development Act (1990), the following skills formation

Licensed Aircraft Maintenance Engineer

for the AEROTECHNICAL SKILLS COLLEGE and has entered it in the Board's register of accredited skills formation.

Date of expiry 31 December 1999.

Signed Rick Cummings, Executive Officer, Skills Standards and Accreditation Board.

The Board hereby authorises the institution to publish this information.

The college duly made that information available to prospective students who, on the basis of this accreditation, decided it was a college in which they would enrol, paid their fees in recognition of the fact that with the Government channelling and pointing people in the direction of that college -

Hon N.F. Moore: Training providers can advertise the fact and attract students. That is not to say the Government has directed people there. It has said that the course is accredited.

Hon A.J.G. MacTiernan: It points to the perils of privatisation. What will happen to our training systems generally?

The DEPUTY PRESIDENT (Hon Barry House): Order!

Hon TOM STEPHENS: I agree with the Deputy President that we should come to order. Perhaps the Government and the Opposition together can work at some future date on establishing what is meant by accreditation. Perhaps the Minister will be attracted to the proposal of a select committee looking into private education providers to determine whether they should have fiduciary obligations that are enshrined and protected by Statute, and perhaps have a fund similar to the funds for those colleges which provide education for overseas students.

Hon N.F. Moore: At the end of the day, we cannot stop people going broke, no matter the legislation. The member knows that the same applies to overseas providers.

Hon TOM STEPHENS: Later we should see whether we will have an opportunity to look at that general question because we will see more private education providers by virtue of the policy of both Federal and State Governments. It is the vogue philosophy at the moment. Perhaps it is good. We see here an example which I want to separate from the general case because these students have needs that may be addressed separately from the bigger question and the politics of it. I am pleased that the students have said that the Minister's officers have assured them -

Hon N.F. Moore: We are seeking to sort out the problems.

Hon Reg Davies interjected.

Hon TOM STEPHENS: Prior to Hon Reg Davies' return to the Chamber I mentioned that some students want to pursue the fair trading issue separately. I am addressing another issue. These students have had the forbearance to come to this House twice - once for a meeting with me; and now they have sat through question time because they are interested in having their case presented. Let us not delay that any further. Their presence should be taken by us all - particularly the Minister - as an attempt to assist a rapid solution. Perhaps it is possible for the Government to explore opportunities for another investor to take over the accreditation facility. For instance, I understand that the Minister for Transport and his colleague the Deputy Premier have moved into the field of assisting pilot training for Chinese airlines and similar training providers. I recognise this is a great income earner for Western Australia. I understand this licensed aircraft maintenance engineer training course is unique not only in Australia but also in the southern hemisphere. Perhaps there is only one other similar facility in the world. Training is provided in a college environment. When people complete that training, employment opportunities are almost guaranteed.

Hon E.J. Charlton: I went to Jandakot when the course was put together. It is great. Everyone wants to see it succeed.

Hon TOM STEPHENS: I thought that the Minister for Transport was about to explain some interest in the topic that indicated some connection with or knowledge of the college. I was pleased to hear that. I hope that the Minister for Education goes to his Cabinet colleagues with a resolution to the current problem, thereby quickly getting accreditation to another provider who wants to run with the proposal, to make it a good prospect for not only these students but also future students. It will be a good training opportunity to attract additional students to Western Australia. I understand the college has already provided training for some students associated with the Vietnam airlines. Some Vietnamese students came down and did some training, and returned to Vietnam quite happy with what had been done for them.

Understandably, this student body wants its case to be considered separately from Mr Moss' case. Mr Moss wants his case presented to government. That is his right, and no doubt it will be. However, these students say that regardless of what happens to Mr Moss and his college, they have paid their fees and spent a substantial time at the college completing course work. The way things are, they have no opportunity to complete their studies and continue to certification and employment. They face the prospect of joining the dole queues, and no-one wants to see them do that.

We have probably said enough during this debate to put the circumstances on the record. On behalf of the students, I invite the Minister to give the matter his diligent consideration.

Hon N.F. Moore: That is happening. I give that absolute assurance.

Hon TOM STEPHENS: The Minister gives the House, the students and me that assurance; so perhaps in view of the circumstances, sometime next week a report can be given to the students.

Hon N.F. Moore: When I have an answer I will provide it.

Hon TOM STEPHENS: I do not want to pressure the Minister too much but knowing the circumstances a progress report towards the end of next week would be very much appreciated by the students. During the Address-in-Reply debate the Minister has an opportunity to participate, if he chooses -

Hon N.F. Moore: Come off it! This is the Address-in-Reply debate. I might wish to take my whole hour sometime. By way of interjection I have indicated that I am trying to sort this out. The member's continuing to speak all night will not hurry that. It will be done as quickly as possible, and I hope the matter will be resolved.

Hon TOM STEPHENS: I thank the Minister for that assurance. I conclude my remarks

on this topic and provide an opportunity for the Minister to get on with the task of completing the assessment of the students' case, and to see if he can find a way to attend to all the needs of the students in the Gallery today.

HON CHERYL DAVENPORT (South Metropolitan) [5.47 pm]: I intend to speak on several matters in the Address-in-Reply debate this evening. First, I will talk about the departure from this Chamber of Hon Tom Butler and the arrival of Hon Val Ferguson. I will briefly canvass remarks made by Hon Reg Davies the other evening. I will talk about funding for respite care for young people suffering from developmental disabilities and the effect that situation is having on their carers. I will touch briefly on the cuts to the non-government peak organisations mooted by the Minister for Community Development. Finally, I will talk also about an opportunity I had during the Christmas recess to visit South Africa, to work with some of the non-government organisations and to have a first-hand look at the operations of the new Government of National Unity in that country.

While I was away I heard that Hon Tom Butler had decided to resign from this House. Since then I have had an opportunity at a public function to offer my farewell to him. I have some very early recollections of Hon Tom Butler. They go back as far as 1973 when I began work in the Australian Labor Party office. He was a trustee of the party and was always very supportive, particularly of new staff members in the office. I have some special memories of him. He was a great gardener and grew some wonderful chrysanthemums. I am reminded that chrysanthemum season is in May around Mother's Day. I recall his coming into our office with huge bunches of chrysanthemums, and when he divided his plants later in the year he would bring us plants and urge us to take up gardening.

Over the years Hon Tom Butler gave solid service to the Australian Labor Party and the trade union movement. I came into this Parliament in 1989 and he was always there to support and encourage me whenever I had a difficult speech to make in this place. I wish him well in his retirement and I hope he continues to enjoy his garden.

I also take the opportunity to welcome my good friend, Hon Val Ferguson. When I first started work in the Labor Party head office Hon Val Ferguson was already a member of the staff. It is a reversal of our roles, and I feel privileged to guide her in her new career, because she was a tower of strength and a great support to me in earlier years. When I went to work in the Labor Party head office I was quite young, and a very raw recruit from the bush. Hon Val Ferguson knew the ropes and was supportive of me then. I vividly remember that year. The secretary at that time was Joe Chamberlain. He was in the last year of his service to the Labor Party and he was not well. To some extent I was thrown in at the deep end. I started work in March of that year, and a five day state conference was planned for September. Had it not been for the guidance of Hon Val Ferguson I would not have coped. I welcome Hon Val Ferguson to this place. It is great that she is now a member of this House and can contribute her long years of experience to this place. I am sure Hon Val Ferguson will make an excellent contribution.

I also want to touch on a couple of the comments made by Hon Reg Davies in his contribution to the Address-in-Reply last week. Hon Reg Davies is becoming something of a radical these days with his views on drug reform and euthanasia. It is gratifying to hear that, like many of us on this side, Hon Reg Davies believes that it is time we debated those issues and that a good place to start is with those people who make the laws. I was alarmed to hear, however, that he felt we should continue with the old ways in this place and not look at any reform in sitting hours that might lead to an increase in the participation of women. It was interesting that Hon Reg Davies' comments were followed by a lengthy article in *The Weekend Australian* on the results of a joint parliamentary committee of the South Australian Parliament over the past few months. Hon Val Ferguson also touched upon many of those issues in her first speech in this House. As a result of those findings my colleague in the other place Dr Judyth Watson obtained a copy of this report and moved a motion along the same lines as the motion I gave notice of earlier today in this place - that this Parliament might look at some of the issues that were mentioned in the South Australian report, although with broader terms of

reference. It is time that this place looked at some of the impediments to women entering politics. Earlier this year the Commonwealth Parliamentary Association released a report dealing with a range of issues affecting women in its 50-plus member countries. They have great concerns that the level of participation of women in politics around the world, particularly in countries affiliated with the CPA, is not as high as it should be.

Hon Reg Davies: Could it be that women are not terribly interested in politics?

Hon CHERYL DAVENPORT: An element of that exists, as well as the adversarial role that occurs in this place. Such impediments deprive us of the representation of over 50 per cent of the community. Women make up 54 per cent of the world population. Not having a wider participation of women in politics is denying the input of over half the population.

Hon Reg Davies: If anybody feels strongly enough about participating in the democratic process they do not have to be member of a party, they can stand for Parliament. We saw how well that Independent did at the last election.

Hon CHERYL DAVENPORT: It is the exception to the rule for women to be elected to Parliament without the endorsement of a political party.

Hon Reg Davies: The Women's Electoral Lobby and other groups sponsor women.

Hon CHERYL DAVENPORT: That has happened in the US, and women from across the political spectrum have become involved in groups to ensure that women gain representation. In the past 12 months the Labor Party has initiated affirmative action across the board that will see Australian Labor Caucuses comprising 35 per cent women. At the end of last week in Ballarat I was pleased to see the Minister for Health, Dr Carmen Lawrence, launch a publication called "A Guide for Women Entering Politics". That was produced by the Office of the Status of Women. It is a multiparty publication, so the experiences of many of the women who have served certainly in the Federal Parliament have been recorded. It gives women an idea of what they will be up against. It is not an easy road to embark upon and we do not receive much encouragement. Before I leave this place I would like to see more women representing the Western Australian electorate, certainly by the turn of the century. Although I do not advocate that everybody should be young when they come into this place, we do need a spread of ages and balance of genders in Parliaments.

Sitting suspended from 6.00 to 7.30 pm

Hon CHERYL DAVENPORT: One of the issues I want to talk about this evening is the provision of respite services for people with developmental disabilities. Members will be aware that in the last couple of weeks there have been two public demonstrations. The first was organised by the Cerebral Palsy Association on 28 March. That was essentially a group of people with developmental disabilities who were probably aged from 13 years to 18 or 19 years and who were here with their carers, who are predominantly mothers. They were here to try to inform us of their plight when these young people reach the age of 18 years and no longer receive schooling. The institutions that provide respite care told up to 400 of those people that they would no longer be able to provide that care. This is creating a major problem for the carers and their families. I met with those people, and their distress was obvious; they were suffering and will continue to suffer until resources are made available to provide that care. I can put myself in their place. I am grateful that my 16 year old son is certainly not in the position in which some of the victims of those disabilities are living. There was also the personal distress with which mothers in particular and other members of the family have to cope. This is obviously an issue that Governments must cope with. A review conducted towards the latter stages of our own government certainly indicated a great need to look at accommodation services and showed that they would be a continuing problem which would increase rather than decrease. An article in *The West Australian* of 29 March in relation to a Walpole mother reads -

... she is terrified she will kill her son and herself if the State Government cannot find the money to keep him in full-time care.

Mrs Brass was in tears on the steps of Parliament House yesterday as she protested with other parents against their children being kicked out the Cerebral Palsy Association's Sir David Brand centre because they have finished school.

Her 19-year old son, Warren, who has severe cerebral palsy, is one of seven residents who will not be able to get full-time or respite care at the centre after June because the State Government has stopped financing school-leavers.

Warren finished school last year . . .

Without extra money, their only options were to go home, live at aged people's nursing homes or move from one hostel to another.

The protesting parents said they could not look after the children at home without help.

We must all take note of that. I hope the Government will be able to examine its Budget and provide extra money to assist these people. In November 1993 this Parliament passed the Disability Services Act. Certain clauses in the Bill were referred to the Legislation Committee. I well remember the witnesses who came before the committee and their concern about the ongoing need for services. Placed fairly and squarely before the committee was the fact that those families would need to be provided with extra money so they could access that respite care. As members we would certainly do well to remind ourselves of the intention of that Act. The Legislation Committee report at paragraph E1, page 3, indicates that the intent of the Act was the establishment of the Disability Services Commission and for the furtherance of principles applicable to people with disabilities, for the funding and provision of services to such people that meet certain objectives and for the resolution of complaints by such people.

The report went further -

Essentially, this Bill is not about re-enacting the provisions already agreed to but giving effect to coalition Government's policy on disability which was realised earlier this year. That policy recognised that a person with a disability is handicapped if the community of which he or she is a part does not enable that person to develop and live at the optimum of her or his capacity and to have opportunity equal to all members of that community to achieve happiness. The Government's policy is aimed at removing from the lives of those affected by disability as many of the handicaps as can possibly be removed.

I remind government members of that intent during the Committee stage of the passing of that legislation through this place. This Court State Government also signed the state-Commonwealth disability agreement in June 1993. Under that agreement all the States agreed to provide for all accommodation services and the Commonwealth agreed to provide employment services. During the life of this agreement the Commonwealth will have provided at the end of five years \$75m to support Western Australians with a disability. An annually adjusted \$20.9m of that \$75m is for accommodation and related services. To say that the Commonwealth has not honoured its side of the agreement, which has been indicated by some of the reports and discussions I have heard, is far from the truth. At the rally outside here last week, which was attended by all members of the disability community, it was interesting to hear Premier Court and the Minister for Disability Services, Kevin Minson, again trying to shift that responsibility for accommodation to the Commonwealth Government.

States do not have rights; only people do. At issue in this debate are human rights for people with disabilities and the need for due recognition of the unqualified love, support and care that parents and siblings provide and the stresses they bear. The Premier recently wasted up to \$10m on his futile, political, legal campaign against the Commonwealth Government's native title legislation.

Hon N.F. Moore: If you keep telling us that, you might believe it yourself.

Hon CHERYL DAVENPORT: It is the truth. That was absolute waste.

Hon Reg Davies: What was the cost again?

Hon CHERYL DAVENPORT: Up to \$10m.

Hon N.F. Moore: How did you get that figure?

Hon CHERYL DAVENPORT: I have seen it in the Press.

Hon N.F. Moore: You read in the *Hansard*! Mr Halden said it.

Hon CHERYL DAVENPORT: So be it. The bottom line is that it was a futile effort. Members opposite knew it when that legislation was dealt with in this House.

Hon N.F. Moore: It had to be done.

Hon CHERYL DAVENPORT: Garbage! It did not have to be done. If this Government did the right thing, as the other States did, we would not have had to go through it and the Government would not have had to spend that money.

Hon N.F. Moore: You know nothing about the subject. It is best you stick to the subject you are talking about.

Hon CHERYL DAVENPORT: I do know a bit about it. I was here when the debate took place and we told the Government at the time what would happen.

Figures for the contribution that those caring families make in providing for some in the Australian community were provided to the community last week through the Australian Bureau of Statistics. I want to read into *Hansard* those figures relating to the families who care for young people and adults in our community. The document states -

1.5 million Australians care for another person in the same household and over 6% of them provided care for more than one person.

Over 500,000 people with handicaps who live at home do not receive enough help to meet their needs.

57% of people with a profound handicap and 80% of those with a severe handicap live at home.

20% of those caring for a child had been in the caring role for 20 years or longer.

52% of principal carers had a personal income of \$200 or less.

17% of them could not go out during the day. 21% said that sleep interruptions affected their daily activities.

In WA, according to the DSC, 60% of people with a disability live at home, 23% in a hostel or supported accommodation.

Home based care of people with disabilities saves the Government at least \$500 million; some would estimate one billion.

We would do well to reflect on that and try to find a way for this State to right those wrongs and ensure that the wrongs do not continue into the future.

I also want to focus my remarks on the Minister for Community Development and his lack of community development skills. His performance over the last few months has gone from mediocre to downright incompetent and it is finally starting to get some publicity. Since February-March, a significant number of newspaper articles have pointed out his inadequacies. A letter to the editor appeared in *The West Australian* on 14 March under the heading "Weakest voice denied". I will read that letter into the record a little later in my contribution. Another article under the heading "Fix funds or go, Nicholls told" appeared on 25 March. A further article headed "Tackle poverty first, urges welfare chief" appeared on 14 March. An article which appeared on 8 April was headed "Nicholls plan draws flak". A further article headed "Youths safe haven at risk" also appeared in that newspaper. Of course, my colleague Hon Tom Helm has referred to the racist comments in the advertisement which appeared on the front page of *The West Australian* and to the editorial which appeared in the newspaper one morning last week which was headed "Nicholls strikes insensitive tone".

It seems to me that the major problem for this Minister is his inability to listen to and to

work cohesively with the community organisations. It is nothing short of a disgrace. I thought positive community development was being able to talk, communicate, listen and negotiate with organisations. His response to the non-government sector is abysmal. I take my hat off to those organisations for continuing to try to make him understand. It is only the sector's dedication to those it represents that keeps it trying, although it is like bashing one's head against concrete because the Minister does not have the ability to comprehend.

A couple of weeks ago the Premier at least saw fit to remove the domestic violence policy area from this Minister's portfolio and give it to the Attorney General, who is also the Minister for Women's Interests. Unfortunately, the funding for the women's refuge peak organisation in the supported accommodation assistance program still resides with the Department for Community Development portfolio.

Non-government organisations have traditionally provided a range of services to the community with the support of government. Non-government organisations receive approximately 40 per cent of the Department of Community Development's budget. However, it is not the only department to make funding available to that sector. The Department of Health, the Disability Services Commission, the Departments of Justice, Training and others also provide funds. Unlike commercial organisations, non-government organisations are motivated by the provision of services rather than profit or personal gain.

The prime reason for the existence of the non-government sector is under threat by the policy changes of the Court Government. Volunteers who work in the non-government sector, according to the 1991 ABS census statistics, make a contribution equal to an additional 3 980 full time positions in this State. It is now 1995 and that figure will be much higher. Indeed, the 1994 draft report on charitable organisations in Australia entitled "An inquiry into community social welfare organisations" estimates that volunteers contribute the equivalent of 50 000 full time positions Australia-wide.

My personal experience from working on community based management committees is that the outcome of the services provided by non-government organisations is the community taking responsibility for finding solutions to its own problems. Organisations generally operate in partnership with other commonwealth, state and local government agencies. One major benefit is the non-government sector's ability to deliver a range of services in a flexible and innovative way that Governments have not been able to duplicate. However, these positive outcomes are about to change. The Court Government's approach through the Minister for Community Development is one of distrust of the non-government sector. The announced funding cuts to the peak organisations, such as the funding cut to the Western Australian Council of Social Services' budget of \$145 600 and the move to \$30 000 for youth, family support and crisis accommodation peak organisations, is out of step with that which is necessary to provide the information. There have been no guarantees to any of the existing peak organisations that they will continue to exist. Homeless youth, people involved in domestic violence and older homeless people will be lumped into the same peak organisation. The expertise required for any one of those areas would require more than \$30 000. Peak organisations provide support for the service providers, develop policy in conjunction with the people who work in the industry, assist with new ideas, and provide financial advice. It is totally out of step with reality to expect it to do that for \$30 000.

I attended the Community Voice campaign public meeting last Thursday night after this Parliament rose. I estimate that 200 people who work with or support this sector were present at that meeting, along with guest speakers, including the Minister for Community Development and the opposition spokesperson. One of the speakers at that meeting, Sister Veronica Brady, said in her address that the present Government was fixated in the early 19th century in the Patron Saint Scrooge. I think Sister Veronica Brady was right in using that metaphor. She said also that everyone had a right to live decently, and posed the question to the Minister, "Where is your responsibility and compassion?" She urged the peak organisations to shout, scream and kick until the Government listened. The Minister's contribution to that meeting was patronising. He demonstrated a

complete misunderstanding of the role of peak community organisations. People present put numerous questions to the Minister, including, "How will you know the policy needed when the peaks are defunded because your own departmental managers and staff are too afraid to tell you?" I think many members are aware - if they are not they should be - that the morale in not only the Minister's department but also the Health Department is at an all time low and that good, caring people are getting out of those departments because of the incompetence and lack of humanity of the Minister for Community Development and the current Minister for Health, Graham Kierath.

The Minister for Community Development's response to the policy question was along the lines of, "The department will negotiate policy with the organisations or agencies which will provide the service." We all know what the outcome of that type of negotiation will be: "You will do it the Government's way and not speak out or you will not get any funding." If that is to be the partnership between government and the community, God help those people who rely on non-government organisations to provide a service in the community.

The result of the proposed cuts will be, firstly, that some peak organisations will lose their funding altogether. Secondly, that will affect the groups and agencies which the peak organisations represent and will result in an inability to speak to government or negotiate with government from a united position. Thirdly, changes to the funding formula will mean that peak organisations will not be able to comment on public policy and represent the views of their members or the wider community. We should make no mistake about the fact that this is a threat to the democratic right of the weakest section of the community.

I conclude this section of my remarks by referring to a letter from Dr Jim Ife, senior lecturer in social policy at the University of Western Australia, who states -

The decision by the Minister for Community Development, Roger Nicholls, to reduce funding to the peak organisations in the community services sector strikes at the basis of democracy in a pluralist society.

In the interests of open and informed debate, and to allow all interests to be adequately represented, peak bodies have a critical role to play and have done so in all areas of public policy.

Peak bodies representing business, industry, trade unions, environmentalists and others are regularly consulted by government and contribute to healthy policy debate.

This is also true in the community services sector but with one important difference. By their very nature community service organisations do not have the resources of other sectors and cannot adequately fund their own peak organisations.

Governments, recognising this, have accepted responsibility for providing resources to such groups in order for their interests to be fairly represented, even if this has meant they are funding organisations which are sometimes critical of government policy. Surely governments should welcome, rather than discourage, informed criticism?

