



WESTERN AUSTRALIA

# **Parliamentary Debates**

**(HANSARD)**

THIRTY-FIFTH PARLIAMENT  
THIRD SESSION  
1999

LEGISLATIVE ASSEMBLY

Thursday, 12 August 1999

# Legislative Assembly

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**THE SPEAKER** (Mr Strickland) took the Chair at 9.00 am, and read prayers.

## **JOONDALUP TRAIN STATION, PARKING**

### *Petition*

Mr Baker presented the following petition bearing the signatures of 70 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned residents of the Joondalup Region, demand that Westrail acquire a suitable parcel of land adjacent to the Joondalup Train Station for the purposes of constructing a motor vehicle parking facility for the dedicated use of train commuters using the said station. We believe that the Joondalup Train Station should have been developed as a "Park and Ride Station", not a "Kiss and Ride Station" due to the fact that the station is not located in an urbanised area and the timetables associated with the connecting bus routes to the station are inadequate.

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

[See petition No 10.]

## **GERALDTON, DOCTOR SHORTAGE**

### *Petition*

Mr Bloffwitch presented the following petition bearing the signatures of 862 persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We the undersigned ask the government to encourage overseas and local doctors to set up practice and alleviate the doctor shortage in Geraldton. Also to classify Geraldton/Greenough as *an area of need*.

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

[See petition No 11.]

## **VACATION SWIMMING CLASSES**

### *Petition*

Mr Cunningham presented the following petition bearing the signatures of nine persons -

To the Honourable the Speaker and members of the Legislative Assembly of the Parliament of Western Australia in Parliament assembled.

We, the undersigned petitioners, call on the Minister for Education to abandon plans to contract out vacation swimming classes as it could risk:

- the current high standard of teaching
- the affordability of classes
- the availability of classes, particularly in country areas

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

[See petition No 12.]

## **FREEDOM FROM FEAR CAMPAIGN**

### *Statement by Minister for Women's Interests*

**MRS PARKER** (Ballajura - Minister for Women's Interests) [9.03 am]: As part of the Government's strong commitment to the fight against domestic violence, I launched in August last year the freedom from fear campaign against domestic violence and the men's domestic violence helpline. The freedom from fear campaign, targeting male perpetrators of domestic violence was the first of its kind in Australia, incorporating TV, Press and radio advertising, posters, brochures, a website and other support strategies. Together with the men's domestic violence helpline, it was a strategy to target those responsible for the violence, aiming to better protect victims and preventing others from joining the cycle.

I am pleased to advise the House that the freedom from fear campaign has won two significant awards. In Montreal it won a combined Novelli award for both innovation and excellence at the International Innovations in Social Marketing

Conference. The conference brings together the world's leading social marketing authorities with the aim of promoting excellence in social marketing programs. While normally two awards are presented, this year the freedom from fear campaign scooped a combined award for both innovation and excellence. Last week the campaign also won an award for marketing excellence at the inaugural Australian Marketing Institute Public Sector Marketing Conference.

The significant benefit of course has been in homes around the State, where as a result of the campaign more than 540 men are undertaking counselling to deal with their violent behaviour against their partners or children. Since the start of the freedom from fear campaign, more than 2 760 men have contacted the men's domestic violence helpline, with over 64 per cent of them in the primary target group. Approximately half the callers were referred to men's behaviour change counselling programs. Many men have been motivated to seek help when they realise, often for the first time, the terrible effect domestic violence has on their children. About 19 per cent of those voluntarily sought counselling from services associated with the program.

An independent evaluation of the campaign also found a significant increase in awareness of the services available to help families deal with domestic violence. The proportion of men who are aware of where help can be sought for violent behaviour has increased from 21 per cent to 52 per cent. The proportion of men who are aware of a telephone counselling line for men who are or could be violent increased from 20 per cent to 69 per cent. The evaluation found the campaign has resulted in favourable temporary changes in some beliefs of the target audience, which will hopefully lead to shifts in longer term attitudes and behaviour.

While the freedom from fear campaign is only one component of an overall strategy against domestic violence, and while the necessary changes in attitudes will happen only over time, winning these recent awards as well as the findings in the evaluation report are very encouraging. I thank all those responsible for the successful and professional development and implementation of this campaign, in particular Donna Patterson from the Women's Policy Development Office and Professor Rob Donovan from Donovan Research.

### LITERACY AND NUMERACY ASSESSMENTS

*Statement by Minister for Education*

**MR BARNETT** (Cottesloe - Minister for Education) [9.07 am]: Members will recall that last year more than 24 000 Western Australian students in year 3 participated in a literacy assessment as part of the State Government's response to the national literacy and numeracy plan, endorsed by the Commonwealth and all States and Territories.

This year, States and Territories are undertaking further assessments as part of the plan. Over the course of next week, more than 53 500 Western Australian government and non-government students in years 3 and 5 will take part in tests in reading, writing, spelling and numeracy. The assessments form an important part of ongoing strategies employed in schools to identify and cater for students needing extra help in literacy and numeracy. The purpose of the tests is to provide parents and teachers with an additional measure of the performance of individual children, not the performance of individual schools. However, the public is demanding more information about schools and education. This demand should be met but without risking the identification of individual students, teachers or schools.