For the minister to talk of funding peak bodies on a "payment for service" basis is quite inappropriate and represents a misunderstanding of the role of peak organisations in the policy process.

They should not be seen as providing a service for government but rather as providing an opportunity for healthy public policy debate in a democratic, pluralist society. A government which claims to act in the interests of all Western Australians has a responsibility to ensure that a diversity of voices is heard, rather than only those voices the government wants to hear.

The effect of the minister's decision, however, will be to deny a voice to those representing the interests of the least powerful members of society.

The Minister should learn to listen rather than impose his view without any consultation process.

Hon Tom Helm: How should he do that?

Hon CHERYL DAVENPORT: I wonder, because the Minister did not listen the other night. He kept saying, "I, I, I." There was never any collective thought. The Minister said, "I am the only person who has any expertise in this area." Clearly, the Minister is not the only person. Many people have worked in the community services sector over the years and have a lot to contribute. From time to time, we do need changes in social policy, but the changes which the Minister intends to make are far from what this community needs.

I will conclude my contribution to the Address-in-Reply on a more positive note. For part of January and February, I had the good fortune to visit South Africa as part of a work and study brigade that was formed under the jurisdiction of WA South Africa Solidarity, which had its origins over the past 18 months out of the former Campaign Against Racial Exploitation organisation. During the early part of last year, the organisation was looking for people who were prepared to go to South Africa and to pay for their fares and accommodation, and work in conjunction with some non-government organisations. I have always had a great interest in South Africa and I certainly would never have gone to South Africa while the apartheid regime existed, but once the Government of National Unity, headed by Nelson Mandela, came to power, I felt I might be of some assistance and was pleased to go to South Africa as part of that group.

Part of the study brigade left in mid-November and many people stayed for three months. Unfortunately, I was able to be there for one month, but during that time I believe we gained a lot of respect and an insight into some of the positive things that are happening in a community that is developing out of one that was repressive and oppressive and is now doing all that it can to correct the mistakes of the past. We had the opportunity of living in one of the poorer white communities of Johannesburg for four weeks, so had first hand experience of living in a community, shopping, catching buses and walking along the local streets. While we were all warned in no uncertain terms that there was still a danger of violence in the local streets in South Africa, I am pleased to say I did not encounter any violence. It is fair to say that there was still a lot of reticence by white South Africans to being part of a community. They tend to keep to their own suburbs. There is an indication that those barriers are breaking down and things are starting to change. I certainly encountered first-hand some of the inherent racism that still exists. One of the next door neighbours burst through the gate early one morning and told me to control my blacks. That staggered me; I was shocked. Some black people lived in a house at the rear of the place that we were renting. I have never encountered that sort of thing before. This person argued that the blacks were making a lot of noise at 5.30 in the morning. None of us were disturbed. One of the men who lived in the house at the back had to reverse his delivery van out of the driveway to start work at that time. He finished work at about five o'clock at night. We were very quick to say that the noise was made by somebody driving to his employment. We told the neighbour that we would not put up with that sort of nonsense. He then threatened to go to the police, we told him to go ahead and that we would be happy to deal with the police if they came to see us. It will take a long time to break down the inherent racism that exists.

Of the delegation, two or three members were South Africans who had left because of the regime that had existed, and this was their first visit back. One of the men said, "One of the things that makes me know the times here in South Africa have changed is seeing black and white children together in the school yard." Although change may not happen overnight, the generations of the future will ensure that it does. I worked with three organisations during my visit, the first was the African National Congress women's league in Soweto, the major township created through the apartheid regime. We were privileged to be invited to one of its meetings. We were asked to return to conduct a seminar on child abuse and domestic violence. In a township of 36 square kilometres, where two million people live, the issues raised by those women dealt with their aspirations and problems, and included that they wanted to make sure their children were

educated, that they were provided with decent health services and access to community facilities, such as recreation fields for the kids. In that area I did not see one playing field where the kids could get together. The issues relevant to their lives and their problems are not unlike those that we deal with in our electorate offices on a daily basis. They involve domestic violence, child abuse and the relationship between the women and the police.

We were able to conduct the seminar in Soweto. It took place in a local church hall. We did not think many people would attend, perhaps 20; however, between 50 and 60 women attended the seminar. We had given money so that food could be provided during the seminar. This turned into a real case of loaves and fishes. The women organising the seminar managed to feed 60 people with the food that had been bought to feed far fewer. It is still very uncommon for white people to visit Soweto. People do not just drive in. It is thought very wise to have someone from the local community to guide visitors into the township. We were very lucky to meet a young civil leader, Sipho Gova, who guided us through Soweto, and we became very good friends. He came originally from the Transkei near Durban and was in his mid-twenties. During our last week there, he was going back to high school because he had had very little schooling. He was filled with great enthusiasm for what he might go on to achieve. He took us to a suburb in Soweto called Meadowlands which three years ago had been a war zone. It was the site of fighting between the Inkatha Freedom Party hostel and the ANC. People had not returned to live in the shells of the houses. In the middle of that ugly place the teenagers had built a peace park where they got together and talked about a positive future.

The ANC women's league head office is grappling with moving from being a liberation movement organisation to becoming a non-government organisation. It seeks to be part of the policy making process for women in South Africa. We talked about gender equality. A very interesting section in the South African interim Constitution looks at establishing a gender equality commission. A piece of very interesting proposed legislation is floating around in relation to that. It is not unfair to say that the old bureaucrats are alive and well, as are the old parliamentary drafting people. The drafting of some of the legislation that we saw was quite clever. It sought to provide what the Constitution said, but it did not make any provision for gender equality whatsoever. My experience - it has not been of any great moment - in reading legislation allowed me to point out some of the inadequacies in the drafting that would have led to a very poor piece of legislation and would not have done what the people were seeking it to do.

I had the opportunity to meet a very interesting member of Parliament from northern Transvaal, which is in the north of South Africa and is probably rated as the poorest provincial area. Sixty-four per cent of the population are women and the illiteracy rate would be about 70 per cent. That particular province has used the funding provided under the reconstruction and development program. It has created enterprises that are essentially run by women and it is providing good food for the children in the schools. That, in turn has earned money which enables families who were previously unemployed to survive. All in all, the political situation is very interesting. It is almost 12 months now since the new Government of National Unity was elected. It has had some very interesting tussles. Even while we were there during that short time incidents occurred which looked as though they might lead to a breakdown in the government. One incident occurred during the setting up of a truth commission to examine some of the atrocities committed under the old regime. The National Party was threatening to move out of the coalition, but the President called together all the people involved in the process and it was sorted out within 24 hours.

I had the great privilege of actually attending the lead-off in the Address-in-Reply when I was in Cape Town on 21 February. It was quite clear that although the Government might be one of national unity there is no shortage of people who are prepared to have their say. In addition to the, I think, 430 elected national members of Parliament, there is also a 150 member appointed senate both of which were meeting in a parliamentary joint session. The day we were there, Mangosuthu Butheleze and the Inkatha Freedom Party walked out. Again, it looked as though it would be the break-up of the Government of

National Unity. That incident related to international observers being in South Africa for the local government elections to be held in October this year. However, after that incident they returned to the negotiating table where the issue was resolved. They are considering moving out again because of their fears over the development of the new Constitution which will be completed by the end of this year. The South African Parliament sits in a circular arrangement. From the Public Gallery one feels as though one is very much a part of the process. We were quite thrilled the day we visited Parliament to see in attendance President Mandela and the two Deputy Presidents, Thabo Mbeki and F.W. de Klerk as well as many of the famous people about whom we have heard from afar. It was a very interesting experience.

Members might like to know some of the work that befalls those people. One of the women members whom I had met in Perth before I left late last year told me that she has been appointed to a constituency area which is in Port Elizabeth, on the east coast of South Africa, probably about 600 km from Cape Town, where the national Parliament is situated. She lives in Johannesburg, approximately 2 000 km from the national Parliament. They are also required to be on two or three committees. She is on the defence committee and the constitutional reform committee which requires her to be in Cape Town for much of the time. Those national members of Parliament share one administrative staff person between two members. Although they have moved to a democracy, their workload is awesome.

Not only members of Parliament in that country are directed and committed, but also people in the community are very committed towards the future. They have many wrongs to right and I felt very humble to be there for one short month assisting their process where I could. It will be a long and difficult process to achieve. They have five years before the next election. I gather that once the Constitution is devised and implemented they will then have a traditional government and an opposition.

The work and study brigade of which I was a part are now looking for people who share its view and feel they have something to offer to travel with the next group which will leave towards the end of this year. It is also looking for people who will be able to spend three to six months in South Africa. It is no secret that South Africa has experienced a brain drain over the past few years. It needs people with experience and knowledge to return. The South Africans do not want people to tell them how to do things; they want to be shown how we do things in our country so that they can adapt those methods if they are suitable to the South African culture.

Debate adjourned, on motion by Hon Muriel Patterson.

OCCUPATIONAL SAFETY AND HEALTH LEGISLATION AMENDMENT BILL

Second Reading

Resumed from 5 April.

HON SAM PIANTADOSI (North Metropolitan) [8.17 pm]: When we last debated this Bill I touched on an area that is not always considered in relation to occupational health and safety. People usually think of occupational health and safety in terms of workplace accidents. As I informed the Minister previously, one area of concern is the elimination and prevention of diseases in the workplace. The concerning aspect about workplace safety committees is their ability, or lack of it, to withstand pressure from employers. Members should bear in mind what occurred in the Water Authority where records were altered and pressures were applied by employers to achieve that. That situation is even more evident in the sewerage industry. People who have been working for long periods in the sewerage industry are vulnerable to contracting various diseases. Another issue I have raised many times in this place - the Minister may have heard me in the Address-in-Reply - is the need for people in that industry to seek annual physical examinations. The only way to detect whether people working in these environments are suffering problems is for them to undertake medicals at the one location. Presently all the workers go to

their own doctors, which means that the information is not being collated. Without one source of information we have no way of knowing whether a significant disease is present.

Hon Peter Foss: You don't think there will be an objection about invasion of privacy?

Hon SAM PIANTADOSI: I do not think so. I recall that when the Water Authority of Western Australia wanted to overcome a particular problem some years ago it considered having workers take a sauna and a shower - some people in the Public Gallery will remember this - and the changes were welcomed by the workers. They realised that whatever problem might be uncovered, it would be to their benefit. Already countries such as the United Kingdom, Germany, Switzerland, Austria and Sweden have workers' compensation legislation covering workers who suffer industrial diseases.

Hon Peter Foss: We compensate workers, but you are saying that there should be a better method of finding problems?

Hon SAM PIANTADOSI: Presently the only workers who are compensated are those who take action. However, many people are suffering problems which perhaps they do not realise were caused by industrial diseases and they will die without having lodged a claim for compensation. Workers in many industries come into contact with toxic chemicals and are not adequately protected. Besides trying to prevent problems in the first instance, we should also set up mechanisms to monitor problems that may be occurring. We need compulsory medicals to ascertain whether problems exist. A lot of employers, especially in small businesses, say, "Leave it to me", but nothing gets done.

In recent years we have discovered problems in the mineral sands industry, and the people of Capel are testimony to some of them. If they had been aware of some of the problems that would arise they might have decided not to have anything to do with the industry. We always seem to be reacting to problems rather than preventing them. Plenty of evidence is available to show the benefit of early diagnosis of different conditions. The paint industry and the chemical industry need to be considered. The steel industry has problems with galvanised iron because of the gases and fumes emitted. These industries need to be targeted so that we can find out what is the condition of their workers. Many people who worked in the galvanised iron section of J.W. Hart have died or have encountered health problems later in life. Some of the more fortunate ones may have a case for compensation and are being assisted by a firm of solicitors. Others who have died will obviously not get any compensation for the terrible suffering they endured. Had we instituted a system of medicals and undertaken research to find possible causes of the different problems, this sort of thing may not have occurred. Certain industries need to be targeted. Perhaps a few workers from each industry could be tested regularly.

Hon Peter Foss: We have done it in mining, where workers are required to have regular check-ups.

Hon SAM PIANTADOSI: The chemical industry, the paint industry and other industries which deal with toxins and acids should be targeted. People who work in sewers need to be considered because a lot of acids and the like is dumped in sewers. I recall that a maintenance gang entered a sewer in the Welshpool-Kewdale area and when they came out they left the soles of their shoes behind because Jasons had its galvanising plant in the area and rather than diluting the acids it dumped them straight into the sewer. Those workers were fortunate that they left just the soles of their shoes behind. People tend to forget that that sort of problem exists.

Hon Peter Foss: It is an illegal activity.

Hon SAM PIANTADOSI: I also recall that at one time Sir Charles Gairdner Hospital was dumping undiluted radioactive isotopes into the sewer. The Minister might recall that just across from the hospital are some holding tanks. A significant level of radioactivity built up in those tanks over the years, and workers had to go in at different times and clean them. When we raised concerns about this the hospital began to dilute the waste before putting it into the tanks.

Somewhere along the line is a cost and generally the people who work in these sorts of

environments are the ones who suffer the cost. The legislation should include safeguard mechanisms to ensure that when damage is done a financial compensation is paid. However, that alone will not help the worker who will suffer for the rest of his life with a particular industrial disease. This is a sad omission which has existed for many years, and Labor Governments have probably been just as guilty as other Governments.

Hon Doug Wenn: It is not so much the Labor Party as Bartholomaeus.

Hon Peter Foss: Including diseases in the legislation is a first step.

Hon SAM PIANTADOSI: Yes, but prevention is the best cure. We should set up a model such as is found in the countries I mentioned earlier, and I think we all know the sorts of industries we need to target. If tests were carried out on workers from different industries which revealed a trend of problems, it would signal that our occupational health and safety work practices need to be changed. In some of the countries I mentioned this sort of legislation has existed for as long as 30 years, so we are 30 years behind the times. The International Labour Organisation recommends that people who work in the sewerage industry should not work in that industry for more than 10 years because of the dangers associated with the industry. That organisation would not make those recommendations lightly. One has only to consider what goes down a kitchen sink in a house to understand that recommendation. Some people are a little more responsible than others. We can all imagine, therefore, that some people believe that what is out of sight is out of mind. There will always be someone who will pour chemicals down his or her sink just to get rid of them. Many would not even turn on the water to flush them down. I have already referred in this House to small manufacturing businesses telling investigators that their businesses can be inspected at any time. However, there are many problems in that industry.

Hon Peter Foss: Many of them are trying to save costs by pouring these chemicals into drains that run into wetlands.

Hon SAM PIANTADOSI: That has happened. An example last year was uncovered in Belmont in a Water Authority drain. The company concerned buried drums of chemicals over many years. Those actions would not affect the people working in the sewerage industry, but they would affect people working in areas close by. We must look at the penalties to ensure prevention. If we are to prevent diseases and accidents by putting prevention programs into place, the cost to the community will be less. One of the reasons for the blowout in workers' compensation premiums was the number of claims that were made. However, some employees have never made claims, but their industry suffered from those increases in premiums. It would be advantageous if we put in place a package of preventive recommendations that would eliminate the amount of disputation. I guess if the penalties are stiff enough, prevention has a chance of working because the onus is put on the employer to put in place the prevention mechanisms.

Many government departments have the worst record for manipulating figures for their own advantage. I suggest that Hon Kim Chance's friend from the Water Authority, Mr Eugene Murphy, would be one of the worst offenders. As I have said in the past, he has had senior workers sitting in sheds for up to four hours at a time. He would then send them home and they would be booked off sick. It was not classed as an accident or a loss of hours. That kind of manipulation can occur. It is one area with which the Minister will have to come to grips. As I said, obviously employers will manipulate figures to their own advantage.

Hon Peter Foss: There is no advantage to them. It is purely a matter of putting the figures up on a board in the interests of workers.

Hon SAM PIANTADOSI: If there is no advantage, why do it? Obviously there is a positive reason. Premiums have risen in the same way that vehicle insurance premiums have risen.

Hon Peter Foss: That is a perception more than anything else.

Hon SAM PIANTADOSI: The Minister should explain to us later why they do it. He knows that many of them break the rules. He knows also that many of them try to deny

workers' compensation. The worst and most blatant example of that was the asbestos episode where, after the company admitted liability, the people affected had to fight for compensation. The Minister should be fair about this. Many of those people have died and many others do not have any chance of getting compensation for themselves or their families. That is part and parcel of my argument for trying to prevent accidents and to consider the question of diseases generally rather than considering only occupational health and safety through accidents. All angles should be considered because there are many claims for compensation for diseases to be considered, one of which is asbestos. However, we do not have the information to substantiate how many people in the community would be entitled to compensation for diseases they have contracted through working in such industries. The only way of overcoming that is to put in place compulsory medicals in those industries. Until that happens, workers in those industries do not have a chance. I urge the Minister to bring about those changes.

HON KIM CHANCE (Agricultural) [8.37 pm]: The Opposition supports parts of this Bill. However, there are many other parts, in a specific sense and in a general sense, that we simply will not own. As a result, the Opposition will oppose the Bill. I will get to the specifics in a moment. However, in the general sense, I will comment on the culture of the Bill, an aspect which I find disturbing, not that it indicates any specific matter, but that it indicates the Government's general drift; that is, the removal of the word "welfare" from not only the title of the Act but also from the text of the Act. As Hon Mark Nevill, who referred to this matter before, said, taking out the reference to the welfare of workers affected by this Bill has a number of implications.

Hon Sam Piantadosi has just referred to the diseases that are contracted in the workplace over a long period in some cases. I do not think any of us need a more horrifying reminder of the neglect of workers than the asbestos related diseases.

Hon Peter Foss: Is that not health?

Hon KIM CHANCE: Of course it is. However, in the short term, that health question was ignored because I do not think we can say now that we did not understand the health related problems of asbestos. I believe from what I have seen that the health related problems of asbestos were understood at the time Wittenoom was working. Specific instructions were given to miners when they were drilling in the mine face at Wittenoom not to drill into the asbestos vein, but to drill into the rock alongside the vein. Specific instructions were given to the miners using what was appropriately termed the widow making drills because of the risk to their health. The supervisors would inform the miners of the rules that applied when they were drilling because of the dust risk, but the rules were not properly enforced because it was easier and faster to drill directly into the asbestos. The degree of supervision necessary was not forthcoming, but a health risk, if not in the short term, was understood in the longer term. It indicates to me that perhaps the mine management was aware of the short and long term health risks, but because they had no lost time injuries of the sort to which Hon Sam Piantadosi referred, they ignored the questions of the workers' welfare. In other words, they were concerned about how many men would turn up for work the next day, but they did not care about how many men would be breathing 20 years later. That is the difference in the culture of the legislation. I am not suggesting that the Government is proposing anything as extreme as allowing employers to make that error again, but the culture of the Bill concerns me. I was drawing the distinction between the health of the workers in the short term being the concern of the mine management, but that the welfare of the workers - their long term health - was, on the evidence available, another matter.

Hon Peter Foss: They are both encompassed in the term "health".

The DEPUTY PRESIDENT (Hon Barry House): Order! The Minister should not interject, but if he does insist on interjecting I ask him to speak up so that Hansard can record it.

Hon KIM CHANCE: I appreciate the Minister's point that they are health issues, but one can be designated "health" because it is obvious and the other "welfare" because it happens many years later.

Although asbestos is no longer mined in Western Australia it does not mean that some workers are not dealing with substances which are far more dangerous than asbestos. I will refer to one substance with which I have had some experience. When the paint industry was told it could no longer use lead in all its paint applications it had to find a suitable carrier to replace lead. In the high grade, hard finish paints the lead application was replaced with a chemical known as isocyanate, which is a derivative of the heavy metal poison known as cyanide. It will kill people much more quickly than lead ever will. Isocyanate is an extremely dangerous chemical which has been totally banned in the automotive industry in the United States. It is not only used in the automotive paint industry in Australia and Western Australia, but also in outside spraying applications. Isocyanate will blow anywhere and it is an extremely dangerous chemical. I heard a report as recently as last week of people using isocyanate in, of all places, a Homeswest building site and without wearing masks.

Hon Peter Foss: I know the building you are referring to.

Hon KIM CHANCE: If a person sprays paint which contains isocyanate without not only using a mask, but also adequate sophisticated filtering equipment on a fairly consistent basis throughout the year and he is still alive at the end of the year he is doing very well. I have been a little unfair picking on the paint industry as an example because generally it is a safe industry.

Members who work in the agricultural industry will be aware of the nature of some of the older chemicals which are used daily; for example, spray seed. It is highly corrosive; if a drop of it falls on a part of one's eye it will render that part of the eye inoperative for all time. It does not mean one will go blind, but if a drop of it falls on a part of one's cornea, one will not see out of it again. Similar or even greater dangers exist in other industries where people work with radioactive material. The point I am making is that the end of asbestos mining does not mean the end to occupational health and safety problems. To remove from the Act the occupational health and safety culture, the part that the Opposition refers to as "welfare", is a matter of great concern to me.

Leaving aside the question of diseases, Hon Mark Nevill touched on the subject of work stress in his contribution to this debate last Thursday. He referred to the parent Act as the facility through which the management of stress must be provided. The exclusion of this positive aspect from the legislation is something that cannot be easily overlooked. The other related issue that is affected by the amendment Bill is the implied effect on the need for adequate staffing levels and the additional pressure which, for one reason or another, has been placed on workers to produce more. This aspect of labour management is one that probably has more impact on occupational health and safety than any other. I will illustrate this point by referring to some of the outcomes of pressure on workers to produce more which were published in a document which, I understand, came from the Trades and Labor Council. It lists one or two of the immediate effects of pressure on workers to produce more.