Last year Western Australia was the only State to report the results of the assessment against provisional benchmarks, or achievement levels. Parents of students who took part in the assessment received a confidential report of their child's outcome in relation to the benchmark and the performance of all other children who sat the test, as part of the end-of-school year report.

A range of different types of information on the assessment results was sent to principals and teachers. In addition, the State Government released details of the performance of the State via a state average, outcomes for boys and girls, Aboriginal students and students from non-English speaking backgrounds, and district by district comparisons in the government system. This level of information was well received by the public, particularly parents, and the same level of information will be released for this year's assessments in literacy and numeracy. I believe this strikes an appropriate balance between satisfying the public demand for information about education and ensuring that individual students, teachers and schools cannot be publicly identified.

As I stated last year, and will reiterate with vigour this year, it is not in the best interests of anyone to use the outcomes of these assessments to construct crude league tables of schools which would make invalid comparisons between schools of different size, socioeconomic status and geographic location, based on one measure of assessment of young children. This ignores the fundamental purpose of the testing program which is to assist in identifying children who may be having difficulty in literacy and numeracy and to respond appropriately.

Individual teachers and schools have responded to the results of last year's assessment. However, the Government does recognise that there should be progressive development of appropriate programs both at the school level and, more broadly, on a system level, to meet the needs of those children who do not meet the benchmarks set in the assessments. In this way, we can continue to improve educational outcomes for young Western Australians in the vitally important areas of literacy and numeracy.

### SOUTH EAST DISTRICTS AMENDMENT No 4

*Statement by Minister for Planning*

**MR KIERATH** (Riverton - Minister for Planning) [9.10 am]: The South East Districts Amendment No 4 deals with 25

minor and six significant additions and rationalisations of zones and reserves in the Armadale, Belmont, Gosnells, South Perth, Kalamunda and Serpentine-Jarrahdale council areas.

The minor amendments relate to adjustments in road reservations, parks and recreation reservations and rezoning of various urban, industrial and rural zones. The major amendments involve additions to the waterways reservation at Victoria and Wungong Reservoirs, additions to parks and recreation reserves at the Canning River in Welshpool, reclassification of several railway spurs in Welshpool to industrial zone, and realignments of Armadale Road and Ranford Road.

The amendment was released for public submissions from November last year for three months, and 39 submissions were received. Thirteen submissions contained support for one or more of the proposals, 19 contained objections to one or more proposals and 10 included comments on only one or more proposals. The changes that attracted most submissions were the zone changes of the railway spur lines at the Kewdale marshalling yard to industrial zone and the realignment of Ranford Road. Most of the concern with the railway line rezoning revolved around a drain running alongside the line.

Mills Street residents supported calls by the City of Canning and the Canning Catchment Group for a water sensitive design to be incorporated in the rezoning and the area be reserved for parks and a bird habitat. However, the Western Australian Planning Commission received advice from the Water Corporation and the Swan River Trust that appropriate levels of land were being bought from Westrail and there was no value in retaining this portion of land.

No submissions suggested the change concerning the Ranford Road alignment should not go ahead. Rather they raised concerns about compensation, environmental issues and the alignment. As a result of the submissions, the Ranford Road alignment is to be changed to preserve a landowner's home and the rezoning of a portion of land in Bentley from urban land to industrial has been deleted. I commend the amendment to the House.

[See papers Nos. 67A-D]

### ADDRESS-IN-REPLY

#### *Amendment to Motion*

Resumed from 11 August, after the following amendment had been moved -

That the following words be added to the motion -

but regrets to inform His Excellency that the Court Government has refused to be accountable to the public and the Parliament of Western Australia in continuing to deny access to information in a vain attempt to avoid public embarrassment.

**MR RIPPER** (Belmont - Deputy Leader of the Opposition) [9.12 am]: The amendment to the Address-in-Reply moved by the Opposition relates to the standards of this Government with regard to openness and accountability. In my remarks supporting the amendment I will also discuss the standards of the Government on the important issue of conflicts of interest.

Standards in government are set at the highest level. Public servants, ministerial staffers, ministers and backbenchers take their lead from what happens in the Premier's office, and with the Premier. Governments can issue any number of regulations, rules, codes of ethics and conduct. However, example speaks louder than the words. An informal subculture has developed whereby people see that what is done in the Premier's office must be okay, so they adopt the same sort of standards. Regrettably, the standards being set by the Premier and his office are lamentably lax. That is a matter of great concern, because those standards and examples will be followed by people in other parts of the Government.

I will deal with two aspects of the Premier's management of his office and his department, and the events which have occurred in his office and his department. Yesterday I questioned the Premier about the resignation of his most senior adviser, the Executive Director of his office, Mr Jack Gilleece. When Mr Gilleece resigned the Premier told the media -

I do not want there to be anything that is not known publicly in relation to this matter.