Obviously the hours of work increase and in many cases morale tends to fall because people have less free time in which to engage in recreational pursuits. In addition, a syndrome which is called occupational overuse syndrome has developed. To illustrate this I refer members to how they feel when this place approaches the Christmas break. Last year many members felt jaded and the quality of their output, if not the quantity, was sadly reduced. The biological and psychological outcomes of stress tend to magnify in that situation. People feel pressured to take short cuts which have an immediate effect on safety. Manual handling tends to increase because people are inclined to get on with the job and bullock things through rather than do them properly. The opportunity for workers to access training not only in safety, but also in effective working techniques, reduces. Preventive maintenance falls in the priorities of workers and employers; the odd guard may be left off or a tear in a piece of machinery might be ignored - it may lead one day to catching a piece of someone's clothing and dragging him into the machinery. Preventive maintenance is frequently the first casualty of the effort to increase productivity and to maintain profitability. The final point is that less time is available for workers to consult with people on occupational health and safety, to talk to union

representatives about it, and to talk to other employees. Another issue is that people tend to work more in isolation; they do not have time to discuss these matters with employees, and they have less time to talk to the occupational health and safety representatives.

These matters are not directly the issue of this Bill but they are an issue of the general culture of productivity. There is nothing wrong with promoting a culture of productivity; indeed, that is wonderful. However, we must bear in mind what offsets the benefits. People who have been involved in physical work and do that work to the maximum output, find that the harder they try and the longer they try, the lower their output because every now and then they make a mistake, so they must do all the work again. People have learnt the hard way to hasten slowly.

In saying that work stress is dangerous I am reminded of a story that a minister of religion told me about a colleague who had a car accident after a very busy and stressful day. This person - obviously the minister - was told by the police officer who attended the accident that he was at fault 100 per cent. After speaking to the driver, the police officer said that in the driver's current state he was worse than a drunk driver. This hurt his feelings because he was a Methodist minister. He took it to heart.

Hon Peter Foss: Codeine does the same thing.

Hon KIM CHANCE: He had not taken drugs; being a good Methodist he did not even smoke. He told the police officer he had risen at 7.00 am to attend to pastoral matters. He had done three hours' hospital visiting, after sitting up to 2.00 am preparing sermons. He had then delivered three one-hour services. He had then entertained a visiting minister of religion involving a fair amount of stressful conversation because of a dispute between the two churches. He rounded that off with a couple of hours at the hospice. One patient was a long term member of the church who was dying of cancer. It was a stressful day. He had his accident within 10 minutes of leaving the hospice. Having been told that in his state he was worse than a drunken driver he felt compelled to do something about reorganising his lifestyle - perhaps to get a driver. He received the message that he would kill himself if he continued living like that.

That was self-imposed work stress, but being self-imposed does not make it less important. However, work stress in an occupation which is not physical, almost entirely intellectual stress, is being imposed on people more as we demand more productivity. We cannot get away from it, but we must understand it if we continue to ask people to work smarter and more productively - not just harder. We must realise that we are imposing stresses on people and that it can have appalling consequences. I make these comments from the point of view of one who is not entirely inexperienced in that type of work stress, and one who has worked under very severe conditions over long hours. I can recall times operating machinery when a crop had to be put in, with a limited amount of moisture and time to work as well as a shortage of labour, money and machinery. At times I found it necessary, as did other farmers, to work single shifts as long as 50 hours. The combination of stress and sleep deprivation combined with using the tractors of those days, which were excessively noisy - over 125 decibels - eventually creates a condition in the human being where the person cannot sleep anyway and the brain is slowly starved of oxygen. The end result is that the person starts to hallucinate; he starts to see things that are not there. Some of us had our favourite hallucinations. Mine were not very good. All I used to see was the odd burnt out stump which I knew was not there but I had to turn around to avoid stabbing the tyre. Other people saw more interesting things. The point is that long before a person reaches that stage - and certainly once he has reached that stage - he is a danger not only to himself but also to anyone remotely nearby. Such people should not be in charge of machinery or a factory, or particularly in charge of a road vehicle. We must bear in mind that 50 hours to some truck drivers is a fairly conservative shift. I have heard of drivers leaving Perth, after driving without a sleep, non-stop, from Melbourne. Melbourne to Perth is roughly a 50 hour haul, but those drivers do it all over again. These people are on the public roads, but that is another issue.

Hon Peter Foss: The biggest opposition to observation in the cabs is the unions.

Hon KIM CHANCE: The Transport Workers Union has an interesting position. As the shadow Minister for Transport I began to explore the possibility of reaching some agreement because the TWU does not hold that position. It has some concerns about observation equipment because it knows how the bosses will use it. If we can overcome the hassles we could find a way to address perhaps not the interstate but the intrastate hauls - say from Kununurra to Perth in the horticulture season. I have heard of the most horrific shifts imaginable. Perhaps a way to overcome that is by lodging "flight" plans, as in the aviation industry, so that a truck can be located and we can discover who the driver is.

Hon Peter Foss: That will involve heavy administration.

Hon KIM CHANCE: Any police officer can follow up a truck and check it. During the Kununurra produce haul it is not hard to identify a truck -

Hon Peter Foss interjected.

Hon KIM CHANCE: Tachographs are common in the Eastern States. We will get there. I would not write off the TWU as an interested party. I believe that union wants to be positive.

I take a particular interest in the effect of occupational health and safety in agriculture and I will cite one statistic; that is, from 1987 to 1994 the number of deaths in industry in Western Australia was 128. Of those 128 deaths, 38 were in the agricultural and pastoral sector. Members will not be surprised to learn that a large proportion of those fatalities involved people driving tractors. I do not suggest for one moment that the amendments before us will lead to people working at stress levels anywhere near those that I have described. It could be said that I would be drawing a fairly long bow by implying that the removal of the reference to welfare from the text of the Bill means that the effect on the Act is so changed as to compromise the Act's power to impact on the question of work stress.

Hon Peter Foss: It is work safety.

Hon KIM CHANCE: It is, but we do not need to go into that argument again. I have taken the most extreme possible meaning of the exclusion of the word welfare, but I cannot be satisfied that the exclusion of that reference will in any way improve the Act. The example I gave illustrated that unless we have adequate laws and sanctions people will work beyond what is safe for them and for anybody who goes anywhere near them.

The second reading speech makes reference to extensive consultation taking place during the review of the present Occupational Health, Safety and Welfare Act. An extensive level of consultation is something to be applauded. Given the level of concern that has been raised with the Opposition in the context of this Bill and the deficiencies which the Trades and Labor Council safety representatives have indicated exist in the Bill, it would seem that although the unions may well have been an important component of the consultation process, much of the unions' advice has gone unheeded or, at least, the Government did not learn a great deal from that consultation. I am referring then to the general nature of the Bill.

One of the specific areas of concern that has been conveyed to the Opposition from the Trades and Labor Council is that to a great extent unions have been effectively removed from the key role that they have performed. Hon Mark Nevill made the point that historically it has been the unions, particularly those unions in the mining and construction industries, that have driven the occupational health and safety issue. It has been only relatively recently that governments and employers have joined the unions in the formation of a tripartite approach to the problem. We have known for a long time that the cost to industry and the whole nation of work related injury and sickness far exceeds the cost of industrial disputation. It is a much more important issue than other questions which we put under the broad banner of industrial relations, yet it has been the question of industrial disputation that has dominated not only our attention, but also all industrial policies. We have taken the view that if we are to be competitive in Asia we must improve our industrial relations image.

Off the top of my head I believe the cost to the nation of industrial lost time injuries, depending on the way one constructs the figure, is between \$15b and \$37b a year nationally. These figures came from the Australian Bureau of Statistics' national accounts. Even at \$15b a year, which is the bottom end of the scale, and considering that our whole current account deficit runs at about \$19b a year, it indicates the scope of the problem. The likelihood is that industrial accidents are costing us every bit as much as the current account deficit. While we have been placing all of this attention on the question of industrial relations, and to all intents and purposes ignoring the question of industrial safety - that is probably a bit unkind - the unions have been quietly getting on with the job of improving workplace safety not only in their members' interests - although that is the unions' principal and key concern - but also not coincidentally they were increasing employers' profit from the lower level of lost time injuries that resulted. This amendment Bill is an attempt to remove unions from the whole process of occupational health and safety. Given the history of unions in this area, and the fact that for a long time they were the only ones interested in driving the subject, I find it very difficult to understand that at this stage a Government would want to exclude them from the process - even this Government, which is ideologically opposed to unions and what they stand for. Even this Government should be able to recognise in its own mind that unions have made and will continue to make the prime commitment in this area.

I have attempted to follow the Government's logic in the amendment and it seems that it has a difficulty in separating the issues of health and safety from industrial relations. That seems to be the culture of the amendment Bill. The Government does not understand that in terms of both the causes and the effects industrial safety issues and industrial relations issues are quite discrete matters. There is occasionally a link between the two, but the fundamental issues will always be different. One is about the working and the future welfare of a worker in terms of a worker's health, safety and welfare, the other issue is essentially about money, and working conditions in terms of comfort rather than safety and sometimes other matters. Fundamentally, the issues are money, hours and conditions. They are different and distinctly separate.

There is evidence of failure to distinguish between the issues, found in one case in the amendments in clauses 23 and 24 which, from recollection, amend sections 30 and 31 of the principal Act. In these clauses the role of the union is effectively denied in favour of an election process. Although, on the face of it is difficult to criticise a change of that nature which devolves the selection process down to the workplace, a number of issues are raised by the change itself. In removing the formal role of unions at that coalface level, particularly where the work force is a small one - fewer than 20, for example; I understand approximately 80 per cent of employees work in workplaces of fewer than 20 people - the influence of the employer is increased. As the employer has a greater opportunity to guide decisions in the workplace, the number of safety representatives on the site, and where they will be located, even down to the level of training of the safety representatives, will be much more strongly influenced by the employer than had otherwise been the case under the principal Act.

There is no way on earth, that can be regarded as a positive change. An employer may not, but may well have a vested interest in having an influence in any one of those three examples I have given, and perhaps many others. Whether that vested interest is perceived or real does not matter all that much in that process. In this matter the union has only one interest: Its interest is in the welfare of its members; the union does not and cannot have any other interest. An employer may well have a personal, selfish interest for wanting to influence those decisions; that is, the interest of the employer in this case may be one not consistent with the function of the Act. It is impossible for a union to have an interest not consistent with the function of the Act. It cannot be argued that an employer's vested interest is consistent with the function of the Act. Removing the union's role of determining the appropriate form of election in a workplace also seems to be particularly shortsighted. It raises, just as a side issue, the possibility of inter-union disputes which, on health and safety matters, are not all that common.

Clause 26 amends section 34 of the principal Act, which deals with the disqualification

of health and safety representatives. We again see an example of not only the unions but also the Industrial Relations Commission being excluded from what is a sensitive function of the Act. Although the employer already has the ability to refer a question of whether a health and safety representative should be disqualified on a number of grounds, including, I think, causing harm or being a threat to security or simply because the health and safety representative is inadequate or incompetent, the employer retains that ability within the amendment Bill. However, it can be argued that the employer has more capacity to manipulate the process as a result of the Bill. That ability comes from the other principal change to section 34 of the Act, of substituting a safety and health magistrate for the Industrial Relations Commission as the referee on the question of disqualification. In itself, that change is a negative. Hon Mark Nevill has already given the Opposition's view and why it believes this to be the case so I will not go over that ground again. However, the exclusion of the Industrial Relations Commission from all workplace related issues seems to be the clear objective of this Government - an end in itself.

The reasons for that objective are also clear. The Industrial Relations Commission represents a forum in which employers and employees have been able to meet as equals. That is clearly not an objective this Government wants to encourage. In converting the process of arbitration on both industrial relations and health and safety issues, the Government believes it is advantaging employers at the expense of unions. The parallels between the Government's attitude to industrial relations and health and safety in this aspect of the Bill is yet further proof that the Government has just failed to come to terms with the fundamental difference between the two issues. The only answer the Government is able to provide in any given situation is to draw what it sees as the union's teeth. It does not particularly matter to the Government that the unions have done all the work in this area in the past. As a result of their work they have saved industry untold millions of dollars. The unions have also avoided untold suffering by thousands of individual workers. However, the Government's view is that they must be removed from the process simply because they are unions. That is the extent of the Government's understanding of workplace issues.

I guess it is fair to say that not many government members have actually worked in workplace environments where occupational health and safety is an issue. Perhaps they cannot be blamed for that. However, I can assure them they are seriously mistaken in their preconceived notion of just what a union does for health and safety in the workplace. I wish they had taken the opportunity to listen more carefully to what the Trades and Labor Council was trying to tell them. Better still, they should visit a workplace and see how a union functions. I cannot put it to members any more directly than that. If there is not a union on the work site, even with all the health and safety laws we have, health and safety provisions will not exist; they will not be enforced.

The Leader of the House will remember the horrifying number of deaths in the South Yilgarn goldfields a few years ago. I am very familiar with the South Yilgarn goldfields. I live nearby them and am a frequent visitor to Southern Cross, the centre of that area. Time and again the local pharmacist, a good friend of mine now deceased, would tell me about people coming in with injuries asking him to render assistance. He would say that he could not help and advised them to go to the hospital, but they said that they could not afford it. When he asked them about their workers' compensation, they said that they had none. There was no union; they were from non-union work sites. The people working in the small goldmines in the South Yilgarn were inevitably farmers' sons who did not have a health and safety culture. Their safety record was absolutely appalling. It took some very strong efforts by the Department of Minerals and Energy to implement safety requirements on that site because the department had to step in and sort out a problem which would have required the unions to sort out in the first place.

Without the unions we have a serious health and safety issue blowout. This Bill will essentially divorce the formal role of unions from the question of health and safety. None of us would want to underestimate the importance of occupational health and safety. I have already mentioned the massive cost of industrial accidents to Australia.

Whether we take it as \$15b or \$37b a year, either is a staggering sum. The commitment repeated by the Minister at the conclusion of the second reading speech is welcome and strongly supported; that is, to attain a reduction by 1997 of 10 per cent in total accidents and 50 per cent in certain specified accidents. The Opposition is the first to applaud that commitment and to hope the Government is able to deliver it.

If the stated intention of the amendment Bill is to separate industrial relations and health and safety issues in the workplace, I cannot see its being successful. I sincerely hope that the Government is not attempting to meet these goals I have just applauded by shifting the goal posts and changing the definition in this Bill of a lost time injury. Hon Sam Piantadosi gave an example of the way a manager in the Water Authority approached that problem. As he indicated, I know Eugene Murphy and I can remember Eugene talking about other people doing it. Of course, Eugene would never have done a thing like that. I cannot see that these amendments will contribute to the Government's meeting its aims on this issue.

HON CHERYL DAVENPORT (South Metropolitan) [9.22 pm]: I, like Hon Kim Chance, have considerable difficulty with this legislation. I will concentrate my remarks on the deletion of the word "welfare" from the Bill. Nobody would be under any misapprehension that that deletion would concern me, given the position I have taken in this place over the years on a range of like issues. It is interesting that it was only seven years ago that the Occupational Health, Safety and Welfare Act was enacted and the now Government argued substantially against the inclusion of "welfare" in its title. There is no doubt about the words of my colleague the member for Thornlie in the other place who pointed out that when Minister Kierath gave his second reading speech he did not see fit to provide any evidence that the suggestions the Government argued at that time might have been borne out or that there have been constant problems because of the inclusion of "welfare" in the title of the Act. The Minister runs true to form: He harks back to the past. There is certainly no vision in what he says. He continues to tear apart those progressive labour relations Acts that were enacted by the former Government which deal essentially with the lives of ordinary workers.

The potential of this change to the Act is that the notion of including the welfare of workers could be thrown aside by greedy and unscrupulous employers. That is not to say that all employers are like that, but given the potential, some will take that opportunity. I am interested to know whether regulations such as those contained in the Factories (Welfare) Regulations, which were gazetted as far back as 1967 and were subsumed when the previous Government developed the occupational health, safety and welfare legislation in the 1980s, will continue to exist. Although the Minister for Labour Relations argues that the inclusion of "welfare" in the title of the Act will create confusion, more confusion will be created by its deletion and the fact that regulations such as these might be thrown out the door. I will quote some of the regulations that saw the provision by employers of facilities such as change rooms and rest rooms for workers. Section 3(1) of the Factories (Welfare) Regulations states -

Every occupier of a factory where work carried on is of such a nature as to necessitate a change of clothes by employees on entering or leaving their place of work, shall provide a separate change room for the use of each sex, unless there are less than six persons of either sex employed . . .

A need still exists for those sorts of facilities to be provided. Will the deletion of that provision in this legislation lead to their being provided? Another provision of the legislation is -

In trades that are subject to wet conditions, dirty conditions or health hazards that render necessary changes of clothing, each employee shall be provided with separate facilities for keeping clean and dirty clothes.

Section 3(4) states -

In trades where working clothes or boots become wet, the occupier shall provide drying facilities.

Section 4(1) states -

Every occupier of a factory shall, unless he provides a fully equipped casualty room in accordance with the provisions of regulation 8 of the regulations, provide for use in case of employees suffering from illness . . .

One would think that these were little enough requirements and that they still need to be provided for workers. This legislation goes on to deal with the need for an employer to provide dining accommodation for factories which have more than six employees. Section 6(1)(b) states that employees shall be provided with -

- (i) sufficient tables and seating to accommodate the greatest number of employees using the dining room at one time;
- (ii) an efficient means of boiling water in sufficient quantities to meet the needs of those employees;
- (iii) a sink which is fitted with a draining board and near to which a source of water is located;
- (iv) cupboards in which foodstuffs and crockery are protected from dust and vermin; and
- (v) an adequate number of garbage bins fitted with vermin proof lids;

The regulations state that the dining area -

- (c) shall be kept in a clean state;
- (d) shall not be used for any process in the occupation carried on in the premises or for the storage of goods; and
- (e) shall be air locked from any closet, urinal or other part of the premises.

The regulations then mention first aid facilities as follows -

Every occupier of a factory shall -

- (a) provide one first aid box or cabinet of dustproof design for every one hundred and fifty persons employed in the factory occupied by him;
- (b) cause that first aid box or cabinet to be kept in a readily accessible place within the factory . . .

Given that those regulations were in the old Act, a question mark hangs over whether as part of this legislation workplaces will still be required to provide these sorts of facilities. In talking to this second reading debate I will highlight that we are perhaps also facilitating some issues that we might look forward to in the future.

I was interested to read an article entitled "The age of overwork" in the Focus section of last week's *The Weekend Australian*. The by-line of the article contains a very powerful message and it reads -

Hard work has always been seen as a central tenet of success, but as the lean 90s progress, the god of work is demanding the kinds of sacrifices that can't be delivered . . .

The article refers to case studies of ordinary workers and one of those case studies reads -

One day last September, Cathy Roberts put her head down on her desk and cried and cried. She cried until her face was red and blotchy and her hair was damp. She cried so much that her frightened colleagues took her to a nearby doctor, who diagnosed a severe case of stress brought on by overwork.

Roberts, who does not wish to be identified by her real name for obvious reasons, had worked as an accounts clerk for a quasi-government agency in NSW for four years, and the pressure to work longer hours had been steadily increasing.

She was a single mother . . . and did not like to spend long days away from her nine-year-old son.

By this time last year, Roberts regularly worked nine or 10 hours a day. She often did not get home until her boy was in bed, and saw him for a snatched minute in the mornings. Childcare was difficult. Roberts desperately needed the money but she couldn't bear to be away from her child so much.

Despair dropped on her like a big black net. Standing on the train platforms in the mornings, she even thought about throwing herself under the train wheels. "My whole life was totally stuffed up, my career and all that," she says. "You weren't meant to think about your family. I was torn between the two."

Since her breakdown, Roberts has seen a psychologist, moved to a different department and scaled her work down to three days a week. But the experience still rankles. "I'm still not 100 per cent," she says. "It was a real thing for me. I'm not a slacker but I just couldn't cope any more."

Roberts is not alone. Overwork has become an insidious problem in Australia, eating into precious leisure hours and leaving a legacy of fatigue, anger and despair.

As legislators considering occupational health and safety legislation we should think about the pressures we are placing on ordinary workers. In the early to mid-1980s we were told there would be technological advances which would change our lifestyle and that we could all look forward to more leisure hours. It seems that in the last gasp of the twentieth century we are far from having more leisure time and members need only go as far as looking at their lives to reach that conclusion. Members would do well to think about the sorts of workloads they are imposing on ordinary people.

I will quote further from the article because it contains other messages in referring to the sort of workload that workers are required to carry out. The article reads -

This workload exacts a price. One in four (24 per cent) of the 1543 stress claims approved in 1993-94 by the Commonwealth Government's workers compensation agency, Comcare, were a direct result of workload and deadline pressures.

There has been a creep toward a longer working week for many of Australia's white-collar workers from corporate CEOs to public service clerks. While some cowboys, and cowgirls, relish the competition, the unending work hours and the intense pressure, a lot of more ordinary Australians are exhausted by it. And continuous exhaustion brings in its wake mental and physical problems.

The article gives examples of the ridiculous workloads on people in the top, middle and lower levels of the Public Service and workers at all levels in the financial, legal, medical and community sectors. My experience in a small community organisation working with frail-aged people shows that we continue to expect more from workers such as those who perform tasks like care aiding, home help and paramedical services. They are paid for 19 hours per week but most of them actually work at least 25 to 30 hours. That is voluntary service over and above what they are paid. This is no better than the sweatshop labour anecdotes of years gone by, but the tragedy is that this is 1995 and as a society we continue to expect more productivity from workers being traded off against increased wages. It is not good public policy and it may well come back to haunt us. I will again quote from the article which provides an analysis which all members will be forced to face up to and try to solve -

These organisations should realise that pushing employees to work longer hours is a false economy ... US studies have found that all level of workers - from executives to checkout operators - steal things from the office or supermarket if they think they are overworked. It may only be a box of pens ... but spread across an entire organisation, it still mounts up.

Overwork also produces not only absenteeism, with tired employees simply not showing up, but hidden absenteeism, where they spend up to a quarter of their time at work not working. "They're at work but they're just not producing," ...

Yet the culture of the big end of town forces people to assume at least the semblance of overwork.