That was his declaration on the day of Mr Gilleece's resignation. Yesterday in the Parliament the Premier backed away from that commitment. I was surprised to hear the Premier say that he may not release the report of the inquiry into Mr Gilleece's activities. Mr Gilleece worked at the highest levels of Government and had commercial arrangements with property developers whose profits are greatly affected by decisions made by the Government. These property developers have contracts with the Government, and are affected by planning decisions made by the Government. Mr Gilleece had the ear of the Premier. Mr Gilleece had access to sensitive government information at the highest levels of Government. There should be no question of not releasing the report into the conflict of interest involved in Mr Gilleece's commercial arrangements.

The Premier should have set an example to the rest of his Government by making absolutely clear in the Parliament yesterday that the report of the inquiry into Mr Gilleece's activities would be made public. The Premier not only refused to make that commitment yesterday, but also failed to provide other information in response to opposition questions. The Opposition asked for information about Mr Gilleece's termination payout. The Premier refused to provide any information about that. The Premier suggested that I might like to telephone the chief executive officer of the Ministry of Premier and Cabinet for some information. I telephoned Mr Wauchope, the head of the Ministry of the Premier and Cabinet. Unfortunately, he was not available and I am still awaiting his return telephone call.

Mr Court: You called Mr Wauchope. Do you think the payments, for example, to people working in your office should

be made public?

Mr RIPPER: We are talking about public money.

Mr Court: I am asking the question, because the initial advice I have is that it could be a criminal offence for Mr Wauchope to give out information about people's termination payments. I do not mind following the matter through. However, if the Deputy Leader of the Opposition thinks Mr Gilleece's termination payment should be made public, should that be the same for everyone?

Mr RIPPER: When public money is concerned the public is entitled to the information. The salaries of public servants are on the record and people can obtain copies of contracts through the freedom of information legislation. The Premier's salary is on the public record as is my salary.

Mr Court: As long as the member does not want to pick and choose people and everyone's payments should be made public.

Mr RIPPER: What is sauce for the goose is sauce for the gander. However, the particular circumstances of Mr Gilleece make the publication and availability of that information more important and relevant. Mr Gilleece worked in the Premier's office at the most senior level and has been involved in a conflict of interest. The Opposition has asked questions about another person who left the Premier's office.

Mr Court: Who is that?

Mr RIPPER: Mr Fletcher. There appears to be some issues about Mr Fletcher's termination payout, and how it was calculated.

Mr Court: What is the issue? Is it that he was on a contract; you have a copy of the contract; and he had a three-month payment?

Mr RIPPER: The issue is whether he went as a result of a restructuring and a redundancy, or voluntarily. If he went voluntarily, why would he receive a redundancy payout? On the basis of the information available to the Opposition and that which so far has been made public, the Premier has not satisfactorily answered that question.

Mr Court: Anyway, you have answered my question.

Mr RIPPER: I have answered the Premier's question, but he should come back to his seat and say why he will not give a firm commitment - on the record - that the report of the activities of Mr Gilleece will be made public. Originally the Premier said, and I will get the quote -

Mr Court: There is a very good reason, my friend.

Mr RIPPER: Originally, the Premier said, "I don't want there to be anything that is not known publicly in relation to this particular issue". Why is the Premier now backing away from that statement?

Mr Court: There is a very good reason: Some very personal information that is none of your business or none of the public's business may be included in a report that even under the freedom of information provisions would not be made public. The Deputy Leader of the Opposition knows that, of course, the commitment would not be given. Similarly, as I said, I will follow through this matter in relation to the termination payments. I think we will find that one of the problems is that if information is released without proper authorisation, it can be a criminal offence. I think the member will do some homework. I will do some this morning. Perhaps he might like to ask me a question in question time.

Mr RIPPER: If the Premier thinks matters like that might be criminal offences, and he has legal advice to that effect -

Mr Court: No; I haven't got that.

Mr RIPPER: - perhaps he should provide the Opposition with a copy of that legal advice.

Mr Court: You are the one who is asking. In Parliament yesterday you said that I should get up and say what were his payouts. Today you have said that you believe all payouts - all termination payments - should be made public.

Mr RIPPER: What would be the argument against it?

Mr Court: One is a strong argument that those opposite put forward when in government; that is, there should be confidentiality because a person may well be retiring and may get a significant payout of money, and it is inappropriate for that to be flashed around the community.

Mr RIPPER: What did the Premier say when the argument was put? What is his response to that argument?

Mr Court: My response is that, unlike the Opposition, we have operated with freedom of information legislation. All the contracts and the like that we have made are all available. Yesterday the Deputy Leader of the Opposition made a request. I suggest that he talk to Mr Walker.

Mr RIPPER: I am still waiting to have the conversation.

Mr Court: You have that conversation with him and at question time you might like to ask me some further questions.

Mr RIPPER: I will move on from this issue; however, I will make some criticisms of the inquiry being held into Mr Gilleece's activities. Whatever the Premier says, it is still a departmental inquiry. The department might have got some

people to assist it in conducting the inquiry, but it still a departmental inquiry. It has no legal power to compel people to give evidence. It is not dealing with all of the other ministerial officers who should be dealt with. It is not an independent inquiry.

Mr Court: What an insult to say that the Ombudsman's office cannot provide an independent inquiry. What an insult!