Post-recession, and many of our managers and administrators still haven't shed the fear of job loss, and call frequent very early and very late business meetings, just to show they really are indispensable. An administrator in a very large university routinely works a 60-hour week, gets "the guilts" if he doesn't take work home on the weekend and wonders why "every job I have I work harder than the one before. I seem to be continually flogging my guts out."

The story is the same across the industrialised world. . .

But the tide may be on the turn. Last year in England, a council manager won the nation's first ever damages for overwork. The British High Court judged that John Walker, once a Northumberland County Council social services manager, was driven to two nervous breakdowns by overwork and ridiculously inadequate resources.

The court ruled that the council was responsible for Walker's exhaustion, acute anxiety, headaches, irritability and tendency to weep.

The council is now appealing the decision, and it is too early yet to tell whether the ruling will pave the way for a juggernaut of overwork claims.

Members would do well to reflect on that and to consider the sorts of legislation they are putting in place. This is occupational health and safety legislation, but we still must think about the welfare of workers.

I will conclude my contribution to this debate by quoting the comments of a clinical psychologist who sees a lot of burnout victims. The article reads -

Paul Flanagan, a Sydney psychologist, says it's often the over-achievers who either flame out in style or sink slowly, Venice-like, beneath a sea of memos. Over-achievers get caught up in the challenge of taking on more and more responsibility, and push themselves beyond the limit, he says.

To begin with, they have that nagging feeling that there are just not enough hours in the day. They begin to think that there isn't enough time to do the job properly or to enjoy doing it. As the treadmill of overwork begins to speed up, they put their heads down and abandon normal office communication. In many firms, the hardest working employees get loaded with extra work . . .

Finally the burden gets too heavy and the worker's knees begin to buckle. Following the inevitable crash, Flanagan says, they're left with a legacy of doubting themselves, and a great loss of self-confidence.

And so again, to the bitter end, the exhausted worker shoulders the load.

One of the major problems with the removal of the participation of unions, which this legislation essentially effects, is that it creates an environment for workers to continue to be pawns, except they will now have little in the way of skilled advocacy because the cost will be too great for workers. The Government in this Bill seeks to undermine the role of safety and health representatives, give greater power to employers, create the potential to manipulate the process, and undermine the positive and coordinated approach to health, safety and welfare in the workplace apparent over the last decade. When proclaimed, this legislation will leave a vacuum in dispute resolution mechanisms, and it will increase the prospect of health and safety issues becoming industrial relations disputes in order for them to be adequately resolved. I oppose the Bill.

HON J.A. SCOTT (South Metropolitan) [9.42 pm]: I have a great deal of concern about some aspects of this Bill. Although certain claims are made about its effects, I do not accept that it will achieve them.

I start at the beginning of the second reading speech with the proposed changes to the title of the organisation under the Occupational Safety and Health Legislation Amendment Bill. Firstly, the word "welfare" has been deleted. The dictionary definition of welfare is the state or condition of doing or being well, good fortune, happiness or wellbeing. I guess that cannot be the case for workers under a Liberal Government. The

other proposed change is the order of the words, putting safety before health. This is an unfortunate time in which to make that change, given the rationale used by the Government which claims to be putting safety first. As outlined by a number of other members already, tens of thousands of inorganic chemicals have been introduced in the workplace and in the community generally over a very short period. These inorganic chemicals are multiplying rapidly, and the effects of many of them are unknown.

I have previously raised with other members of this House a number of items I wished to comment on in that area, but they raised them in their contribution to the debate, which I find a little mean. Reference was made to the use of isocyanates for anti-graffiti sprays when other alternatives are far less harmful to the community. It should be noted that in the previous speeches a number of points about that spraying were not raised. For example, it was not just the failure of the workers to use the proper equipment. I understand that subcontractors were working on the government job, but their training had not been adequate and they did not understand that the freedom of movement and the time of day at which the spraying was carried out would result in their suffering from asthma for the rest of their lives. Further, that chemical was used opposite a housing estate. I understand the poor working practices on that site had also resulted in large amounts of dust being thrown up. That pollution together with the chemicals will cost the State a great deal of money. I estimate that householders' claims against Homeswest could cost this State approximately \$250 000.

The Government has spoken about putting safety first, but safety must be preventive rather than in the form of a penalty after the event. It must not be seen merely in terms of some industrial situation resulting in mechanical failure and damage to people; many of these unforeseen sicknesses that will arise in future from pollution by inorganic chemicals will take many years to manifest. The problem with the way in which the Government has changed the emphasis by renaming this legislation and the organisation, is that it diminishes the seriousness of the potential for permanent and partial damage to the work force.

Many other aspects of health in the workplace should be considered. In fact, in many large industrial workplaces the employers are responsible for the practices; that is, smoking may be allowed in the workplace where there is a high level of stress, as was pointed out by Hon Cheryl Davenport. All these aspects are hard to evaluate but we are aware that in our community the cost of smoking, poor diet and excessive alcohol consumption - brought on sometimes by stress or bad working conditions - far exceeds the cost of people being hurt by flying pieces of machinery or something along that line. Those health factors are the largest cost to our community. It is difficult to gauge how much they can be attributed to the workplace, because many of these things are caused partly by the working environment and partly by the individual's lifestyle.

The health of the individual worker in the workplace should be treated very seriously and rather than diminishing the effects of the legislation, the Government should increase the education of the work force and employers about the cost of negligence in this area. The Bill will also change the name of the organisation to WorkSafe Western Australia. I have no objection to that or to the proposal to increase the composition of the commission to 13 members. I have some concern about the structure of the commission which will be: A chairperson nominated by the Minister, three expert members nominated by the Minister, two government representatives nominated by the Minister, three persons nominated by the Chamber of Commerce and Industry of Western Australia, and three persons nominated by the Trades and Labor Council. While a conservative Government is in power, three people will represent the work force and a large number of others will represent the employers and the Government. When there is a change of Government, the balance will swing the other way. There is far too much political influence over who is chosen to be on the board. When there is a deadlock the chairperson has a vote at subsequent meetings, and that could be a good thing. It could be said that it gives the board time to think the issue over. However, if the board members are political appointees, the chairperson will have time to consult with the Minister about what the Minister wants to happen, and of course some dangers may arise out of that.

Clause 3 deals with parts of prescribed diseases that are to be reported. My concern is how wide the list of diseases will be. There has been a lot of controversy about certain diseases within our community. For example, some people are adamant that repetitive strain injury is a disease, whereas others are equally adamant that it is a figment of people's imagination. Further, a lot of inorganic chemicals are in the workplace at the moment, the effects of which are yet to be realised. That information will not be available for years into the future. Sometimes those effects will be cumulative and sometimes more immediate.

The Bill also mentions that the responsibility can fall on people such as architects and builders who, for example, may put asbestos into buildings and be negligent doing so. The Bill has provisions preventing the whole of a site from shutting down where only a few workers are affected by some safety or health issue. That is a very bad provision. People who have been on a worksite, especially now that workplace agreements are in place, will know that when a couple of individuals are in an area that they consider to be unsafe, they will not want to move without the protection of their fellow workers to back them up. Those individual workers have very little power in such situations. This provision gives the employer little reason to fix the problem. Given that workers are usually concerned about their workmates, most would feel insulted at being expected to leave people in a dangerous position without anything being done to correct the situation. This sort of clause is an insult to workers.

The second reading speech mentions people getting out of work because of safety doubts at their worksite. The Government's attitude seems to be that workers are trying to get out of their responsibilities. Having worked in the industrial area, I know that a lot of people take pride in doing a good job. It is about time the Government acknowledged their efforts instead of condemning them because they are part of the working class. One clause proposes a ban on strike action over health matters. This is also a stupid clause. In many situations workers, through no fault of their own, must stop work. Usually this involves very dangerous situations. Members should consider an offshore oil rig situated within 100 kilometres of an approaching cyclone. The workers are supposed to be flown off the rig to a safe place for their own protection. Under these sorts of clauses many people will not want to leave an unsafe position if they are a bit short of money. This will lead to a lot more people being hurt and killed. I cannot see any sense in it.

I have no problem with the election of health representatives; however, I have some concern about the push for the Government to remove the unions from the process. I have worked in industrial situations for quite a few years and sometimes in quite dangerous situations. In some places a culture of safety is built up by the workers, but that is not always the case. Usually the culture of safety in the workplace occurs as a result of the influence of unions. The Government will reduce the culture of safety in the workplace by increasingly pushing the unions out of the sites. I am not sure where the health representative comes from; whether he is supposed to be from the work force, the staff, or from either or both those groups. What will happen in workplaces where workers do not put themselves forward for that position? We have been considering the responsibility of people in the work force and the part they may play in unsafe practices. The example of architects building asbestos into buildings has been given.

What seems to have been forgotten in this Bill is training and education. One of the most important factors in the workplace that differentiates between a safe and a dangerous workplace is training and education. I have seen many instances where employers have been negligent in training their employees. The further isolated a workplace is from union culture, the more that occurs. An example of that was at Leonora where I spoke to workers who were working on a gold mine and handling very dangerous chemicals, including cyanide. When I asked what they knew about the cyanide they said they had very little instructions on it. What prompted me to ask them was the very negligent way in which they were handling that dangerous chemical. They did not know that cyanide could be absorbed through the skin as well as consumed through the mouth or breathed in through the nose. They did not realise it would make people sick if the material was handled without gloves or breathing apparatus.

I have also seen, and been directly involved in, situations in a workplace where machinery was inadequately maintained. I worked on an oil rig where a platform carried people to assist in the running of casing to the ocean floor. The platform used to carry people to the top of the casing was transported by a motor driving a chain which lifted the platform. The links in the chain had worn to a point where I considered it to be too dangerous for people to use. Just before I was about to ride on it I very carefully pointed this out to the manager of the rig, commonly called the "tool pusher". The company man said that it had to be used, but I said that I would not use the platform.

Hon Peter Foss: Were you a roughneck?

Hon J.A. SCOTT: I was a derrickman. I recommended that my crew members not travel on that platform either, with which they agreed. In the end, the company brought in a casing crew which leapt aboard the platform. When the platform began moving to its higher position, the chain broke and one of the men riding on the platform fell to the deck of the oil rig. By some miracle he was only badly bruised. However, the incident cost the company approximately \$250 000 because, as with everything it used, it imported that very high tensile chain from the United States rather than use Australian equipment. The rig was shut down for a number of days while it waited for the replacement chain and then made the repairs, and the company lost a great deal of money. These safety factors are costly as a result of both accidents and loss of down time spent repairing machinery or closing down expensive operations. As a result of continuously working with equipment such as that, one becomes acutely aware of whether something is unsafe.

Any arguments about the safety of machinery are undermined by this Bill. If I had been the only person on that rig, without the support of other people, and had refused to get on that mobile platform, I probably would have been quickly sent down the road.

Hon Peter Foss: Was it a matter of an immediate nature?

Hon J.A. SCOTT: It is an arguable point about whether it represented immediate danger. Under the Government's Bill the other people could not back me up; they could not refuse to work there while that piece of equipment was broken. The people painting the hand rails would have been told they had nothing to do with it. It is very important on a job such as that for people to work as a team. They are all involved in safety issues. As it turned out, if the company had taken notice it would have saved itself approximately \$250 000.

Another clause covers undue interference. I imagine undue interference will depend on one's point of view. Unless some fairly clear definitions are given of undue interference I am not sure how that will ever be decided. I have no problem with part 6 covering the reason for the prohibition notice. The review of notice part of the Bill which provides that when an improvement notice is given there is an ability to appeal is probably reasonable. The provision that work cannot carry on while an appeal is undertaken is probably a good provision.

I am a little concerned about the replacement of the industrial commissioners with a safety and health magistrate. I, like Hon Alannah MacTiernan, do not think an expert in legislation is the right person to make decisions on matters which require considerable workplace knowledge. That can come only from a very full understanding of what goes on in the industrial workplace. I guess the increase of penalties is reasonable. Everything else is increasing today; an increase in penalties may make it clear to people that they should not use unsafe work practices. The separation of occupational health and safety from industrial relations is a great mistake. The two are totally interlinked. Most people will agree that their personal health and safety is indeed an industrial issue of equal importance as their wages and whether they should be receiving holiday pay or any other sort of monetary provision. To say that health and safety have no part in industrial relations is a very bad joke. That will need to be recognised if this Bill is ever to work. It shows, unfortunately, that Bills tend to be drawn up by lawyers with little idea of the workplace. In the same way as a lawyer might scoff at the scant knowledge of law of an industrial worker, no doubt an industrial worker might scoff at the lack of knowledge of the workplace of a lawyer.

Hon Peter Foss: It depends entirely on the instructions the lawyer is given.

Hon J.A. SCOTT: The problem is that one needs to know the questions to ask, and not having the knowledge the lawyer will not come up with the right answers. Conversely, the lack of knowledge of the law by the industrial expert will hinder his ability to inform the lawyer of what he might need. A great deal in this Bill could be changed. It places too much emphasis on money. It looks at workers very much as though they were schoolboys trying to escape from the schoolyard. The Bill is insulting to most workers, who deserve to be treated with more respect.

HON DOUG WENN (South West) [10.13 pm]: I have a great concern about the way this Government is going headlong into privatisation. It seems to be going back into past decades when the safety of workers meant nothing, when employers thought that workers should get on with the job, without caring about what happens to fingers, hands and whatever. Last week I watched a documentary about Sir Robert Menzies - Pig Iron Bob as he was known. Before the Second World War the drive to get the pig iron and scrap metal to Japan was considerable and the way the workers had to push the material through the scissors was amazing. They would push it through by hand within inches of these massive cutters. It occurred to me then that nowadays that would not be allowed to happen. However, I wonder whether with this sort of legislation we are starting to go back to that sort of attitude, with employers being able to dictate not only the salary of workers but also the way the workplace operates. This concerns a lot of people working in industry.

My next point concerns the mining industry and the mineral sands industry in particular. Also, over recent times the safety aspect of mining at Collie has become a big issue, and the reason is that contractors who are being brought in do not have to meet some of the protective requirements that must be met by other people in the industry. We have experienced a few major disasters in Collie over recent times. In the last 12 months we have experienced two deaths which should not have occurred. The families involved are now suffering from that. A lack of concentration was involved, and perhaps the material the men were working with was not in the prime condition it should have been because it was being handled by a contractor. With the Government going ahead with privatisation, these sorts of disasters will happen and we will continue to go backwards. The Government needs to take a very good look at this Bill. It needs to be revised.

Hon Sam Piantadosi raised concerns about the mineral sands industry around Capel. The workers in the industry wear little medallions that indicate radiation levels. I know that some people in the industry have laid complaints about the level of radiation but their complaints have been ignored. The companies need to be pulled back about two miles to make sure that the medallions are surveyed as they are supposed to be. It is not happening because they are bringing in contractors, and the effect on their workers does not mean a lot to them. I know one man who was brought in by a contractor and was not given one of these medallions. When he asked some people who worked for the major companies why they wore them, they told him, so he went to his boss and said he had a problem, and his boss said, "Do you want to work or not?" That is the attitude of the contractors. Safety considerations are dropping lower and lower almost every day. This Bill will not improve safety standards.

My prime concern is the fishing industry. I accept that it is one of the most difficult industries in which to introduce safety management practices, but we should not overlook the need for them. My young brother has worked in the fishing industry. The concern was to get out to sea, put the pots over the side, pull them back in and not really care about the safety on the boat itself. The worst aspect is that on most occasions the owner of the boat is not on board but is shore-bound, sitting in a nice plush little office. He has made a major investment in this mass of machinery and put on board a skipper who has achieved a certain degree of licensing. The owner has said, "Get out there and work it." If we go back through the history of the fishing industry we can see very recently a number of people who were severely caught out because the machinery on deck had not been properly monitored or put in a safe position. Only four years ago we saw that a young deckhand had his neck snapped because he was wearing a jacket that had a cord

around the neck. It got caught in a pulley, and at the pace the pulley was operating he could not reach the switch. His neck was snapped and he was killed instantly. We need to take a good look at those sorts of things. I will tell the Minister outright that I have not read the Bill in depth but skimmed through it. However, I express concern on that area in particular. I have also been concerned about wet line fishing where nets are dropped over the back. Nowadays massive drums are used to reel in the lines at a certain rate of knots, admittedly controlled by a lever on the motor. Their attitude is, "The quicker we can get it in the quicker we can unfurl it and get it back out." I have seen fingers lost by people who happen to be in the wrong place. How one administers it through this Bill is difficult, but at the same time it is a concern.

Hon Peter Foss: All the points you make are useful and could be incorporated in whatever the next legislation may be.

Hon DOUG WENN: The Minister is right. It could be taken into account. Maybe through the Fisheries Department we can bring in something that is relevant. The whole basis of this is safety in the workplace. I have conducted quite a bit of research. Even in the aquaculture system, which is a major contributor to our exports and to local usage in Australia, a certain amount of workplace safety needs to be carefully looked at, whether winching, small motors or forklifts. Forklifts can be a major contributor to accidents in the workplace. I have been part of the building industry for quite a long time. Like Hon Tom Butler I am a painter and decorator by trade. I have seen some of the most disastrous things anyone could want to see. The worst would be in the roof tiling industry. In the early days tiles were carried up by ladders. There was no concern for the worker. He would carry the tiles on a pallet on his shoulder and go up the ladder and then scamper up all the slats to the peak of the roof. He would lay the tiles down, scamper down again and slowly start laying them. I have seen some major disasters there. However, because it was a job the attitude of the employer was, "If you don't want to do it, then don't." The safety aspect was minimal. It meant nothing to the employer. I accept that nowadays we have motorised lifts that take tiles up to the tilers, but it is a dangerous industry. I have seen real disasters for workers who have received no compensation whatsoever. They were told, "Here are your weekly wages. Sorry about that. You have probably lost half a leg but that is the way it goes." As I say, I have only skimmed through this Bill and not read it thoroughly. This Bill is taking a backward step and, as Hon Jim Scott said, it needs some refining to certain levels. The employer has responsibility. The degree of accident does not matter, whether it involves a roof tiler or people doing dangerous work such as was done back in the days of Pig Iron Bob, when workers would feed hunks of iron by hand to a massive cutter. It is up to the individual to make sure the workplace is safe for everyone.

I am going through some home renovations of my own, which have been a disaster from day one. My wife said that if I suggest it again because we had a leaking shower we will buy a new house. Tiles had to be lifted. A young bloke came, put earmuffs on and racked up the jackhammer. There were four people working within 10 feet and he went to work with his jackhammer. Everyone else walked out. The noise was horrendous. He did not give a damn about anybody else. He was told by his employer, "Get in there and get that floor up - end of discussion." He did not care. He was just going to do it. In the building industry, whether housing or major construction, some form must be put forward by the employers for the protection of those in the vicinity. We have discussed in this place the matter of noise levels at construction sites.

Hon Tom Helm: They put it up by 5 decibels.

Hon Peter Foss: Did it apply to the Rolling Stones?

Hon DOUG WENN: That is another level altogether.

Hon Peter Foss: It does not apply to band members. I do not know why.

Hon DOUG WENN: It applies under the Health Act.

Hon Peter Foss: Strangely enough, the regulations relating to occupations and noise do not apply to bands. Why they do not, I do not know.

Hon DOUG WENN: Taking into account the fact that the Minister is a lawyer I will not attack him too much on that, but I think it comes under the Health Act and the noise abatement legislation, which is controlled by the local councils.

Hon Peter Foss: That applies so far as the noise to the neighbourhood is concerned, but the noise to the members of the band is not covered by occupational noise legislation.

Hon DOUG WENN: The Minister does not have a television so he probably does not know what is happening. We had the Jets in Bunbury a number of years ago. It was the occasion of the first professional foot race held in this State in the past 15 years. We thought we would direct the noise from the band into the hill and that there would be no problem. Within 15 minutes of the band starting we had the local health inspector with his soundometer, or whatever he calls it, and he closed them down because people three miles away were copping the sound effects. Under the health and noise abatement legislation he was able to do that.

Hon E.J. Charlton: We are talking about the effect on individuals.

Hon Peter Foss: There are two separate laws.

Hon DOUG WENN: There may be. There probably was not a complaint put forward about the Rolling Stones.

Hon E.J. Charlton: That has nothing to do with it. You were talking about the occupational aspect.

Hon DOUG WENN: The Minister started this line.

Hon E.J. Charlton: You have not woken up to what we are talking about.

Hon DOUG WENN: The Minister introduced the Bill. I started to tell the House of my concern about the building industry. We really need these controls. I return to the point I made earlier: It is imperative that the employer be totally responsible. I hesitate to say it, but I have not thoroughly read the Bill. However, I understand the employer will not be responsible for the actions of employees if they lose a finger, a toe or something of that nature. Now that I have expressed those concerns, I will read the Bill more closely and raise any further matters that should be dealt with at the Committee stage.

Debate adjourned, on motion by Hon Tom Helm.

PRISONS AMENDMENT BILL

Second Reading

Resumed from 28 March.

HON N.D. GRIFFITHS (East Metropolitan) [10.31 pm]: The Australian Labor Party members in this House agree with the proposition that a prison drug reduction strategy involves a fully operational dog drug detection unit and that such a unit is an appropriate measure to prevent prohibited drugs being taken into and used in prisons. I note it was asserted by the Minister in his second reading speech that the use of dogs in Western Australia was an essential element in the Government's commitment to the eradication of illicit drug use in our prisons, and that the proposed amendments were a necessary part of that strategy as they clearly set out situations in which the dogs could be used. The Minister said this offered the necessary safeguards to the rights of members of the public wishing to visit prisons, as well as the rights of inmates and officers. It is appropriate that the Parliament consider measures to give effect to these proposals. It is a matter of regret that there has been considerable delay in bringing appropriate proposals before the Parliament, and that delay reflects badly on the administration at ministerial level of the Corrective Services portfolio. The delay is demonstrated by reference to *Hansard* of 5 August 1993 and question on notice 125 at page 1965. I asked the Minister for Health, as he then was, representing the Attorney General, a number of questions. Those questions are pertinent to a humane environment and asked -

Since 6 February 1993 -

- (1) What new measures have been introduced to control the abuse of drugs in prisons?

The Minister said in response, among other things -

The Attorney General has provided the following reply -

- (1) The following is either near or is fully completed since 6 February -

I subsequently asked questions concerning matters that commenced on 6 February because that is when the changeover occurred. The response was -

A comprehensive, upgraded strategy to combat drug use in prisons was completed in March 1993, including the -

A number of matters were set out, including the following -

approval given for the establishment of a prison based "dog squad"

I make the assumption that the dog squad relates to the dog protection unit and not some other use of that phrase in the context of prisons. I also note the words of the Attorney General in a media statement of 3 July 1993, in which she said in the first paragraph -

'Sniffer' dogs are to be used as part of the next stage in a long-term strategy to further reduce illicit drug use in Western Australian prisons.

In the fourth paragraph of that statement the Attorney General said -

"An upgraded strategy to combat drug use in prisons has been completed and includes the use of prison-based sniffer dogs to prevent drugs being smuggled in.

Those matters, which are on the record, demonstrate a delay on the part of this Government in bringing forward measures it now considers appropriate and, presumably, considered appropriate almost two years ago. When we consider legislation such as this, it is important that we know the extent of the problem the legislation is proposed to meet. I note in that regard the media statement of the Attorney General on 3 July 1993 in which she said in the third paragraph -

"Although the Western Australian prison system does not have the level of drug use experienced in other jurisdictions, it is important that adequate preventive measures are put in place."

I found that statement interesting, so I put a question on notice, and that question was answered on 17 August 1993. I refer to the *Hansard* of that date at page 2573 when I again asked the Minister who was, and still is, representing the Attorney General in this House -

With reference to a media statement of the Attorney General of 3 July 1993 in which it is stated, "Although the Western Australian prison system does not have the level of drug use experienced in other jurisdictions" -

- (1) What is the level of drug use in the Western Australian prison system?
- (2) What is the level of drug use in the other jurisdictions referred to in the media statement, and what are those other jurisdictions?

The Minister responded -

The illicit drug strategy is presently accumulating data on this matter. However, in the meantime anecdotal evidence and regular contact between prison administrators suggest that there is a higher incidence of drug use in Victorian and NSW jurisdictions.

I am interested to know the extent of the problem in Western Australian prisons now, and how that extent compares with the problem in other jurisdictions, such as Victoria and New South Wales. I am particularly interested in view of the specific wording of the provisions of this Bill, with which I will deal shortly. My next area of concern relates to words used recently by a prominent person, who asserted that the incidence of drug use in prisons is low, as evidenced by the recent random breath tests. I find that assertion somewhat extraordinary and I am curious to know whether it is the Government's view - noting that the view of Hon Peter Foss is in many matters a holistic view - that the incidence of drug use in prisons is low. What does "low" mean in that context; is this

evidence provided by random breath tests; and what illegal drugs are detected by random breath tests?

I will now deal relatively briefly with the provisions of the Bill; I propose to examine the provisions in detail, I trust along with others, in Committee. At this stage, I will flag my concerns to the Minister so that he may give consideration to them prior to the Committee stage and, if he is of the view that my concerns warrant it, give consideration to amending many of the provisions of this Bill during the forthcoming Easter break. My first concern is in regard to clause 4, which seeks to amend section 49(1) of the Prisons Act to add the words "a person outside but near a prison". The proposed amendment is very wide in its scope and will give the superintendent of a prison great power - power which I regret is capable of being wielded in a capricious manner. Therefore, I am concerned when wide power is given and when that power lacks appropriate definition. My next concern in regard to this proposed amendment is the words "in the opinion of the superintendent". We are concerned here with a question of practicality. For example, a prison officer may be outside the walls of a prison or near a prison and come across something which compels him or her to form the view that a search is appropriate. In that context, that prison officer will have to see whether the superintendent will form an opinion. The definition of "superintendent" in clause 3 of the Prisons Act means "the superintendent or other officer or prison officer who is at the relevant time in charge of a prison and does not include a prison officer who is in charge of a police lock up". The prison officer on the spot does not have the power to do the job if the job is a desired job, and that is a deficiency which the Minister should consider.

Hon Peter Foss: Is your objection that we should extend the power?

Hon N.D. GRIFFITHS: Some prisons are somewhat large, and the matter may require fairly immediate action.

Hon Peter Foss: Do you object to its narrowness?

Hon N.D. GRIFFITHS: Yes. I am seeking to be constructive, and I have a number of objections which I am canvassing.

Hon Peter Foss: If we were seeking to give such a power, is it not appropriate that it be given to a senior person rather than a more junior person?

Hon N.D. GRIFFITHS: I do not think this power is necessarily appropriate, and I need to hear more from the Minister on that. Let us be realistic and give the person on the spot the capacity to do the job, otherwise we are engaging in a fictitious exercise. My next concern is the words "a person outside but near a prison . . . for the purpose of the security or good order of the prison". Those words are potentially very wide, and we should not give people power unduly, particularly in the context of this legislation. Clause 5 seeks to insert a new section 49A. Paragraph (b) of proposed subsection (1) states "a search in a prison or in premises or a place near a prison". I am concerned about the breadth of that proposed paragraph. Paragraph (c) states "a search of a vehicle in or near a prison". The words "near a prison" are of concern. Paragraph (d) states "a search under section 49". I have raised a number of concerns about section 49. Proposed section (1) continues "where the purpose of the search is to detect whether drugs are or have been present". I am interested in history, but that type of wording does not appeal to me. We are concerned with preventing drugs and illegal substances from going into prisons. As a matter of logic, one would say we are trying to determine whether drugs have been there recently, but the proposed section does not state that. We should not be giving power to people to be historians. History is very interesting, but how far back do we go? It seems a bit wide, but no doubt the Minister will have an explanation for that particular use of language. I am not concerned with the definition of a prison dog. Proposed section 49A(3) is a matter of concern. Notwithstanding the great affinity that human beings are said to have with canines, it is offensive to say that if one assaults a dog one is deemed to have assaulted a human being.

Hon Peter Foss interjected.

Hon N.D. GRIFFITHS: I do not want to talk about dogs with the other side because it is

inappropriate. It should not be a matter of jurisprudence. It is not appropriate that when somebody hinders a dog they are deemed to have hindered a human being.

Hon A.J.G. MacTiernan: Will dogs be able to obtain restraining orders?

Hon N.D. GRIFFITHS: One of the constraints in this House is the application of the standing orders. Members must be waiting with bated breath, and in the context of dogs that may be appropriate. I find it offensive that if somebody does something to a dog it is equated with doing something to a human being. Would it not be better to amend this to say that if one does this to a dog that is an offence, and then the offence can be characterised in the appropriate way under the Prisons Act? One of the things which interests me about this clause is a person who assaults a prison dog under the control of a prison officer carrying out a drugs search is to be deemed to have assaulted the prison officer handling the dog. We must consider what that prison officer is, and what assault is. I will not go through that in detail at the moment, but the Minister will understand what I am getting at. He would be familiar with the definition of assault under section 222 of the Criminal Code and the various pronouncements on it, and what categories of person is a public officer. He would be aware that if one assaults a public officer, one is liable to be imprisoned for five years. It is a bit rough to assault a dog and to face five years in gaol. That is taking redneck jurisprudence too far.

Hon A.J.G. MacTiernan: Perhaps this is one way out of the one-vote-one-value dilemma. They will give dogs the vote.

Hon N.D. GRIFFITHS: Yes, but National Party policy is that only sheep dogs will have a vote. They are capable dogs, probably much more capable than some National Party members. I am not talking about Hon Eric Charlton. If the Minister reads *Hansard* of last week he will see that I have been very kind to him.

The DEPUTY PRESIDENT (Hon Barry House): Let us get back to the Bill.

Hon George Cash: If Hon Nick Griffiths does not do that we will go home in five minutes; that is a threat.

Hon N.D. GRIFFITHS: I was hoping it was a promise. Proposed subsection (4) flows on from the width of the previous matters to which I have referred. Under clause 5 a person in control of a dog is not liable unless certain things occur. Under these proposals it is arguably open for a prison officer to take a dog into a house near a prison - members opposite do not seem to realise that dogs are not the same as people - and the dog may bite somebody. Hon Ross Lightfoot has had some experience of dogs biting people. I have had a similar experience in similar circumstances, and it is not very nice. It will be no fault of the prison officer, but the dog may bite somebody in the use of these powers that are proposed and that causes me concern. It is not very pleasant being bitten by a dog. I do not want anybody to take the bit and bite at that. My observation is in the nature of a flow on in terms of the width of the proposed powers with respect to the other matters.

Hon Peter Foss: Do you have a problem with clause 5 rather than 4?

Hon N.D. GRIFFITHS: They go together. I am not interested in sanctions being imposed against prison officers who find that a dog gets out of control. I do not want a prison officer to suffer. I want the public to be protected. If one looks at clauses 4, 5 and 6 together that protection is not there, notwithstanding the words in the Minister's second reading speech. I had considered moving some amendments to this Bill, but noting the date and the resources of Government, I thought the Government, at the very least, should have the first go. I trust the Minister will see my comments as being constructive because we propose to support the Bill, and I look forward to some sensible amendments.

Debate adjourned, on motion by Hon Peter Foss (Minister for the Environment).

House adjourned at 10.59 pm

QUESTIONS ON NOTICE

TRAVEL - GOVERNMENT TRAVEL RESERVATION OPERATIONS

Best Price, Spot Checks

15. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) Which department or agency within the Minister for Local Government's portfolio has carried out spot checking of its travel reservation operations to ensure that it receives the best price for its intrastate or interstate travel business?
- (2) What has been the result of these spot checks?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) The department always arranges cheaper flights where possible.
- (2) Cheaper flights are frequently arranged.

TRAVEL - GOVERNMENT TRAVEL RESERVATION OPERATIONS

Best Price, Spot Checks

17. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) Which department or agency within the Minister for Commerce and Trade's portfolio has carried out spot checking of its travel reservation operations to ensure that it receives the best price for its intrastate or interstate travel business?
- (2) What has been the result of these spot checks?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

- (1)-(2) Department of Commerce and Trade - not applicable. All travel reservations are arranged through agencies contracted by the State Supply Commission and the contractors undertake to offer the best price for every booking.

The Small Business Development Corporation obtains the best fare available, aligned to business travel schedules, time commitments and availability of flights.

Perth International Centre for Application of Solar Energy - CASE checks prices before any reservation is made.

The Gascoyne Development Commission obtains the best fare available through the local Skywest office, a subdivision of Ansett, which is one of the approved carriers on the State Supply Commission contract.

The Goldfields-Esperance Development Commission arranges travel reservation in accordance with government contract 257A1993.

The Great Southern Development Commission makes travel arrangements through the local Skywest office, a subdivision of Ansett, which is one of the approved carriers on the State Supply Commission contract.

The Kimberley Development Commission arranges travel reservations in accordance with government contract 257A1993. No spot checks have, as yet, been carried out. As a matter of practice, the "best fare of the day" is requested at the time of booking passenger tickets.

The Mid West Development Commission arranges travel reservation in accordance with government contract 257A1993.

The Peel Development Commission arranges travel reservation in accordance with government contract 257A1993. Ansett Australia is used for domestic travel and Globetrotters Travel for international travel. The commission submits a quarterly return of domestic/overseas travel to the Deputy Premier's office.

The Pilbara Development Commission arranges travel reservation in accordance with government contract 257A1993.

The South West Development Commission arranges travel reservation in accordance with government contract 257A1993. The commission has carried out spot checks resulting in some cheaper fares being offered than those offered as the "best fare of the day".

The Wheatbelt Development Commission obtains the best possible price for travel bookings, at the time each reservation is made. The low volume of intra and interstate transactions makes further spot checking unnecessary.

LAND ADMINISTRATION, DEPARTMENT OF - NELSON LOCATIONS 3627, 3628, ZONING ON MAPS

44. Hon BOB THOMAS to the Minister for Lands:

- (1) What zoning is shown for Nelson Location 3627 on Department of Land Administration maps for the years 1981 to 1991 inclusive?
- (2) What zoning is shown for Nelson Location 3628 on Department of Land Administration maps for the years 1981 to 1991 inclusive?

Hon GEORGE CASH replied:

(1)-(2)

The Department of Land Administration plans do not indicate zoning of land. Both locations have been held in freehold since 1981.

GOVERNMENT ACCOMMODATION, OFFICE OF - OFFICE LEASE, 172 ST GEORGE'S TERRACE

91. Hon TOM STEPHENS to the Leader of the House representing the Premier:

- (1) Does the Office of Government Accommodation still hold a lease for an office on the 9th Floor, 172 St George's Terrace, Perth?
- (2) If yes, is this office currently occupied and, if so, by whom?
- (3) What number of officers are employed by any tenant currently occupying this lease?

Hon GEORGE CASH replied:

The Premier has provided the following reply -

- (1) Yes - on part of the ninth floor.
- (2) Review of Western Australian labour relations legislation.
- (3) Four.

POLICE - MOTTO "DIEU ET MON DROIT", MINISTER'S STATEMENT ON 6PR

98. Hon TOM STEPHENS to the Leader of the House representing the Minister for Police:

- (1) Does the Minister still stand by his claim, made on the radio station 6PR on Thursday, 16 February 1995 that the police motto ("Dieu et Mon Droit") is written in Latin?
- (2) Are there any other statements made on this program that the Minister would now like to correct?

Hon GEORGE CASH replied:

The Minister for Police has provided the following response -

(1)-(2) No.

MINISTERIAL PORTFOLIOS - TELECOMMUNICATIONS, EXPENDITURE

102. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) What was the total telecommunications expenditure for each department or agency within the Minister for Commerce and Trade's current portfolio areas for each of the following years -
 - (a) 1992-93;
 - (b) 1993-94; and
 - (c) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years above was for telecommunications expenditure other than Telecom phone accounts?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

Department of Commerce and Trade -

- (1)
 - (a) \$186 522.00
 - (b) \$277 423.21
 - (c) \$323 000.00
- (2)
 - (a) \$101 803.00
 - (b) \$65 045.21
 - (c) \$73 000.00

Small Business Development Corporation -

- (1)
 - (a) \$61 887
 - (b) \$100 380 (includes \$43 796 capital expenditure on PABX replacement)
 - (c) \$46 920
- (2)
 - (a) \$8 254
 - (b) \$48 479 (includes \$43 796 capital expenditure)
 - (c) \$2 000

Perth International Centre for Application of Solar Energy -

- (1)
 - (a)-(b) Not applicable.
 - (c) \$12 000
- (2) Nil.

Gascoyne Development Commission -

- (1)
 - (a) \$6 178
 - (b) \$21 359
 - (c) \$17 579
- (2)
 - (a) \$1 721
 - (b) \$5 951
 - (c) \$6230

Goldfields-Esperance Development Commission -

- (1)
 - (a) \$31 042.16
 - (b) \$38 071.81
 - (c) \$30 331.55
- (2)
 - (a) \$5 764.10

- (b) \$5 408.18
- (c) \$5 739.69

Great Southern Development Commission -

- (1) (a) \$20 738
- (b) \$23 388
- (c) \$21 000
- (2) (a) \$4 141
- (b) \$3 275
- (c) \$4 000

Kimberley Development Commission -

- (1) (a) \$10 690.49
- (b) \$32 686.84
- (c) \$40 000.00
- (2) (a) \$281.25
- (b) \$309.87
- (c) \$2 300.00

Mid West Development Commission -

- (1) (a) \$3 100
- (b) \$3 591
- (c) \$3 327
- (2) (a) Nil
- (b) \$312
- (c) \$300

Note: The Education Department currently pays for the majority of the commission's telecommunication costs.

Peel Development Commission -

- (1) (a) \$9 000
- (b) \$17 100
- (c) \$21 300
- (2) (a) \$800 (computer modem and fax)
- (b) \$7 000 (computer modem, fax and GAS/PIMS line)
- (c) \$9 000 (computer modem, fax and GAS/PIMS line)

Pilbara Development Commission -

- (1) (a) \$6 890.83
- (b) \$21 990.62
- (c) \$33 133.76
- (2) (a) Nil
- (b) \$395.54
- (c) \$3 173.83

South West Development Commission -

- (1) (a) \$59 138
- (b) \$35 062
- (c) \$40 000
- (2) Nil.

Wheatbelt Development Commission -

- (1) (a) \$4 941.28
- (b) \$27 058.42
- (c) \$30 000.00
- (2) Nil.

MINISTERIAL PORTFOLIOS - TELECOMMUNICATIONS, EXPENDITURE

105. Hon TOM STEPHENS to the Minister for Mines:

- (1) What was the total telecommunications expenditure for each department or agency within the Ministers's current portfolio areas for each of the following years -
 - (a) 1992-93;
 - (b) 1993-94; and
 - (c) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years above was for telecommunications expenditure other than Telecom phone accounts?

Hon GEORGE CASH replied:

Department of Land Administration -

- (1)
 - (a) \$753 401
 - (b) \$724 887
 - (c) \$817 339
- (2)
 - (a) \$122 124
 - (b) \$56 192
 - (c) \$43 909

Department of Minerals and Energy -

- (1)
 - (a) \$499 415
 - (b) \$623 230
 - (c) \$529 333
- (2)
 - (a) \$140 430
 - (b) \$214 245
 - (c) \$187 000

Western Australian Land Authority -

- (1)
 - (a) This information is not readily available. It could be provided separately in writing subject to resources being diverted from other priority work.
 - (b) \$69 901
 - (c) \$79 000
- (2)
 - (a) This information is not readily available. It could be provided separately in writing subject to resources being diverted from other priority work.
 - (b) \$17 367
 - (c) \$20 000 (estimate)

MINISTERIAL PORTFOLIOS - TELECOMMUNICATIONS, EXPENDITURE

116. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) What was the total telecommunications expenditure for each department or agency within the Minister for Local Government's current portfolio areas for each of the following years -
 - (a) 1992-93;
 - (b) 1993-94; and
 - (c) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years above was for telecommunications expenditure other than Telecom phone accounts?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) (a) \$11 976.62
(b) \$33 661.39
(c) \$34 800.00
- (2) (a) \$1 951.36
(b) \$2 896.83
(c) \$3 500.00 approximately

MINISTERIAL PORTFOLIOS - CHRISTMAS CARDS, COST

119. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

For each department or agency within the Minister for Commerce and Trade's portfolio area -

- (1) What was the cost for printing, preparing and posting Christmas cards in December 1994?
- (2) How many Christmas cards were -
(i) printed; and
(ii) posted,
in December 1994 at public expense?
- (3) How many Christmas cards were sent to -
(i) other government departments or agencies;
(ii) Ministers; and
(iii) members of Parliament?
- (4) Is a Christmas card mailing list maintained?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -
Department of Commerce and Trade -

- (1) Nil.
- (2)-(3) Not applicable.
- (4) No.

Small Business Development Corporation -

- (1) \$117.
- (2) (i) Nil
(ii) 61
- (3) Nil.
- (4) No.

Perth International Centre for Application of Solar Energy -

- (1)-(3) Nil.
- (4) No.

Gascoyne Development Commission -

- (1) \$16.75.
- (2) (i) Nil
(ii) 10
- (3) (i) 5

- (ii) Nil
- (iii) Nil

(4) No.

Goldfields-Esperance Development Commission -

(1) \$455.25.

- (2) (i) 350
- (ii) 245

- (3) (i) 68
- (ii) 4
- (iii) 9

(4) Yes.

Great Southern Development Commission -

(1) Nil.

(2)-(3) Not applicable.

(4) No.

Kimberley Development Commission -

(1) \$43.65 - postage.

- (2) (i) Nil
- (ii) 97

- (3) (i) 72
- (ii) 9
- (iii) 7

(4) Yes.

Mid West Development Commission -

(1) Nil.

(2)-(3) Not applicable.

(4) No.

Peel Development Commission -

(1) \$170.

- (2) (i) 150
- (ii) 80

- (3) (i) 47
- (ii) 2
- (iii) 14

(4) Yes.

Pilbara Development Commission -

(1) \$141.99

- (2) (i) Nil
- (ii) \$60

- (3) (i) 65
- (ii) 1
- (iii) 9

(4) No.

South West Development Commission -

(1) \$572.

- (2) (i) 500 (two year supply)
- (ii) 250
- (3) (i) 20
- (ii) Nil
- (iii) less than 5
- (4) No.

Wheatbelt Development Commission -

- (1) \$317.15.
- (2) (i) 200
- (ii) 214 (14 cards left over from last year were also used)
- (3) (i) 87
- (ii) 5
- (iii) 12
- (4) Yes.

MINISTERIAL PORTFOLIOS - CHRISTMAS CARDS, COST

122. Hon TOM STEPHENS to the Minister for Mines:

For each department or agency within the Minister's portfolio area -

- (1) What was the cost for printing, preparing and posting Christmas cards in December 1994?
- (2) How many Christmas cards were -
 - (i) printed; and
 - (ii) posted,
 in December 1994 at public expense?
- (3) How many Christmas cards were sent to -
 - (i) other government departments or agencies;
 - (ii) Ministers; and
 - (iii) members of Parliament?
- (4) Is a Christmas card mailing list maintained?

Hon GEORGE CASH replied:

Department of Land Administration -

- (1) Printing \$737
- Preparing No actual costs recorded
- Posting \$115.62.
- (2) (i) 650
- (ii) 282 - the balance will be used for Christmas 1995
- (3) (i) 124
- (ii) 3
- (iii) 1
- (4) Yes.

Department of Minerals and Energy -

(1)-(3) Nil.

(4) No.

Western Australian Land Authority -

- (1) Printing Nil as 1992 stock was used
- Posting \$166.50

- (2) (i) None
- (ii) 370
- (3) (i) 51
- (ii) 2
- (iii) 7
- (4) Yes.