Mr RIPPER: It is still a departmental inquiry. A staffer from the Ombudsman's office is assisting the department in conducting an inquiry. The Ombudsman is not conducting the inquiry; the department is. The Premier has engaged in this unusual arrangement to prevent an inquiry with full legal power being conducted by an independent officer. We should have an independent inquiry with full legal power, but we do not. The Premier says that the inquiry is not even necessary and it is being conducted out of the goodness of the Government's heart. I cannot accept that. When there is a conflict of interest, there must be an inquiry, and it should be conducted by the Commissioner for Public Sector Standards. We need an independent inquiry with legal power, which can make inquiries beyond Mr Gilleece's arrangements and look at the arrangements entered into by all ministerial staffers.

My final point with regard to Mr Gilleece is this: Also very disturbing about the Premier's answers yesterday is that he said that Mr Gilleece could be rehired as a consultant - at least he did not rule out that prospect. That is a very slack approach by the Premier when one considers what should be the standards in Government. It points to a weakness in arrangements for codes of conduct and codes of ethics within the public sector. Public sector employees are bound by those codes which do not seem to apply in the same way to consultants. Apparently, consultants can avoid having to work under the public sector standards and codes of ethics and conduct that apply to public sector workers. It would be outrageous were Mr Gilleece to be rehired as a consultant to this Government in any position. The Premier should have ruled that out.

That is the first issue. The next conflict of interest about which I wish to speak is the Premier's failing to provide information which he should have provided and which he promised me he would provide. Members might recall that in February this year, there was some media publicity about the share interests of Mrs Vera Novak, the assistant director general of the native title and strategic issues division of the Ministry of the Premier and Cabinet. On 18 February *The West Australian* reported -

Australian Securities and Investments Commission documents show Mrs Novak, 54, is a 25 per cent shareholder in Paramount Gold Mines Pty Ltd.

Department of Minerals and Energy records indicate the company holds shares in three mining tenements in an area of Meekatharra Shire under claim by two Aboriginal groups.

Members will recall that when the Premier was tackled on that issue, he mounted an attack on *The West Australian* by saying that *The West Australian* had failed to print answers which he had given to some of the questions he had been asked. On 19 February, an article in *The West Australian* entitled "Court defends aide on shares - *The West Australian* campaigning against me: Premier" stated -

. . . the information given was that Mrs Novak had previously declared her share interest to the Premier's Department and she did not work on claims where there could be a conflict of interest. That interest was declared in 1994. She would not be removed.

Someone with an interest in mining companies was working on native title issues when those mining interests are subject to native title claim! I believe that is a significant conflict of interest. The Premier's defence was this: "It's all right; she has declared that conflict and does not work on any matters where that conflict might be a problem". I sought to hold the Premier accountable. I put in a freedom of information request for copies of the declaration of pecuniary interests in native title issues made by any employee in the Ministry of the Premier and Cabinet. What happened was very interesting: I got back one document, dated 1 February 1998. However, the covering letter said that the document should have been dated 1 February 1999. In effect, the document was dated 1 February 1999.

That was the only declaration of interest that the Premier's department was prepared to give me. The article in *The West Australian* was published on 18 February and I believe the journalist concerned began his inquiries two or three weeks prior to publication of the article. The only declaration of pecuniary interest provided under the freedom of information legislation is therefore a declaration published at about the time the media began inquiring whether there had been a conflict of interest.

It is interesting to note that the schedule of documents includes three documents, two to which I have been denied access on the basis that there may be information in those documents which is private to a third party. I sought an internal review of the decision of the Ministry of the Premier and Cabinet and, again, access to those documents was denied.

In a question without notice in this House on Wednesday 16 June 1999, I asked the Premier if he would provide copies of the documents in which Mrs Novak declared her pecuniary interest. In response to my question the Premier said -

I do not have any such documents. I will speak to her boss in the Public Service, obtain that information and provide it to the member.

I waited a week and received no information from the Premier. I then wrote to the Premier on 23 June 1999 as follows -

Dear Premier

I refer to your answer to my question without notice 901 on Wednesday June 16, 1999.

As you may recall I asked if you would table the documents in which Vera Novak disclosed her interests. You responded that you would obtain that information and provide it to me.

It would be appreciated if you could now provide me with copies of these documents as promised in the House.

I still have no reply to that letter and I still have no access to these documents in which Vera Novak declared her interest. I have tried, through freedom of information legislation, to get these documents. I have asked the Premier in the House and received an assurance from him that he would obtain the documents and give them to me, but I still do not have the documents.

I want to know what the Premier has to hide. Why can I not get these documents? The Premier has used the alleged existence of these documents to attack *The West Australian* and to defend his department and a senior officer against allegations of conflict of interest. When asked to produce the documents, he does not come up with anything dated earlier than 1 February 1999; that is, about the time the media began undertaking inquiries into this matter. Any reasonable person would smell a rat. To defend itself against these allegations, all the Government has to do is produce declarations of pecuniary interest dated earlier than the time at which the media began its inquiries. The Government will not produce those declarations; I suspect that is because the dates will not defend its position in this matter. This was a big media event at the time it occurred and the Premier went out of his way to vigorously attack *The West Australian*. He is honour bound to honour his assurances to this House and to me to produce these documents.

**MR KOBELKE** (Nollamara) [9.33 am]: I wish to make some comments in support of the amendment which regrets to inform His Excellency that the Court Government has refused to be accountable to the public and the Parliament of Western Australia in continuing to deny access to information in a vain attempt to avoid public embarrassment. A series of speakers have outlined different instances where this Government has failed to be accountable, where it has hidden the facts and where it has run from the truth.

I will give one further example to show why this Government must be accountable and must make information available if it is not to be caught up in the smell of corruption. When there is secrecy and avoidance of accountability in presenting the facts on a matter, an atmosphere is created in which corruption can grow and become a major problem. There is always an issue of judgment in areas of discipline or prosecutions. However, if there is secrecy in government administration, it is hard to make a reasonable judgment about whether people are doing favours for mates, whether the system is running properly and, when there is a need for discipline or charges, whether those decisions are being made on the basis of the law and good administration. Without the facts, people will form their own views, which sometimes will be false, that it is a corrupt situation and mates are being looked after.

As members know, each case is different; there will be variations from one case to another about whether a matter is to be taken through to prosecution or whether disciplinary action is to be taken in the administration of a government agency. It may be inappropriate to pursue a matter through to prosecution or to take disciplinary action. However, without the facts in the public arena, how does one know that the administrative decisions being made by a Government are decisions which are properly based and sound rather than corrupt decisions? From time to time there is a public interest test in these matters. Only a year or so ago there was a major controversy involving WorkSafe about the prosecution of a farmer whose daughter had died on the farm. That debate produced a change to the prosecution policy of WorkSafe. At that stage there was no adequate policy for prosecutions and the policy was amended to introduce a public interest test. We must understand that a range of stances can be taken in different cases. Without the facts and when information is hidden, people assume that the Government has something to hide - perhaps maladministration or potentially even corruption.

I will refer the House to two different cases which have a great deal in common but were handled very differently by this Government. I will call the first one the Titelius affair, one which relates to a Mr Richard Titelius who worked in the Central Law Courts. In 1995 Mr Titelius released to Mr Ian Viner QC a copy of a restraining order against Mr Noel Crichton-Browne. The order was taken out but then withdrawn by Mr Crichton-Browne's then wife, Esther; this is common knowledge to people as it has been published in the newspapers. It was all about infighting in the Liberal Party; one group of people in the Liberal Party were out to get Crichton-Browne. Obviously, the dominant force in the Liberal Party did not wish then Senator Crichton-Browne to be attacked in such a way. It was a very public and bitter fight in the Liberal Party. Having spoken to Mr Richard Titelius recently and from what I have read in the media, all the information available to me shows that Mr Titelius was doing his job properly as a public servant. At some stage he was involved with the Liberal Party but I do not believe he was in any way a serious player in Liberal Party politics - nobody has suggested he was - and he was not part of a conspiracy to get then Senator Crichton-Browne. He was simply doing his job as a public servant working in the Central Law Courts.

However, the Government set out to get Mr Titelius. There may have been reason for superior officers in government agencies to be suspicious that Mr Titelius had acted improperly and had done something because he was caught up with the faction in the Liberal Party that was trying to get at then Senator Noel Crichton-Browne. This may have led to an initial investigation to establish whether Mr Titelius had acted improperly. However, what happened went far beyond that. Mr Titelius was hounded. He was reported to the Public Service Appeal Board, which found that he had been negligent and had committed a serious breach of discipline. It found that Mr Viner was entitled to read the document but could not have a copy of it because he was not a party to the proceedings. There was therefore an adverse disciplinary finding against Mr Titelius. Mr Titelius was clearly of the view that he had done nothing wrong; he stated that publicly and it was reported in the media. He set about trying to clear his name.

In August 1998 Mr Titelius sought from the Ministry of Justice documents relating to that disciplinary action against him, but his request was denied. Secrecy! Trying to cover up what appears to be a vendetta waged through the administration of justice to make it clear to Mr Titelius and everyone else that if they cross the ruling faction of the Liberal Party, they will pay the price. It is reasonable to draw that inference from the history of the case against Mr Titelius. He was not treated

in a fair and proper way and he was not given the documents he sought through proper process which related directly to him and the disciplinary procedures against him. In the end, Mr Titelius took action in the state Full Court. In May 1999, the Full Court of the Supreme Court cleared Mr Titelius of the disciplinary charges against him. To summarise, Chief Justice David Malcolm said that the details of the complaint and the restraining order comprised part of the court record of proceedings and were preserved for public use on a public matter; that is, the state Full Court found that Mr Titelius had done nothing wrong. However, he had been put through hell by a section of the administration of this Government because he was implicated in a minor way in this vicious infighting in the Liberal Party. That was an abuse of power in government. On the evidence I have and that which has been made public, this public servant was not implicated in the infighting in the Liberal Party. However, in doing his job properly he was made a target of retribution because he got on the wrong side of the ruling faction of the Liberal Party. He was put through the machine to ensure that he never again did anything counter to the wishes of the ruling clique in the Western Australian Government and the Liberal Party.