MINISTERIAL PORTFOLIOS - CHRISTMAS CARDS, COST

133. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

For each department or agency within the Minister for Local Government's portfolio area -

- (1) What was the cost for printing, preparing and posting Christmas cards in December 1994?
- (2) How many Christmas cards were -
 - (i) printed; and
 - (ii) posted,
 in December 1994 at public expense?
- (3) How many Christmas cards were sent to -
 - (i) other government departments or agencies;
 - (ii) Ministers; and
 - (iii) members of Parliament?
- (4) Is a Christmas card mailing list maintained?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) Nil.

(2)-(4)

Not applicable.

MINISTERIAL PORTFOLIOS - MOBILE PHONES, EXPENDITURE

136. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) What number of mobile phones are paid for by each department or agency operating within the Minister for Commerce and Trade's portfolio?
- (2) What was the cost of mobile phone communication to each department or agency within the Minister's portfolio during 1993-94?
- (3) What is the anticipated cost of the same for 1994-95?
- (4) How much has been spent by each department or agency on mobile communications so far this financial year?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

Department of Commerce and Trade -

- (1) 16.
- (2) \$14 337.88 - includes cost of purchase.
- (3) \$9 500.
- (4) \$5 004.92.

Small Business Development Corporation -

- (1) Three.
- (2) \$1 276.
- (3) \$1 340.
- (4) \$1 004.

Perth International Centre for Application of Solar Energy -

- (1) Two.
- (2) Nil.
- (3) \$1 800.
- (4) \$900.

Gascoyne Development Commission -

- (1) Two.
- (2) \$1 942.
- (3) \$1 783.
- (4) \$1 337.

Goldfields-Esperance Development Commission -

- (1) Two.
- (2) Nil.
- (3) \$950.
- (4) \$691.85.

Great Southern Development Commission -

- (1) One.
- (2) \$200.
- (3) \$300.
- (4) \$197.

Kimberley Development Commission -

- (1) Two.
- (2) \$697.89.
- (3) \$1 500.
- (4) \$1 096.67.

Mid West Development Commission -

- (1) Two.
- (2) \$793.44.
- (3) \$1 100.
- (4) \$900.

Peel Development Commission -

- (1) One.
- (2) \$939.50 - this price includes acquisition price of mobile phone of \$632.50 purchased on 28.6.94.
- (3) \$400.
- (4) \$307.

Pilbara Development Commission -

- (1) Two.
- (2) \$2 016.
- (3) \$2 680.
- (4) \$2 009.81.

South West Development Commission -

- (1) Two.
- (2) Nil.
- (3) \$1 200.
- (4) \$793.

Wheatbelt Development Commission -

- (1) Two.
- (2) \$624.65.
- (3) \$2 400.
- (4) \$1 750.

MINISTERIAL PORTFOLIOS -- MOBILE PHONES, EXPENDITURE**139. Hon TOM STEPHENS to the Minister for Mines:**

- (1) What number of mobile phones are paid for by each department or agency operating within the Minister's portfolio?
- (2) What was the cost of mobile phone communication to each department or agency within the Minister's portfolio during 1993-94?
- (3) What is the anticipated cost of the same for 1994-95?
- (4) How much has been spent by each department or agency on mobile communications so far this financial year?

Hon GEORGE CASH replied:**Department of Land Administration -**

- (1) \$10.
- (2) \$11 975.
- (3) \$5 590.
- (4) \$2 550.

Department of Minerals and Energy -

- (1) \$16.
- (2) \$10 030.
- (3) \$15 060.
- (4) \$13 015.

Western Australian Land Authority -

- (1) 14 - including car phones
- (2) \$17 367
- (3) \$19 000
- (4) \$6 240

MINISTERIAL PORTFOLIOS - MOBILE PHONES, EXPENDITURE**146. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Community Development:**

- (1) What number of mobile phones are paid for by each department or agency operating within the Minister for Community Development's portfolio?

- (2) What was the cost of mobile phone communication to each department or agency within the Minister's portfolio during 1993-94?
- (3) What is the anticipated cost of the same for 1994-95?
- (4) How much has been spent by each department or agency on mobile communications so far this financial year?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1)-(4) It will take some time to obtain information from all work units of the department to address the questions raised. An appropriate response will be provided in due course.

MINISTERIAL PORTFOLIOS - MOBILE PHONES, EXPENDITURE

150. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) What number of mobile phones are paid for by each department or agency operating within the Minister for Local Government's portfolio?
- (2) What was the cost of mobile phone communication to each department or agency within the Minister's portfolio during 1993-94?
- (3) What is the anticipated cost of the same for 1994-95?
- (4) How much has been spent by each department or agency on mobile communications so far this financial year?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) Two.
- (2) Nil.
- (3) Approximately \$1 600.
- (4) \$696.45.

**LIBERAL PARTY - COALITION "MID-TERM" CELEBRATIONS,
HYATT HOTEL**

158. Hon TOM STEPHENS to the Leader of the House representing the Premier:

With reference to the coalition's "mid-term celebrations" at the Hyatt Hotel on Thursday, 16 February 1995 -

- (1) Who hosted the function?
- (2) Did the Government meet any of the expenses of the function?
- (3) If yes, what is the breakdown of these expenses?
- (4) Were tickets sold to this function?
- (5) If yes, what were the total receipts from sale of tickets and what became of the proceeds?
- (6) If any public servants attended, were their tickets paid for by the Government?

Hon GEORGE CASH replied:

The Premier has provided the following reply -

- (1) Liberal Party WA Division.
- (2) No.
- (3) Not applicable.

- (4) Yes.
- (5) Details not known.
- (6) Not to the Premier's knowledge.

**MINISTERIAL PORTFOLIOS - NAME CHANGES OF DEPARTMENTS,
AGENCIES OR BODIES**

331. Hon TOM STEPHENS to the Leader of the House representing the Minister for Police:

- (1) Would the Minister for Police please list -
 - (a) the current name; and
 - (b) the previous name,
 of any department, agency or body within his portfolio area which has had a change of name since January 1993?
- (2) On what date was the name change effected for each of these departments, agencies or bodies referred to in (1) above?
- (3) What was the total cost to the Government of each of these name changes?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

- (1) Nil.
- (2)-(3) Not applicable.

**MINISTERIAL PORTFOLIOS - NAME CHANGES OF DEPARTMENTS,
AGENCIES OR BODIES**

334. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) Would the Minister for Local Government please list -
 - (a) the current name; and
 - (b) the previous name,
 of any department, agency or body within his portfolio area which has had a change of name since January 1993?
- (2) On what date was the name change effected for each of these departments, agencies or bodies referred to in (1) above?
- (3) What was the total cost to the Government of each of these name changes?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1)-(3) Not applicable.

**MINISTERIAL PORTFOLIOS - NAME CHANGES OF DEPARTMENTS,
AGENCIES OR BODIES**

341. Hon TOM STEPHENS to the Minister for Mines:

- (1) Would the Minister please list -
 - (a) the current name; and
 - (b) the previous name,
 of any department, agency or body within his portfolio area which has had a change of name since January 1993?

- (2) On what date was the name change effected for each of these departments, agencies or bodies referred to in (1) above?
- (3) What was the total cost to the Government of each of these name changes?

Hon GEORGE CASH replied:

Department of Land Administration -

- (1) (a) Western Australian land information system program.
(b) Integrated land information program.
- (2) 19 December 1994.
- (3) \$315.

Department of Minerals and Energy -

- (1)-(3) No department, agency or body within the Mines portfolio has changed its name since January 1993.

Western Australian Land Authority -

- (1)-(3) Not applicable to LandCorp.

MINISTERIAL PORTFOLIOS - ENERGY BILLS FOR DEPARTMENTS AND AGENCIES

351. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) What was the total energy bill for each department or agency operating within the Minister for Local Government's portfolio area for 1993-94?
- (2) What is the estimated total cost for the supply of energy to each department or agency operating within his portfolio area for the current financial year?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) \$39 155.26.
- (2) \$62 000.

MINISTERIAL PORTFOLIOS - ENERGY BILLS FOR DEPARTMENTS AND AGENCIES

352. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) What was the total energy bill for each department or agency operating within the Minister for Commerce and Trade's portfolio area for 1993-94?
- (2) What is the estimated total cost for the supply of energy to each department or agency operating within your portfolio area for the current financial year?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

Department of Commerce and Trade -

- (1) \$65 441.75.
- (2) \$74 500.

Small Business Development Corporation -

- (1) \$38 041.
- (2) \$35 280.

Perth International Centre for Application of Solar Energy -

- (1) Not applicable.
- (2) Included in rental.

Gascoyne Development Commission -

- (1) \$8 620.
- (2) \$9 709.

Goldfields-Esperance Development Commission -

- (1) \$4 698.30.
- (2) \$5 422.

Great Southern Development Commission -

- (1) \$3 734.
- (2) \$4 000.

Kimberley Development Commission -

- (1) \$13 324.01.
- (2) \$14 000.

Mid West Development Commission -

- (1) \$12 175.
- (2) \$11 400.

Peel Development Commission -

- (1) \$2 880.
- (2) \$3 000.

Pilbara Development Commission -

- (1) \$10 250.25.
- (2) \$8 677.

South West Development Commission -

- (1) \$26 478.
- (2) \$25 800.

Wheatbelt Development Commission -

- (1) \$5 085.19.
- (2) \$5 000.

MINISTERIAL PORTFOLIOS - ENERGY BILLS FOR DEPARTMENTS AND AGENCIES**358. Hon TOM STEPHENS to the Minister for Mines:**

- (1) What was the total energy bill for each department or agency operating within the Minister's portfolio area for 1993-94?
- (2) What is the estimated total cost for the supply of energy to each department or agency operating within the Minister's portfolio area for the current financial year?

Hon GEORGE CASH replied:**Department of Land Administration -**

- (1) \$918 551.
- (2) \$800 000.

Department of Minerals and Energy -

- (1) \$1 164 357.
- (2) \$1 329 500.

Western Australian Land Authority -

- (1) \$82 663 as part of building variable outgoings.
- (2) \$92 400 as part of building variable outgoings.

MINISTERIAL PORTFOLIOS - OFFICE ACCOMMODATION LEASED FOR DEPARTMENTS AND AGENCIES

368. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) What was the total cost for the office accommodation leased for each department or agency within the Minister for Local Government's portfolio area for 1993-94?
- (2) What are the estimates for costs associated with leased office accommodation for those same departments or agencies for the current financial year?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) \$534 734.60.
- (2) \$590 000.

MINISTERIAL PORTFOLIOS - OFFICE ACCOMMODATION LEASED FOR DEPARTMENTS AND AGENCIES

369. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) What was the total cost for the office accommodation leased for each department or agency within the Minister for Commerce and Trade's portfolio area for 1993-94?
- (2) What are the estimates for costs associated with leased office accommodation for those same departments or agencies for the current financial year?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

Department of Commerce and Trade -

- (1) \$2 088 856.24.
- (2) \$2 228 447.

Small Business Development Corporation -

- (1) \$317 460.
- (2) \$310 330.

Perth International Centre for Application of Solar Energy -

- (1) Not applicable.
- (2) The Department of Resources Development is paying for the leased office accommodation until 30 June 1995. Cost for CASE will be \$45 000 per annum.

Gascoyne Development Commission -

- (1) \$24 790.
- (2) \$37 473.

Goldfields-Esperance Development Commission -

- (1) \$46 656.
- (2) \$45 437.

Great Southern Development Commission -

- (1) \$24 389.
- (2) \$35 120.

Kimberley Development Commission -

- (1) \$26 256.03.
- (2) \$38 856 (estimated).

Mid West Development Commission -

- (1) \$157 021.
- (2) \$133 000.

Peel Development Commission -

- (1) \$23 625.
- (2) \$24 000.

Pilbara Development Commission -

- (1) \$19 600.68.
- (2) \$21 302.16.

South West Development Commission -

- (1) \$176 321.
- (2) \$193 000.

Wheatbelt Development Commission -

- (1) \$3 591.96.
- (2) \$4 000.

**MINISTERIAL PORTFOLIOS - PROGRAMS MEETING NEEDS OF
ABORIGINES**

419. Hon TOM STEPHENS to the Leader of the House representing the Minister for Police:

- (1) Which departments and agencies within the Minister for Police's portfolio areas have programs aimed at delivering services or other government activity to meet the needs and interests of Aboriginal people in Western Australia?
- (2) What funds have been allocated within the 1994-95 financial year for specific use by each of these departments or agencies within the Minister's portfolio area to deliver programs that target the needs of Aboriginal people?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

I am advised by the Commissioner of Police as follows -

- (1) Western Australian Police Service.

(2) Total funds - \$3 033 000.

Distribution program	Cost \$
Police aide scheme (salaries)	2 560 000
Aboriginal Affairs Branch operating costs	22 800
Special government committee on Aboriginal police and community relations	320 000
Recruiting	50 800
Training	79 400
TOTAL	3 033 000

**MINISTERIAL PORTFOLIOS - PROGRAMS MEETING NEEDS OF
ABORIGINES**

422. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) Which departments and agencies within the Minister for Local Government's portfolio areas have programs aimed at delivering services or other government activity to meet the needs and interests of Aboriginal people in Western Australia?
- (2) What funds have been allocated within the 1994-95 financial year for specific use by each of these departments or agencies within the Minister's portfolio area to deliver programs that target the needs of Aboriginal people?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) The department has an Aboriginal development officer who promotes local government within the Aboriginal community. This officer is working to implement relevant recommendations from the Task Force on Aboriginal Social Justice report (Daube report) 1994.
- (2) Approximately \$50 000 which includes the officer's salary plus on costs.

MINISTERIAL PORTFOLIOS - ELECTRICITY AND GAS EXPENDITURE

445. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) What was the total expenditure on the supply of -
 - (a) electricity; and
 - (b) gas,
 for each department or agency within the Minister for Local Government's current portfolio areas for each of the following years -
 - (i) 1992-93;
 - (ii) 1993-94; and
 - (iii) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years mentioned above was for energy bills other than with SECWA?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) (a) (i) \$40 718.01
 (ii) \$39 155.26
 (iii) \$62 000.00
 (b) Nil.
- (2) Nil.

MINISTERIAL PORTFOLIOS - ELECTRICITY AND GAS EXPENDITURE

446. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) What was the total expenditure on the supply of -
 - (a) electricity; and
 - (b) gas,
 for each department or agency within the Minister for Commerce and Trade's current portfolio areas for each of the following years -
 - (i) 1992-93;
 - (ii) 1993-94; and
 - (iii) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years mentioned above was for energy bills other than with SECWA?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

Department of Commerce and Trade -

- (1)
 - (a)
 - (i) \$46 792.31
 - (ii) \$65 441.75
 - (iii) \$74 500.00
 - (b) Nil.
- (2)
 - (i) \$24 604.31
 - (ii) \$13 667.75
 - (iii) \$16 500.00

Small Business Development Corporation -

- (1)
 - (a)
 - (i) \$37 468
 - (ii) \$38 041
 - (iii) \$35 280
 - (b) Nil.
- (2) Nil.

Perth International Centre for Application of Solar Energy -

- (1)
 - (a)
 - (i)-(ii) Not applicable.
 - (iii) Included in rental
 - (b) Nil.
- (2) Nil.

Gascoyne Development Commission -

- (1)
 - (a)
 - (i) \$3 426
 - (ii) \$8 620
 - (iii) \$7 451
 - (b) Nil.
- (2) Nil.

Goldfields-Esperance Development Commission -

- (1)
 - (a)
 - (i) \$4 540.00
 - (ii) \$4 698.30
 - (iii) \$5 421.95
 - (b) Nil.
- (2) Nil.

Great Southern Development Commission -

- (1) (a) (i) \$4 352
 (ii) \$3 734
 (iii) \$4 000

(b) Nil.

(2) Nil.

Kimberley Development Commission -

- (1) (a) (i) \$4 791.29
 (ii) \$13 324.01
 (iii) \$14 000

(b) Nil.

(2) Nil.

Mid West Development Commission -

- (1) (a) (i) \$10 600
 (ii) \$12 175
 (iii) \$11 400

(b) Nil.

(2) Nil.

Peel Development Commission -

- (1) (a) (i) \$1 800
 (ii) \$2 880
 (iii) \$3 000

(b) Nil.

(2) Nil.

Pilbara Development Commission -

- (1) (a) (i) \$13 701.96
 (ii) \$10 250.25
 (iii) \$8 677

(b) Nil.

- (2) (i) \$10 875.93
 (ii) \$5 637.64
 (iii) \$4 774.86

South West Development Commission -

- (1) (a) (i) \$34 294
 (ii) \$26 478
 (iii) \$25 800 (includes \$1 000 gas consumption)

(b) Nil.

(2) Nil.

Wheatbelt Development Commission -

- (1) (a) (i) \$1 271.56
 (ii) \$5 085.19
 (iii) \$5 000.00

(b) Note: The WDC's power bills do not differentiate between electricity and gas, although gas usage would be minimal.

(2) Nil.

MINISTERIAL PORTFOLIOS - SAVINGS

462. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) What departments and agencies within the Minister for Local Government's portfolio areas have effected savings to government in areas of expenditure since February 1993?
- (2) What was the precise cash value of savings involved?
- (3) What policy change brought about these savings?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) Nil.
- (2)-(3) Not applicable.

MINISTERIAL PORTFOLIOS - WATER SUPPLY COSTS

479. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

For each department or agency within the Minister for Local Government's portfolio area -

- (1) What was the cost for the supply of water for each of the following years -
 - (a) 1992-93;
 - (b) 1993-94; and
 - (c) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years above was for water bills other than from the Western Australian Water Authority?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1)
 - (a) \$148 454.34
 - (b) \$108 624.15
 - (c) \$115 000.00 approximately
- (2) Nil.

MINISTERIAL PORTFOLIOS - WATER SUPPLY COSTS

480. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

For each department or agency within the Minister for Commerce and Trade's portfolio area -

- (1) What was the cost for the supply of water for each of the following years -
 - (a) 1992-93;
 - (b) 1993-94; and
 - (c) 1994-95 (Budget estimate)?
- (2) What part of this expenditure in each of the years above was for water bills other than from the Western Australian Water Authority?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

Department of Commerce and Trade -

- (1)
 - (a) \$82 013.35

(b) \$62 545.09

(c) \$65 611.09

(2) Nil.

Small Business Development Corporation -

(1) (a) \$17 471

(b) \$16 506

(c) \$16 694

(2) (a) \$500

(b) \$536

(c) \$1 000

Perth International Centre for Application of Solar Energy -

(1) (a)-(b) Nil

(c) Nil - included in rental

(2) Nil.

Gascoyne Development Commission -

(1) Nil - included in rental.

(2) Nil.

Goldfields-Esperance Development Commission -

(1) (a) \$1 356.35

(b) \$1 604.30

(c) \$1 490.35

(2) Nil.

Great Southern Development Commission -

(1) (a) \$2 186

(b) \$4 243

(c) \$4 000

(2) Nil.

Kimberley Development Commission -

(1) (a) Nil

(b) \$3 286.28

(c) \$3 000

(2) Nil.

Mid West Development Commission -

(1) Nil - included in rental.

(2) Nil.

Peel Development Commission -

(1) Nil - included in rental.

(2) Nil.

Pilbara Development Commission -

(1) (a) Nil

(b) \$7 960.15

(c) \$4 482.29

(2) Nil.

South West Development Commission -

(1) (a) \$10 547

- (b) \$9 284
- (c) \$9 397
- (2) (a) \$10 547 (supplier - Bunbury Water Board)
- (b) \$7 812 (supplier - Bunbury Water Board)
- (c) \$7 888 (supplier - Bunbury Water Board)

Wheatbelt Development Commission -

- (1) (a) Nil
- (b) \$1 287.39
- (c) \$1 500
- (2) Nil.

CALM - YANCHEP PREMISES LEASE

567. Hon N.D. GRIFFITHS to the Minister for the Environment:

- (1) Who are the parties to the lease of premises at Yanchep referred to on page 4 of the Department of Conservation and Land Management's annual report July 1993 to June 1994?
- (2) What is the date of the lease?
- (3) What are the terms of the lease?
- (4) What upgrading of facilities in the Yanchep national park are to take place pursuant to the lease?
- (5) Will the Minister table the lease?
- (6) If not, why not?

Hon PETER FOSS replied:

The question asked by the member is the same as that asked by him numbered 1597 of 1994. The answer remains current. I note that this is the sixth question in this batch which duplicates an earlier question of the member. Each question asked involved considerable time in administration and is a cost to taxpayers. This duplication is a waste of money and casts doubts on whether the member is even interested in the answer.

**LAW REFORM COMMISSION - JOINT TENANCY AND TENANCY IN
COMMON PROJECT No 78 REPORT, LEGISLATION**

572. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) Is it intended to introduce legislation with a view to enacting any of the recommendations of the Law Reform Commission of Western Australia Report on Joint Tenancy and Tenancy in Common Project No 78?
- (2) If so, what is the time table?
- (3) If so, which recommendations?
- (4) If no, with respect to each recommendation, why not?

Hon PETER FOSS replied:

- (1)-(4) The Attorney General released the report for public comment on 9 January 1995. No further action will occur until all public comments have been received and considered.

POLICE - OFFICERS, STATISTICS

575. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Police:

How many sworn police officers were there as at -

- (a) 16 February 1993;

- (b) 30 June 1993;
- (c) 30 June 1994;
- (d) 31 December 1994; and
- (e) 28 February 1995?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

I am advised by the Commissioner of Police as follows -

- (a) 4 122
- (b) 4 196
- (c) 4 180
- (d) 4 208
- (e) 4 238

HEALTH CARE - BENEFITS PROVIDED BY GOVERNMENT DEPARTMENTS

629. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Minister for Women's Interests:

What departments or agencies under the Minister for Women's Interests' responsibility provide health care benefits and in each case what are those benefits?

Hon PETER FOSS replied:

Nil.

HEALTH CARE - BENEFITS PROVIDED BY GOVERNMENT DEPARTMENTS

631. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

What departments or agencies under the Attorney General's responsibility provide health care benefits and in each case what are those benefits?