The second case relates to information which has clearly been made available through the media. It concerns the conduct of Dr Peter Nattrass in the recent City of Perth mayoral election. Dr Nattrass used police records which showed that one of his opponents, Mr Terry Maller, had a criminal conviction. I am not suggesting that Mr Maller does not have a criminal conviction. I have heard him admit as much on radio and it seems it was a serious conviction. However, it has become clear through the public record and the media that the information Dr Nattrass used came from a police leak; that is, a police officer - presumably one at a reasonably senior level - obtained a copy of Mr Maller's criminal record from police records and that information somehow found its way to Dr Nattrass to be used in the mayoral election campaign in the City of Perth.

Mr Johnson: Are you saying that is the Government's fault?

Mr KOBELKE: I will come to that. The point of the amendment is the secrecy of this Government. I will explain this case further and then compare it with what happened to Mr Titelius. We know from the information made public that an inquiry was held into who leaked that criminal record from the confidential police databases so it could be used for political purposes in a mayoral election in support of Dr Nattrass - clearly a person of liberal political persuasion and very close to the ruling clique in the Court Government. This information was clearly released in an improper and illegal way. An inquiry was held by the Police Service to determine who leaked the information. However, the Government and the responsible minister have not been prepared to explain why a prosecution or strong disciplinary action has not been taken against the officer or officers who clearly breached the law by providing this information to Dr Nattrass. The matter is to be covered up, it is a matter of secrecy. The official line from the Government is that the officer who has broken the law is to be counselled. I assume Mr Titelius would have sat quietly if he had been counselled and advised that the procedure he followed for handing over documents was not correct, that it should be done in a different way. However, Mr Titelius felt the full force of the disciplinary procedures available through the Administration and the law because he needed to be taught a lesson! Through Mr Titelius' proper release of court documents the ruling faction of the Liberal Party had lost the services of Noel Crichton-Browne - services it wished to retain. However, when it came to helping Dr Nattrass - a liberal candidate wanting to remain Mayor of the City of Perth - disciplinary action against a police officer who broke the law by providing a copy of a criminal record was not taken any further. That clear breach of the administration of government and the relevant laws was not pursued to the full extent of the law because it did not suit the interests of the ruling clique of the Liberal Party to do so.

Members opposite may say I am wrong and the facts are otherwise but I can only provide the facts which are currently available publicly. When the Opposition has sought information from the Government about the identity of the officer concerned and what action will be taken against him, we have been told it is a matter of secrecy and the issue will go no further. That will lead people to believe that this is a corrupt Administration. In breaching the law in similar circumstances, one person has borne the full brunt of the disciplinary processes but action against another person who has been seen to have assisted the Government's political ambition will not go any further.

Members can see from those cases the importance of the Government being open and accountable. The Government says it is open and accountable but denies it at every turn. We want the Government to open up to people and to provide answers to questions asked about serious matters. Information should be made available publicly so that people know why no further prosecution or disciplinary action is to be taken against a police officer who has broken the law. Is it because there are good grounds for not doing so or is it simply to protect the Government's political mates? That is corruption. Secrecy hides corruption; it allows it to fester and grow. Until this Government does something about being open and accountable, corruption will continue to grow in this society. Quite often this is not even of direct benefit to the Government. Many people try to take advantage of the law and break it. Others do corrupt things for their own good and not for any gain by anyone in government. If there is secrecy, they will get away with it. There will be no accountability, and therefore no pressure by the media and the public to put an end to that form of corruption. Under this Government's regime of secrecy, of trying to hide information which it feels might be embarrassing, the potential exists for corruption to become totally out of the control. It is not a point of debate today, but the secrecy in the Anti-Corruption Commission causes similar problems, and because of that we cannot see how effective the organisation is.

I support this amendment. This will be a growing issue as more and more problems of maladministration and corruption emerge that can be attributed in large part to the unwillingness of this Government to be forthright in answering questions and providing information about important issues of government administration.

**MR BOARD** (Murdoch - Minister for Works) [9.48 am]: I take this opportunity to speak against the amendment and talk about areas within my portfolios, particularly Works and Services. The Department of Contract and Management Services and the State Supply Commission have been the subject of a number of accusations in debate on this amendment. Since we have been in government, no other area has received greater attention to make our processes more accountable, open and transparent.



The community, as well as client groups, have played a role in developing the processes in which the Government goes through its contracting regime and reports back to industry and the community. Over the past three years, in particular, we have progressed an area in which the Government has developed a strong partnership with the private sector to deliver not only government services but also better infrastructure, through public works and residential development through Homeswest. It must be recognised as we go forward in a competitive and difficult area, in which the private sector continues to compete for government contracts, that there will always be winners and losers. There will always be companies which, because of the nature of the private sector, will be unhappy with the result. It is important for the Government to make sure in awarding the tenders and contracts that the companies concerned are aware of how the result was achieved. It must also make sure that the process is open and can be seen to be open, honest and accountable, not only by those competing in the tender but also the wider community.

Over the past few years I have been advised on public works by the building and construction advisory council. That council is made up of private builders, architects, consultants, and engineers. They represent those involved in the building and construction industry who compete for government tenders. In many ways they have been instrumental in changing the contracting and tendering regime, particularly in public works, and that has had a flow-on effect on other government contracts. I chair that meeting on a monthly basis, and over the past two years the council has been responsible for changing many of the ways in which the Government seeks tenders, the way in which the tenders are listed, the information provided to tenderers and to the community as a result of the tender process, and the way in which we debrief our tenderers. I cannot think of a more open and accountable process. At every opportunity, whether in industry forums or at debriefing sessions, we indicate to the companies and anybody who wants to be involved in the process that we are prepared to not only change our process, but also make it as transparent as possible, depending on the requirements of that industry.

With regard to public works, Western Australia is the only State in Australia which not only lists all its contracts, tenders and tender prices quoted, but also indicates publicly who won the tender and at what price. Recently the Government has been accused, in both the media and this House, of favouring certain companies, because in some instances companies have won contracts when they have not submitted the lowest tender. Pain is associated with making decisions which give value for money to the community, because value for money decisions based on the long-term value of the contract are often difficult and price is not always the critical factor. The long-term maintenance of the contract and the quality of the performance of the work are taken into consideration. Local employment needs and issues relating to subcontracting and the like are taken into account when awarding contracts. Sometimes, but not often, there are indications that the lowest tenderer has not been awarded a contract. The Government stands behind those decisions and is prepared to explain how they were reached, the weighting given to various factors and the basis on which the process was conducted.

The bulletin board, which is a direct result of the Commission on Government recommendations and the Government's wanting to make sure all contracting and tendering is open, has been developed progressively since 1998 as a mechanism for providing suppliers with direct access to the latest information on current public sector tenders and awarded contracts. No other States have that process. The threshold for advertising tenders is \$50 000, and for publishing contract awards it is \$20 000. I also advise that the Department of Contract and Management Services publishes details of contracts with a value as low as \$5 000. At present the system is used by 93 government agencies. There are 7 500 registered suppliers who are able to download tender documents from the Internet. To date there are details on more than 3 000 contracts; 78 are currently out for tender and 2 980 were recently awarded or archived. The site attracts up to 2 000 inquiries a day, such is the nature of the interest in government contracting and competition for government work. Not only does the department openly give an indication of the terms of its contracts through the electronic media, but also every time there is a major shift within my portfolio, a major contract is awarded or a government asset is sold - this has been the subject of some criticism in this House - ministerial statements are made about what is happening and why the Government feels that such a move is to the benefit of the community.

The State Supply Commission has also been mentioned in this debate. I remind members opposite that the State Supply Commission is an independent body; it is not controlled by the Government. It acts under its own legislation in delivering better policies for the purchase of goods and services within government and ensuring compliance by government agencies with State Supply Commission policy. The Act under which the commission operates has recently been reviewed, and that review has been conducted in a very efficient and completely independent manner by the Crown Solicitor. I have tabled a review of the Act and a ministerial committee has been established, under the chairmanship of the member for Geraldton. The members of that committee have a great deal of knowledge about contracting and tendering in Western Australia, and they will advise the Government on the recommendations in that review.

On a monthly basis the relevant agencies meet with officials from within and outside government to make sure all their processes are open and accountable. As the Premier indicated earlier, the agencies work within the freedom of information legislation - which this Government enacted, even though it was drafted by the previous Labor Government. The Government has worked with that legislation and to some degree the agencies welcome requests under that legislation. As minister responsible for an area which often has highlighted the difficulties in competition, particularly in major contracts, I am very proud that the agencies in Western Australia provide as much information as they do. WA is the only State that provides information to that extent. We are moving to a situation in which the bulk of the work will be conducted over the Internet, which will make it an extremely accountable process for payments and for competitive tenderers to see who wins contracts and the amounts of money involved.

Mr Kobelke: I do not believe you because I have complaints from contractors about the problems you are skirting over.

Mr BOARD: I am not skirting over them.

Mr Kobelke: You are. There was more openness before the new scheme.

Mr BOARD: Whenever we receive complaints, we deal with them. Bearing in mind the hundreds of thousands of contracts awarded every year in Western Australia, very few complaints are made in real terms.

Difficulties arise in a competitive environment when tenderers miss out on a contract when they felt they might win it. Grievance and debriefing processes are in place, and panel contracts make the process more open, cheaper and more accessible to companies.

To give members opposite an example of work being undertaken, Western Australia has more A class builders than ever before; I refer to companies able to meet the benchmark to undertake high-level government work. In fact, 23 builders are able to construct buildings of over \$5m value. The industry has accepted that the Government will deal with only six tenderers so that extreme costs are not added in a competitive environment. However, difficulties have arisen with that process: It is difficult to narrow down the field to six companies when 10 to 13 builders can meet the benchmark on any project. The industry, through the Master Builders Association, the Civil Contractors Federation and various building and construction industry advisory councils, is considering the matter in an endeavour to produce a process which is open and fair to all. I will not make that decision independently, as it will be based on industry expectations and requirements. That process is to be undertaken in all tendering arrangements, which are to be driven by customers and the community and are to be open for all to see.

The Government is proud of the progress made in my portfolios, although we have further to go. As a result of the State Supply Commission's review, we are considering how to continue to provide the opportunity for unsuccessful tenderers to lodge complaints to an independent board to ensure the supervision of compliance with government policy.

The Government opposes the amendment. More accountability and transparency exists in government contracting than was the case in the past. Further progress will be made as the industry demands.