Hon PETER FOSS replied:

No health care benefits are provided except in the case of some Ministry of Justice ex-chief officers who have retained pharmaceutical and medical benefits.

MEMBERS OF PARLIAMENT - MOTOR VEHICLES, ADDITIONAL ALLOCATION

634. Hon TOM STEPHENS to the Leader of the House representing the Premier:

- (1) How many members of the State Parliament are currently provided with a vehicle, at public expense, in addition to that to which they are entitled by virtue of the Salaries and Allowances Tribunal determination in regard to an electorate vehicle?
- (2) Which members have been allocated the additional vehicle and on what basis has it been allocated?

Hon GEORGE CASH replied:

The Premier has provided the following reply -

- (1) Four.
- (2) (a) Mr K. Minson, Mr K. Prince, Mr P. Omodei and Hon John Halden.
- (b) The Salaries and Allowances Tribunal approved Messrs Minson, Prince and Omodei being issued with an electorate vehicle in line with its determination of 9 June 1993, which provided that any "Member who is supplied with a government owned vehicle as a result of a Parliamentary office held, may make application to the Tribunal for the issue of an electorate vehicle".

- (c) Hon John Halden has retained the additional vehicle on the basis that as at the date of the tribunal's determination, members could retain their current electorate vehicle until the expiration of the current lease at either two years or 40 000 kms.

**MINISTERS OF THE CROWN - ENTERTAINMENT EXPENDITURE,
APPROVAL GUIDELINES**

635. Hon TOM STEPHENS to the Minister for Finance representing the Treasurer:

- (1) What are the guidelines that are in place in regard to granting approval for expenditure of funds from CRF for entertainment or hospitality expenses undertaken by Ministers or senior public servants?
- (2) What checks are in place to ensure that expenditure on entertainment and hospitality incurred by Ministers and senior public servants has been in accordance with these approved guidelines?

Hon MAX EVANS replied:

The Premier has provided the following reply -

- (1) I table a copy of guidelines issued in regard to expenditure on official hospitality.

[See paper No 262.]

- (2) The use of public funds is governed by the requirement of the Financial Administration and Audit Act 1985. Under this Act all expenditure, including that for hospitality and entertainment, is subject to scrutiny by both internal audit and Office of the Auditor General processes.

MINISTERIAL PORTFOLIOS - MOTOR VEHICLES

696. Hon TOM STEPHENS to the Minister for Transport representing the Minister for Local Government:

- (1) How many vehicles are currently in use within each department or agency within the Minister for Local Government's portfolio area?
- (2) What details are available about the type of vehicle fleet maintained by each department or agency within the Minister's portfolio areas?
- (3) What positions within each department and agency have vehicles provided to the position occupant?
- (4) What is the monthly cost to each department and agency within the Minister's portfolio for operating and maintaining its vehicle fleet?

Hon E.J. CHARLTON replied:

The Minister for Local Government has provided the following reply -

- (1) Six vehicles.
- (2) One Ford Fairmont, two Ford Falcons, two Toyota Camrys and one Toyota Corolla.
- (3) Executive director and two directors.
- (4) Approximately \$920 per month - includes insurance and licensing.

MINISTERIAL PORTFOLIOS - MOTOR VEHICLES

697. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) How many vehicles are currently in use within each department or agency within the Minister for Commerce and Trade's portfolio area?
- (2) What details are available about the type of vehicle fleet maintained by each department or agency within the Minister's portfolio areas?

- (3) What positions within each department and agency have vehicles provided to the position occupant?
- (4) What is the monthly cost to each department and agency within the Minister's portfolio for operating and maintaining its vehicle fleet?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -
Department of Commerce and Trade -

(1) 27.

(2)-(3) Perth office -

Vehicle details

Position

9AI 719 Statesman	Chief Executive Officer
8ZT 428 Fairmont	Executive Director
8OJ 356 Magna	Director
800 266 Commodore	Director
8JK 927 Fairmont	Executive Director
8NK 808 Falcon	Director
8LR 643 Falcon	Director
8PB 468 Commodore	Executive Director
8XW 085 Commodore	Director
7QR 144 Commodore)
7QO 419 Nova)
7QO 420 Nova)
7QX 026 Commodore wagon) Pool vehicles
7QO 087 Apollo)
7QO 418 Nova)
7QR 296 Falcon)

Bunbury office -

8SM 091 Commodore	Manager
7QU 245 Falcon	Regional Trade Manager
7QJ 477 Commodore	Senior Regional Trade Officer
BY63546 Ford wagon	Senior Project Officer
7QR 157 Commodore	Regional Planning Officer

Ministerial office - Perth -

6WA 185 Apollo	Principal Policy Officer
8SC 859 Commodore	Media Secretary
8XD 039 Commodore	Principal Private Secretary
7QS 491 Commodore	Pool vehicle

Overseas offices -

Proton Saga '94	Regional Director, Malaysia
Honda Civic '92	Regional Director, Indonesia

(4) \$14 946.

Small Business Development Corporation -

(1) Five.

(2)-(3)

8ZW 847 Toyota Camry	Managing Director
8SA 996 Toyota Camry*	Manager, Policy & Admin
8KR 330 Ford Fairmont*	Manager, Marketing & Special Projects
8OH 900 Holden Commodore*	Manager, Business Services
807 381 Mitsubishi Magna*	Senior Business Adviser

* pool vehicles.

(4) \$1 853.

Perth International Centre for Application of Solar Energy -

(1) One.

(2)-(3) 9AM 386 Holden Berlina Managing Director

(4) \$400.

Gascoyne Development Commission -

(1) Three.

(2)-(3)

C 769 Holden Commodore	Director
7QG 001 Holden Commodore	Pool vehicle
7QG 030 Holden Commodore	Pool vehicle

(4) \$654.

Goldfields-Esperance Development Commission -

(1) Four.

(2)-(3)

8ZE 107 Ford Fairmont	Director
7QI 848 Ford Falcon	Project Manager
7QP 864 Ford Falcon	Senior Projects Officer
7QR 725 Holden Camira	Senior Development Officer

(4) \$2 178.

Great Southern Development Commission -

(1) Three.

(2)-(3)

7QS 153 Ford Falcon	Director
7QR 922 Toyota Camry	Regional Officer, Katanning
7QR 028 Toyota Camry	Pool vehicle

(4) \$1 488.

Kimberley Development Commission -

(1) Four.

(2)-(3)

8XL 530 Holden Commodore	Director
7QF 786 Ford Falcon	Pool vehicle
6QY 414 Holden Commodore	Pool vehicle
6QY 402 Holden Commodore	Pool vehicle

(4) \$775.

Mid West Development Commission -

(1) Three.

(2)-(3)

8XL 976 Ford Fairmont	Director
7QF 742 Holden Commodore	Pool vehicle
7QM 655 Holden Commodore	Pool vehicle

(4) \$870.

Peel Development Commission -

(1) Two.

(2)-(3)

MH 1258 Holden Commodore	Director
XQQ 753 Ford Falcon	Pool vehicle

(4) \$800.

Pilbara Development Commission -

(1) Six.

(2)-(3)

9AM 197 Toyota Landcruiser	Director
7QR 206 Toyota Landcruiser)
7QU 162 Toyota Landcruiser)
7QU 991 LandRover Discovery) pool vehicles
7QU 154 Holden Commodore)
7QP 546 Holden Commodore)

(4) \$5 671.24.

South West Development Commission -

(1) Eight.

(2)-(3)

BY 64574 Holden Berlina	Director
7QO 849 Holden Commodore)
Exec)
BY 63842 Holden Apollo)
QP 640 Toyota Camry) pool vehicles
BY 63911 Ford Falcon)
BY 64560 Ford Falcon)
7QJ 466 Holden Commodore)
Exec)
7QN 976 Holden Commodore)
Exec)

(4) \$4 245.

Wheatbelt Development Commission -

(1) Five.

(2)-(3)

7QO 914 Holden Commodore	Director
7QK 757 Holden Commodore)
7QL 212 Holden Commodore) pool vehicles
7QL 219 Holden Commodore)
6QK 774 Ford Falcon)

(4) \$1 597.

MINISTERIAL PORTFOLIOS - OFFICE ACCOMMODATION; RENTAL COSTS

714. Hon TOM STEPHENS to the Minister for Education representing the Minister for Commerce and Trade:

- (1) What was the total cost for the rental of office accommodation for each department and agency within the Minister for Commerce and Trade's portfolio area for 1993-94?
- (2) What rental costs (other than for office accommodation) were incurred by each department and agency within the Minister's portfolio area for 1993-94?
- (3) What are the estimates for expenditure for 1994-95 for the rental of -
 - (i) office accommodation for each department and agency within the Minister's portfolio area; and
 - (ii) other rental costs?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -
Department of Commerce and Trade -

- (1) \$2 088 856.24.
- (2) \$97 000.
- (3) (i) \$2 228 447
(ii) \$220 000

Small Business Development Corporation -

- (1) \$317 460.
- (2) \$28 980.
- (3) (i) \$310 330
(ii) \$28 980

Perth International Centre for Application of Solar Energy -

- (1)-(3) Nil.

Gascoyne Development Commission -

- (1) \$24 790.
- (2) Nil.
- (3) (i) \$37 473
(ii) Nil

Goldfields-Esperance Development Commission -

- (1) \$46 656.
- (2) Nil.
- (3) (i) \$45 437
(ii) Nil

Great Southern Development Commission -

- (1) \$24 389.
- (2) \$929.
- (3) (i) \$35 120
(ii) \$1 032

Kimberley Development Commission -

- (1) \$26 256.03
- (2) Nil.
- (3) (i) \$38 856
(ii) Nil

Mid West Development Commission -

- (1) \$157 021.
- (2) Nil.
- (3) (i) \$133 000
(ii) Nil

Peel Development Commission -

- (1) \$23 625.
- (2) Nil.
- (3) (i) \$23 625

(ii) Nil

Pilbara Development Commission -

- (1) \$19 600.68.
- (2) Nil.
- (3) (i) \$21 302.16
(ii) Nil

South West Development Commission -

- (1) \$176 321.
- (2) \$2 760.
- (3) (i) \$193 000
(ii) \$2 760

Wheatbelt Development Commission -

- (1) \$3 591.96..
- (2) \$1 730.40.
- (3) (i) \$4 000
(ii) \$2 000

POLICE ACT - NEW LEGISLATION

1037. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Police:

- (1) With respect to the Minister for Police's response to question on notice 1590 of 1994, is it still intended that "the new legislation" will be introduced in this parliamentary session?
- (2) If not, why not?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

I have been advised by the Commissioner of Police as follows -

- (1) The legislation reforming the Police Act is currently being drafted and it is anticipated that it will be introduced in this parliamentary session.
- (2) Not applicable.

DIRECTOR OF PUBLIC PROSECUTIONS - ATTORNEY GENERAL

Performance of Director's Functions

1038. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) Since 16 December 1994 has the Director of Public Prosecutions requested the Attorney General to issue directions to the director as to the performance of the director's functions in respect to a particular case(s)?
- (2) If so, with respect to what case(s) was the request(s) made?

Hon PETER FOSS replied:

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

DIRECTOR OF PUBLIC PROSECUTIONS - ATTORNEY GENERAL

Section 27(3)(c) Director of Public Prosecutions Act

1039. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) Since 16 December 1994 has the Director of Public Prosecutions

requested the Attorney General to perform any function pursuant to section 27(3)(c) of the Director of Public Prosecutions Act 1991?

- (2) If so, in each case when were such requests and what was requested?
- (3) What such requests has the Attorney General complied with?

Hon PETER FOSS replied:

(1) No.

(2)-(3) Not applicable.

DIRECTOR OF PUBLIC PROSECUTIONS - ATTORNEY GENERAL
Section 27(1) Director of Public Prosecutions Act

1040. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) Since 16 December 1994 has the Director of Public Prosecutions requested the Attorney General to issue directions under subsection 1 of section 27 of the Director of Public Prosecutions Act 1991?
- (2) What directions were requested?
- (3) If so, in each case did the Attorney General comply with the request and in each case if not, why not?

Hon PETER FOSS replied:

(1) No.

(2)-(3) Not applicable.

DIRECTOR OF PUBLIC PROSECUTIONS - ATTORNEY GENERAL
Section 27(1) Director of Public Prosecutions Act

1041. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) Since 24 November 1994 to 28 February 1995 has the Attorney General, pursuant to section 27(1) of the Director of Public Prosecutions Act 1991, issued directions to the director?
- (2) If so, what directions were issued, and in each case, when?

Hon PETER FOSS replied:

(1) No.

(2) Not applicable.

DIRECTOR OF PUBLIC PROSECUTIONS - ATTORNEY GENERAL
Section 26(1) Director of Public Prosecutions Act

1042. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) Since 24 November 1994 to 28 February 1995 has the Attorney General, pursuant to section 26(1) of the Director of Public Prosecutions Act 1991, requested the Director of Public Prosecutions to consult with the Attorney General with respect to matters concerning the performance of the Director's functions?
- (2) If so, with respect to what matters, and in each case, on what dates?

Hon PETER FOSS replied:

(1) No.

(2) Not applicable.

DIRECTOR OF PUBLIC PROSECUTIONS - ATTORNEY GENERAL
Section 26(2) Director of Public Prosecutions Act

1043. Hon N.D. GRIFFITHS to the Minister for the Environment representing the Attorney General:

- (1) From 24 November 1994 to 28 February 1995 has the Attorney General been requested pursuant to section 26(2) of the Director of Public Prosecutions Act 1991 by the Director of Public Prosecutions to consult with the director with respect to matters concerning the performance of the director's functions?
- (2) If so, with respect to what matters?
- (3) If so, in each case, on what dates?
- (4) If so, in each case, on what dates did consultations take place, if at all?
- (5) In the event that consultation did not take place pursuant to the director's request why did such consultation not take place?

Hon PETER FOSS replied:

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

COMMUNITY DEVELOPMENT, DEPARTMENT FOR - CHILD ABUSE
Suspected Incest by Officers, Meetings with Police

1044. Hon N.D. GRIFFITHS to the Minister for Transport representing the Minister for Community Development:

- (1) With respect to the answer to question on notice 1524 in the last parliamentary session, have meetings occurred between staff of the Department of Community Development and the police child abuse units to review protocols in existence for the reporting of suspected incest by officers of the Department of Community Development?
- (2) If so, what changes, if any, are being considered?
- (3) If not, why not?

Hon E.J. CHARLTON replied:

Answer provided by the Minister for Community Development -

- (1) Yes. There is continuing liaison between the Department for Community Development and the Police Department over protocols which deal with all aspects of physical and sexual abuse.
- (2) No changes are currently considered necessary. The member can be assured the protocols will be changed if deemed necessary.
- (3) Not applicable.

GOVERNMENT DEPARTMENTS - PRIVATISATION OF FUNCTIONS

1066. Hon N.D. GRIFFITHS to the Minister for Education representing the Minister for Commerce and Trade:

With respect to the Minister for Commerce and Trade's department and each of the bodies administered within that department -

- (1) What functions are being considered for privatisation either partly or wholly?
- (2) What functions have been decided to be privatised either partly or wholly?

Hon N.F. MOORE replied:

The Minister for Commerce and Trade has provided the following reply -

- (1)-(2) None.

GOVERNMENT DEPARTMENTS - PRIVATISATION OF FUNCTIONS

1067. Hon N.D. GRIFFITHS to the Minister for Education representing the Minister for Regional Development:

With respect to the Minister for Regional Development's department and each of the bodies administered within that department -

- (1) What functions are being considered for privatisation either partly or wholly?
- (2) What functions have been decided to be privatised either partly or wholly?

Hon N.F. MOORE replied:

The Minister for Regional Development has provided the following reply -

- (1)-(2) None.

GOVERNMENT DEPARTMENTS - PRIVATISATION OF FUNCTIONS

1068. Hon N.D. GRIFFITHS to the Minister for Education representing the Minister for Small Business:

With respect to the Minister for Small Business' department and each of the bodies administered within that department -

- (1) What functions are being considered for privatisation either partly or wholly?
- (2) What functions have been decided to be privatised either partly or wholly?

Hon N.F. MOORE replied:

The Minister for Small Business has provided the following reply -

Small Business Development Corporation -

- (1) Nil.
- (2) Not applicable.

FIRE BRIGADE - FUNDING REVIEW

1091. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Emergency Services:

- (1) Has the review of funding arrangements currently operating in Western Australia for the provision of fire protection services been finalised?
- (2) If not, why not?
- (3) If not, when will it be finalised?
- (4) If so, what is the result of the review?

Hon GEORGE CASH replied:

The Minister for Emergency Services has provided the following reply -

- (1)-(4) No. The review of funding arrangements for the Western Australian Fire Brigades Board gazetted fire districts which are serviced by permanent, paid firefighters is nearing completion. Once I have received the report I shall disseminate copies for public comment.

POLICE - OPERATION SWEEP

1097. Hon N.D. GRIFFITHS to the Leader of the House representing the Minister for Police:

- (1) With respect to the answer to question on notice 93 of 1994, did the Minister for Police inquire of the Western Australian Police Force as to the reasons why Operation Sweep ceased?
- (2) If so, what were the reasons?

(3) If not, why did the Minister not do so?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

The Commissioner of Police has advised as follows -

- (1) Yes.
- (2) An operational decision was made that Operation Sweep would cease.
- (3) Not applicable.

POLICE - OFFICERS, SUSPENSIONS

1166. Hon DERRICK TOMLINSON to the Leader of the House representing the Minister for Police:

- (1) How many police officers were suspended on full pay during the financial year 1993-94?
- (2) How many police officers were suspended on full pay during the financial year to date 1994-95?
- (3) What was the average, minimum and maximum, duration of the suspensions?
- (4) Do officers suspended on full pay also receive penalties and allowances they qualified for at the time of their suspension?
- (5) What was the total cost to the police budget for the officers suspended on full pay in the financial year 1993-94?
- (6) What has been the cost so far this financial year?

Hon GEORGE CASH replied:

The Minister for Police has provided the following reply -

I am advised by the Commissioner of Police as follows -

- (1) Twelve police officers were placed under suspension with pay during the 1993-94 fiscal year.
- (2) Fifteen police officers have been placed under suspension with pay during this current fiscal year 1 July 1994 to 6 April 1995.
- (3)

Average duration of suspension	164 days
Minimum duration of suspension	9 days
Maximum duration of suspension	344 days

To enable accurate statistics to be provided, only suspension periods that have been completed have been used to reflect duration statistics. However, of the officers currently under suspension, whose periods have not been finalised and are ongoing, three have exceeded the 334 days, being 511 days, 609 days and 620 days.

- (4) Officers under suspension on full pay also receive allowances, but payment of penalties cease at the time of suspension other than payment for those incurred prior to suspension.
- (5) \$213 389.42.
- (6) \$340 386.98.

TRAVEL - MINISTER FOR EDUCATION

Cable Beach Club, Broome

1183. Hon JOHN HALDEN to the Minister for Education:

- (1) Did the Minister stay at the Cable Beach Resort in Broome in March 1994?

- (2) If yes, what was the period of the Minister's stay in Broome?
- (3) What was the total cost of the Minister's accommodation?
- (4) Was there any damage to the Minister's room and/or any room rented by his staff?
- (5) If yes to part (4), what was the value of this damage and who met the cost of the repairs?

Hon N.F. MOORE replied:

(1) No.

(2)-(5) Not applicable.

BLACK, GREG - EMPLOYMENT TERMINATION PLANS
Brown, Peter, Replacement

1185. Hon JOHN HALDEN to the Minister for Education:

Is it correct the Minister is planning to terminate the employment of Mr Greg Black and replace Mr Black with Mr Peter Brown?

Hon N.F. MOORE replied:

No.

QUESTIONS WITHOUT NOTICE

**BUILDING AND CONSTRUCTION INDUSTRY TRAINING FUND -
 CLOSURE PLANS**

120. Hon JOHN HALDEN to the Minister for Education:

In reference to the building and construction industry training fund -

- (1) Is the fund to be closed down despite the support this training fund has from industry?

If yes -

- (2) How many of the 1 009 apprentices employed in the industry will lose their employment if it is closed?
- (3) Of the 137 apprentices directly identified to employers, or receiving support from the fund, how many will lose the opportunity for training in this industry?
- (4) If support for the group training system is removed what will be the impact on the future of group schemes?

Hon N.F. MOORE replied:

- (1)-(4) There was a requirement under the Statute for a review to be done of the BCITF. It was conducted by Mr Len Hitchin who reported to the Government. I think the report was tabled in Parliament. It made certain recommendations which are being considered by Government. No final decision has been made.

**RESERVES - ROAD, RIVER AND STREAM AND NATURAL ECOLOGY,
 STATUTORY PROTECTION**

121. Hon J.A. COWDELL to the Minister for the Environment:

Can the Minister assure the House that the Government will give statutory protection to the natural ecology of road, river and stream reserves so that these reserves become permanent conservation reserves?

Hon PETER FOSS replied:

It is a matter not for me, but rather for this Parliament to decide. I am certainly

very happy to take on board that suggestion. I think it has statutory protection to this extent under the forest management plan. If the member believes that is insufficient, I am happy to consider including it.

FORESTS AND FORESTRY - KARRI TREES, REGENERATED, BOLE DIAMETER

122. Hon J.A. SCOTT to the Minister for the Environment:

What is the average bole diameter of regenerated karri trees at -

- (a) 20 years of age?
- (b) 50 years of age?
- (c) 120 years of age?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (a) 15 cm.
- (b) 31 cm.
- (c) 69 cm.

These figures are the mean diameter breast height over bark for an average site that has not been thinned. They are based on published calculations by M.E. Rainer in 1992. DBHOB is a standard measure used to describe the diameter size of trees. It is taken to mean a measurement made at breast height, nominally 1.3 metres from the ground.

**CALM - YANCHEP NATIONAL PARK
*Lease Agreement, Failure Cost***

123. Hon J.A. COWDELL to the Minister for the Environment:

What has the failure of the Yanchep national park lease agreement cost the Department of Conservation and Land Management in restoration of facilities and provision of staff?

Hon PETER FOSS replied:

In view of the change in that question from the one of which I was notified, I ask that the question be put on notice. Perhaps I can clarify the member's question with him so that I can give an adequate reply.

**FORESTS AND FORESTRY - FIVE COUPES SOUGHT FOR HARVESTING,
COMMONWEALTH APPROVAL**

124. Hon J.A. COWDELL to the Minister for the Environment:

With reference to the Minister's statement of 6 April 1995, which are the five coupes the State Government is seeking Commonwealth Government approval to log and chip?

Hon PETER FOSS replied:

I thank the member for some notice of the question.

Following the decision made by the Federal Labor Government to continue the embargo on export of woodchips from 51 coupes in Western Australia, a substantial potential shortfall in the availability of karri sawlogs required to meet the State's commitments to sawmills has been identified. The honourable member's question suggests that the State is seeking new areas to harvest for woodchips. In fact, a substantial surplus of woodchips is being produced from the State's integrated sawlog harvesting operations. The new areas being sought from the Commonwealth are for karri sawlogs, not woodchips. However, because the State seeks to maximise the use of all wood products from any harvested area, waste wood which is unsuitable for sawing is inevitably produced.

The State will arrange to export the woodchip residue from the five new areas if approved. To allay the understandable fears of timber companies, I have moved quickly to ensure that alternative areas are programmed for harvesting. This action includes seeking commonwealth agreement for harvesting of five areas on the interim list of the National Estate which have not previously been considered. These areas are: Lockhart 11, Deep 3, Deep 4, Murtin 5 and Franklin 6.

The honourable member should note that land management, including harvesting of forests to provide resources to the timber industry, is a state responsibility. The Commonwealth's role should be confined to the issue of licences to export produce in accordance with the relevant commonwealth Act. Today, Bunnings Forest Products Pty Ltd announced to workers at its Northcliffe mill that operations would cease at the mill on 26 May due substantially to continued uncertainty of timber supplies created by short term political decisions which had nothing to do with well founded scientific evaluation. Thirty permanent jobs in the south west will be lost as a result of this decision.

NATIONAL PARKS - NEERABUP *Reservoir Construction*

125. Hon J.A. SCOTT to the Minister for the Environment:

- (1) Is a reservoir being constructed in Neerabup national park?
- (2) If yes; what is the purpose of this reservoir?
- (3) Will it supply water to the Buckeridge concrete plant?
- (4) What assessment process has been undertaken?
- (5) What approvals have been given?
- (6) What community consultation has taken place?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) A reservoir is proposed to be constructed on water supply reserve No 34537 which is an enclave within the Neerabup national park. The water supply reserve has been vested in the Water Authority of Western Australia since 1977.
- (2) Public water supply.
- (3) Unknown.
- (4) Formal environmental impact assessment at consultative environmental review level.
- (5) The Minister for the Environment approved the proposal with conditions on 24 October 1994.
- (6) Public participation and public appeal rights through the environmental impact assessment process including four weeks public review ending 5 April 1994.

BANKWEST - PERCENTAGE RETURN OVER 10 YEARS

126. Hon MARK NEVILL to the Minister representing the Treasurer:

In respect of BankWest, what is the State Government's percentage return on investment over the past 10 years, assuming the value of the bank 10 years ago was net assets times 1.4 and the value now is net assets times 1.4?

Hon GEORGE CASH replied:

I thank the member for some notice of the question. I regret that the Treasurer is not in the State at present; he is at a Council of Australian Governments meeting in Canberra with the Prime Minister. I therefore ask that the question be placed on notice and I will endeavour to obtain a reply.

TIMBER INDUSTRY - ROYALTIES FROM HARDWOOD LOGS
McCarrey Report

127. Hon J.A. COWDELL to the Minister for the Environment:

- (1) Is the Minister aware that the McCarrey report was critical of the low level of royalties paid by timber companies for hardwood from our native forests, and that the price paid for natural jarrah is one-quarter of the price of plantation pine?
- (2) If yes, is the Minister concerned about the artificial balance in demand created in the timber industry?
- (3) What steps has the Minister taken, or will he take, to ensure that the royalties received from hardwood logs from our native forests reflect the true market price for the logs as recommended in the McCarrey report?

Hon PETER FOSS replied:

Changes have been made since the McCarrey report. So that I can give a detailed answer, I ask that the question be put on notice.

TIMBER INDUSTRY - GRADING LOGS, CARRIED OUT BY COMPANIES

128. Hon J.A. COWDELL to the Minister for the Environment:

- (1) Is the Minister aware that the grading of logs in the south west native forests is principally carried out by private logging contractors and, in some cases, by the timber companies purchasing the logs.
- (2) If yes, does he approve of a system where private agents and purchasers determine the grade and, therefore, the price of logs taken from native forests?
- (3) If he is not aware, will he investigate this process with a view to putting in place a system which gives the public of Western Australia a fair return for the use of a community resource?

Hon PETER FOSS replied:

- (1)-(3) I am currently reviewing a number of matters regarding the supervision of various activities of the Department of Conservation and Land Management. I do not have a problem with the initial grading being carried out by the companies themselves, provided, of course, a checking process is in place and there is a severe penalty for incorrectly grading logs. In a number of areas we can ensure better administration if the people who do the right thing are given privileges and incentives. There are other areas of the environment in which this is appropriate. In view of the review I am conducting, it is a little premature to comment on that matter.

PASTORAL INDUSTRY - STATIONS OWNED BY ABORIGINES

129. Hon P.R. LIGHTFOOT to the Minister for Lands:

- (1) How many pastoral leases are owned by or under the control of Aborigines or Aboriginal groups?
- (2) How many are considered viable?
- (3) What is the aggregated area?
- (4) What are the names of the stations?

Hon GEORGE CASH replied:

I thank the member for some notice of the question.

Hon John Halden: Hon Ross Lightfoot has a copy of the answer! That's a good dorothea dixer.

Hon GEORGE CASH: I have the answer here. The Leader of the Opposition will be able to check to see whether it is correct.

Hon John Halden interjected.

The DEPUTY PRESIDENT (Hon Barry House): Order!

Hon GEORGE CASH: The answer is as follows -

- (1) Forty-four pastoral stations are controlled by or on behalf of Aboriginal interests.
- (2) No detailed assessment has been made on the viability of these or any other stations by the pastoral board.
- (3) An area of 8 144 687 hectares.
- (4) The stations are Adelong, Billiluna, Bohemia Downs, Bow River, Callawa, Carranya, Carson River, Cogla Downs, Coongan, Doon Doon, Elvire, Frazier Downs, Gibb River, Gilroyd, Glen Hill, Glenorn, Kangan, Koongie Park, Lake Gregory, Lamboo -

Several members interjected.

The DEPUTY PRESIDENT (Hon Barry House): Order! It is within everyone's right to ask a question.

Hon John Halden: Not when he has the answer and he flashes it around.

Hon GEORGE CASH: - Leopold Downs, Louisa Downs, Millijidee, Millie Windie, Mowanjum, Mowla Bluff, Morapoi, Mt Anderson, Mt Barnett, Mt Pierre, Mt Welcome, Ninghan, Noonkanbah, Pantijan, Peedamulla, Pinjin, Pippingarra, Robertson Range, Strelley, Tableland, Towrana, Ullawarra, Walagunya and Windidda.

LANDCARE - NATIONAL PROGRAM, FUNDING

130. Hon SAM PIANTADOSI to the Minister representing the Minister for Primary Industry:

- (1) How much funding did the national Landcare program expend in Western Australia in 1993-94?
- (2) Which organisations were the beneficiaries of that funding?
- (3) What was the level of funding for all these organisations?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) The national Landcare program provided funding to Western Australia in 1993-94 of \$7.639m. This was later adjusted to \$7.388m due to carryovers from 1992-93.

(2)-(3)

I have the computer listings of projects funded by the NLP in 1993-94 with the names of the grantees and the funds allocated to each project. There were 58 new community projects worth \$476 000; 42 continuing community projects worth \$284 000; 34 new agency projects worth \$2.429m; and 45 continuing agency projects worth \$4.450m. I could read out the computer listings, but I will pass them to Hon Sam Piantadosi.

[See paper No 261.]

PUBLIC SECTOR - WORKERS IN AREAS PRIVATISED, OFFERED CONTINUED EMPLOYMENT, REDEPLOYMENT, VOLUNTARY REDUNDANCY

131. Hon A.J.G. MacTIERNAN to the Minister representing the Minister for Labour Relations:

On 3 March 1995 the Minister for Labour Relations stated on radio that public

sector workers in areas being privatised would be offered either redeployment or voluntary redundancy, and if they did not want redundancy they could stay on the government payroll.

- (1) Does the Minister stand by that statement?
- (2) Will all employees of the construction and maintenance division of the Building Management Authority be offered redundancy?
- (3) Will all employees of the construction and maintenance division of the BMA be offered redeployment in the public sector if they do not take redundancy?
- (4) If the employees of the construction and maintenance division of the BMA refuse transfer to the private sector, can they be dismissed without severance or redundancy payments?

Hon PETER FOSS replied:

- (1)-(4) I thank the member for some notice of this question. The Minister for Labour Relations has stated on numerous occasions that public sector workers in areas being transferred to the private sector will be offered continuation of employment with the private sector, redeployment or voluntary redundancy, in accordance with the Public Sector Management (Redeployment and Redundancy) Regulations 1994.

Hon A.J.G. MacTiernan: That is not what he has been saying.

Hon PETER FOSS: That is what I understand he says. All I can say is what I understand he says.

Hon Mark Nevill: This is just another form of misinformation.

Hon PETER FOSS: Specific questions relating to the Building Management Authority will have to be referred to the Minister for Works.

FISHERIES DEPARTMENT - O'DONOGHUE, R.M., HEALTH AND SAFETY LETTER

132. Hon MARK NEVILL to the Minister representing the Minister for Fisheries:

Further to question 1534 of 1994 -

- (1) Is the answer to question 1534 (1) correct?
- (2) If not, what is the correct date?
- (3) Was Mr O'Donoghue's letter dated 13 March 1989 ever tabled at an occupational health, safety and welfare committee meeting?
- (4) If so, when?
- (5) With respect to answers (3) and (4) to question 1534 what action has been taken regarding the unrelated second point of Mr O'Donoghue's letter dated 13 March 1989 which concerns the actions of fisheries officer P. Kendrick insisting that unsafe and hazardous duties be performed, those hazards having been brought to his attention?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) No. There was a typographical error.
- (2) The correct date is 16 March 1989.
- (3)-(5) Mr Kendrick no longer works for the Fisheries Department.

I am advised by the Minister for Fisheries that he has offered the member a detailed briefing about the series of events which occurred many years ago in which the member is interested.

RETAIL TRADING HOURS - EASTER SUNDAY

133. Hon TOM STEPHENS to the Minister for Fair Trading:

- (1) Have the Minister's recent changes to retail trading hours brought about a change in trading so that on Easter Sunday in 1995 for the first time in this State's history shops in Perth and Fremantle will be open for retail trading on what is the most important and sacred of Sundays in the Christian calendar?
- (2) Does the Minister plan to continue the process of deregulating trading hours, and do his plans include allowing for retail trading on other revered holy days, such as Good Friday and Christmas Day?
- (3) Is the Minister making other secret moves that are bringing about increased trading hours in Western Australia which go beyond those moves approved by his coalition Cabinet colleagues?

Hon PETER FOSS replied:

- (1) Yes.
- (2)-(3) No.

WESTRAIL - A. GONINAN AND CO LTD; GEMCO, CONTRACTS

134. Hon KIM CHANCE to the Minister for Transport:

Have Westrail and the Department of Transport satisfied the Minister that A. Goninan and Co Ltd and Gemco are able to tender for Westrail contracts on an arm's length basis, and that no commercial link exists between these companies and their parent companies, Futuris Corporation Ltd and Howard Smith, through the association of George Moss Ltd - Gemco - of 461 Scarborough Beach Road, J. K. David-Moss, formerly of 459 Scarborough Beach Road - now David-Moss Trading Pty Ltd - and Goninan and Howard Smith director, Dr K. J. Moss?

Hon E.J. CHARLTON replied:

I thank the member for some notice of the question. Westrail has assured me that the two companies are independent of each other. I have no reason to have any evidence otherwise. As a consequence of extra contracts being put out by Westrail, in the case of Gemco it took on Westrail personnel and cranked up new divisions to cater for Westrail work.

HOSPITALS - BUNBURY, NEW

Accident and Emergency Service; Intensive Care Section

135. Hon DOUG WENN to the Minister for the Environment representing the Minister for Health:

- (1) Will there be an accident and emergency service and an intensive care section in the new government owned and managed hospital planned for Bunbury?
- (2) If no, under what arrangement will this accident and emergency service be offered to the people of Bunbury and where will the intensive care wards be located?

Hon PETER FOSS replied:

- (1) Yes.
- (2) Not applicable.

HOSPITALS - BUNBURY, NEW

St John of God, Collocation Discussions

136. Hon DOUG WENN to the Minister for the Environment representing the Minister for Health:

- (1) Are negotiations being carried out between the State Government and the

St John of God group on the future collocation of the Bunbury based St John of God Hospital and the new government hospital?

- (2) If yes, who is representing the State Government at these negotiations?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) Broad discussions are taking place between the Bunbury Health Service and the St John of God health care system on the services to be provided to the people of Bunbury by both hospitals following collocation.
- (2) Mr Len Dockrill, project director, on behalf of the board of management of the Bunbury health service.

DRAINERS - PLUMBERS

Working Group of Licensing Review Report

137. Hon A.J.G. MacTIERNAN to the Minister for Water Resources:

- (1) Will the Minister for Water Resources make available a copy of the report of the working group of licensing review 1995?

Hon Peter Foss: What is that on?

Hon A.J.G. MacTIERNAN: It has to do with plumbers, drainers and mutual recognition. It may be a more general paper of recognition in those areas.

- (2) When does the Minister intend to take a proposal to Cabinet regarding mutual recognition taking into account the report of the working group of licensing review?
- (3) I refer to a written request from drainers to meet with the Minister made in January 1995 which was followed up by telephone calls to the Minister's appointment secretary. Is the Minister prepared to meet with a deputation of drainers before taking such a proposal to Cabinet?

Hon PETER FOSS replied:

- (1)-(3) To deal with the last part of the question first, I met with them yesterday. I found the earlier part of the member's question somewhat confusing and in some aspects misconceived. As the member will know, the Government has announced it will support mutual recognition. This will have some effect on drainers. In Western Australia drainers do not have separate licensing or registration. Yesterday they urged that they should have both licensing and registration for drainers. I indicated that I have some sympathy for their proposition and that I have referred it back to my consultant, Wally Cox, who is working on this for a proposition to go to Cabinet. I am not sure when it will be taken to Cabinet. It is not my usual course to announce such things prior to their going to Cabinet. I assure the member I gave their view a sympathetic hearing yesterday and it will be taken into account, although I cannot say at this stage what will be the result.

DRAINERS - PLUMBERS

Mutual Recognition and Licensing Report

138. Hon A.J.G. MacTIERNAN to the Minister for Water Resources:

I understand there is a report that deals with mutual recognition and licensing, which is referred to as the report of the working group of licensing review. Is the Minister familiar with that and can he table a copy?

Hon PETER FOSS replied:

That report went for consideration prior to my becoming Minister. Matters have moved on since then. A number of people were consulted on that initial report. People are looking forward to the report following on from that. It would be

better to wait until a firm proposition is ready to be put to Cabinet. It has arrived at the stage where Cabinet has to make a decision. What went before is purely a matter of the thought process that took us there. I am happy to make available a copy of the report when Cabinet has made a decision.

Hon A.J.G. MacTIERNAN: Not beforehand?

Hon PETER FOSS: People were consulted and a number of people had an opportunity to make input. It was a working document towards what will ultimately go to Cabinet. We should deal with the reality of what I will recommend. I do not have a final report from the consultant who is advising me and nor have I put a proposition to Cabinet. We have moved on since then, including the meeting yesterday, at which I indicated that I would give favourable consideration to what the drainers said, without necessarily agreeing that it would happen. I was certainly impressed by their arguments. We have moved on from the original propositions.

WATER AUTHORITY - ALLIANCE CONTRACTS

139. Hon SAM PIANTADOSI to the Minister for Water Resources:

- (1) Can the Minister confirm the existence of a proposal for Western Australian Water Authority operations called alliance contracts?
- (2) How will this affect the operational functions of WAWA?
- (3) How will the alliance contracts work?

Hon PETER FOSS replied:

- (1) Yes.
- (2) The alliance contracts will enable people in the Water Authority to maintain involvement in contracting out. Alliance contracts will enable the Water Authority in alliance with private contractors to continue to carry out work in those areas where it might otherwise lose the ability.
- (3) How it will work will shortly be explained directly to the employees of the Water Authority. I believe the appropriate way for it to be released is through direct contact between the Water Authority and its employees.

GILHAM, DAVID - FUTURIS CORPORATION SENIOR EXECUTIVE

140. Hon KIM CHANCE to the Minister for Transport:

- (1) Does the former Chairman of the Board of Transperth, Mr David Gilham, hold a senior executive position with Futuris Corporation, the parent company to GEMCO, a major contractor to Westrail?
- (2) Was Mr Gilham formerly a Vice President of the Australian Road Transport Association and President of the WA Road Transport Association?
- (3) Does Mr Gilham presently hold any position with either Westrail or the Department of Transport?
- (4) Does any position held by Mr Gilham within either Westrail or the Department of Transport represent a conflict of interest with his association with GEMCO and Futuris Corporation?

Hon E.J. CHARLTON replied:

I thank the member for some notice of this question.

- (1) Yes. Mr Gilham is the current Chairman of the Metropolitan (Perth) Passenger Transport Trust, trading as MetroBus, and was appointed on 12 October 1993.

- (2) Yes.
- (3) No.
- (4) Not applicable.

**MENTAL HEALTH SERVICES - NURSES, NORTHAM, USE OF HEALTH
DEPARTMENT VEHICLES**

141. Hon KIM CHANCE to the Minister for the Environment representing the Minister for Health:

- (1) Are mental health nurses employed by the Health Department of Western Australia at Northam permitted private use of HDWA vehicles to travel between Perth and Northam daily?
- (2) Is this a common practice in the HDWA?
- (3) What is the cost of the private use of HDWA vehicles throughout WA?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) No.
- (2) Not applicable.
- (3) It is not possible to provide this information without notice, as it would take a considerable amount of research. Many officers have limited use of government vehicles to carry out their assigned duties in country areas; for example, home garaging by community health nurses. Limited private use of government vehicles is also provided in some instances as a means of attracting staff to country locations. In addition, under the terms of the senior executive service, officers may elect to participate in the executive vehicle scheme, which permits private usage of government vehicles under certain conditions.

**HOSPITAL - GERALDTON REGIONAL
*Parking Facilities***

142. Hon KIM CHANCE to the Minister for the Environment representing the Minister for Health:

- (1) Do the parking facilities provided for hospital staff vehicles at Geraldton Regional Hospital meet Department of Occupational Health, Safety and Welfare standards?
- (2) Is it proposed to set aside the present parking compound used by night shift workers at Geraldton Regional Hospital and to use it to accommodate Health Department vehicles overnight?
- (3) What alternative parking arrangements will be made for night shift workers at Geraldton Regional Hospital if this occurs?
- (4) Do these alternative arrangements have adequate lighting and security provision to meet the needs of staff for safe access to their vehicles?

Hon PETER FOSS replied:

I thank the member for some notice of this question.

- (1) Yes.
- (2) This proposal is currently under discussion.
- (3) If this occurs, alternative designated parking arrangements will be provided close to the staff entrance.
- (4) If this occurs, the alternative parking will have adequate lighting and security provision to meet the needs of staff for safe access to their vehicles.

ROADS - CAUSEWAY, TRAFFIC STUDIES

143. Hon A.J.G. MacTIERNAN to the Minister for Transport:

Considerable notice has been given of this question.

- (1) What studies have been undertaken to determine the destination of traffic over the Causeway?
- (2) If any such studies have been undertaken, do they provide estimates of the ratio of traffic that is city bound and of traffic that is in transit through the city?
- (3) If such estimates have been made, will the Minister table them in the House?
- (4) If such estimates have not been made, what is the basis for establishing the need for a bypass road?

Hon E.J. CHARLTON replied:

I thank the member for some considerable notice of the question, and I have had the answer for some considerable time.

- (1) The most recent modelling for the Causeway was undertaken as part of the studies into the Burswood project.
- (2)-(4) The data is not exactly in the form requested and it will take a short time for it to be processed into this format. I will provide the honourable member with the information in writing as soon as it becomes available.

Hon A.J.G. MacTernan: That is what you said last time.

Hon E.J. CHARLTON: The answer is that the information is not available.

Hon A.J.G. MacTernan: You have no justification for it.

SITTINGS OF THE HOUSE - THURSDAY 13 APRIL, NO SITTING

144. Hon MURRAY MONTGOMERY to the Leader of the House:

Will the Leader of the House inform the House of the sitting arrangements for the rest of the week?

Hon GEORGE CASH replied:

I appreciate the question because it gives me an opportunity to advise the House that I have been approached by a number of country members who have expressed the view that they would have some difficulty making transport arrangements on Good Friday. No doubt those arrangements are to return to their electorates. I have discussed the matter with the Leader of the Opposition and the leader of Opposition business in this House, Hon Kim Chance, and it has been agreed that, given the current state of the Notice Paper and the limited sitting hours on Thursday, it would not greatly inconvenience the House if we did not sit on Thursday. The decision has therefore been made that the House will not sit on Thursday. However, it has been agreed that it may be necessary to extend the sitting past 11.00 pm on Wednesday night to make up some time. That matter will continue to be negotiated. Country members can make whatever arrangements they need to make on Thursday.