**MRS ROBERTS** (Midland) [10.03 am]: Since the establishment of the Anti-Corruption Commission, and the Official Corruption Commission before it, the Opposition has voiced concerns about the organisation's secrecy. The ACC has become almost a secret police force in this State. It conducts its inquiries in secret. Once complaints are made to the ACC, investigations appear to enter a black hole. We are not advised of matters which go before the ACC, which is appropriate in some cases; nevertheless, we are often none the wiser at the conclusion of investigations and this has done nothing to restore confidence in our Police Service or public officials. Also, the ACC has not been very satisfactory in its accountability.

I raise today the leaking of the criminal record of Mr Terry Maller, who was a candidate for the Perth City Council election earlier this year. This saga has received considerable media coverage. I refer to its current status. The public was advised in *The West Australian* on 29 July this year that a leaked record had resulted in an officer of the Police Service receiving a "Knuckle Rap", as the headline outlined. The article read -

Police and watchdog refuse to talk about the investigation.

A police officer has been disciplined after a top-level investigation revealed he gained access to a police computer to get details of a City of Perth election candidate's criminal record.

The officer gained access to the criminal record of Terry Maller and passed the information to another person.

To gain access to someone's criminal record and to leak it to someone else is a very serious act in itself. However, this information was used for a political purpose. It was leaked at a time which jeopardised Mr Maller's prospects of gaining election to the Perth City Council, so politics was involved. Allegedly, the information was leaked to Lord Mayor Peter Nattrass, who was up for re-election at the time. I note that the Lord Mayor was associated with a team of candidates for the council which did not include Mr Maller. The article continues -

Mr Maller lodged a complaint with police internal investigations in February but police referred the matter to the Anti-Corruption Commission.

The elections were in May, and Mr Maller presumed that he made the complaint in plenty of time for the inquiry to be undertaken and completed and for the matter to be clarified before the election. That was Mr Maller's earnest belief for some time. Nevertheless, it turned out not to be the case. Any conclusion was not reached until well after the Perth City Council elections. The article continued -

He believed details of his record had been leaked when Lord Mayor Peter Nattrass told a council meeting he would not support a candidate who had a significant criminal record.

Dr Nattrass also said on radio 6PR that he knew about Mr Maller's criminal record because "it appeared on my desk". He later denied that he had seen it.

*The West Australian* understands that the commission, which interviewed Dr Nattrass and at least one councillor, forwarded the results of its investigation to former police commissioner Bob Falconer.

But instead of being charged, the officer got formal counselling with a record of that action put on his personal file.

Now, even though the inquiry is over, neither police nor the corruption watchdog will talk about it.

The commission will not even confirm that it has done an investigation. The police media manager, Insp. Alf

Fordham, has refused to answer questions saying: "The WA Police Service has no comment to make on these issues."

Mr Maller claims the outcome of the investigation has raised more questions than it has answered but that he is constrained in what he can say because he is bound by the commission's strict secrecy provisions.

"I am disappointed because Assistant Commissioner (professional standards) Jack Mackaay promised me if there was sufficient evidence that my record had been unlawfully accessed then the officer would be charged, regardless of his seniority," he said. "This has not occurred."

Mr Mackaay wrote to Mr Maller yesterday telling him it was up to the "external agency to determine what information it will release to you".

I may refer to the article further later. It is interesting to note the role of the ACC. It seems that since Mr Maller lodged his complaint with internal investigations in February, many people assumed that the police were conducting an inquiry into this matter. That was certainly the impression the Police Service first gave. An article in *The West Australian* of Thursday, 25 March 1999 by Torrance Mendez stated -

Police professional standards officers refused to discuss the inquiry for fear of jeopardising it, but confirmed the investigation was continuing.

It was not until a much later point that the Police Service claimed it had not conducted an inquiry, but had immediately passed it on to the ACC. I am not sure whether that is the case. We are none the wiser because the Police Service will not comment, the minister will not comment and the previous commissioner and the acting commissioner also have not commented. It must be made clear whether the internal investigations unit, or any other unit within the Police Service, conducted any form of investigation before referring this matter to the Anti-Corruption Commission. On the basis of what we have read in the media, it now seems that the ACC has completed an inquiry which has resulted in a police officer receiving some disciplinary action. Mr Maller claims that he cannot talk about a lot of the matters because they have been the subject of the ACC inquiry. The Police Service is also using the same veil of secrecy.

This is a cover-up of a very serious issue. As we have found out and as the Supreme Court pointed out to the ACC, the role of the ACC in this matter is to investigate matters, not to come to conclusions or to lay charges. Presumably the ACC investigated this matter, and to the best of my knowledge that has occurred. As a result of that investigation, I assume it has compiled a report of some kind. We are led to believe by what has been reported in the media that the report was then passed to Commissioner Bob Falconer. It seems that, from the way the Government is currently operating and the legislation which is guiding the ACC, the decision on what to do with that report is solely the choice of the Commissioner of Police. He alone can choose whether to close the book on the investigation, irrespective of the ACC's findings or what is contained in its investigation report. The commissioner could, as he has chosen to in this instance, decide on some form of disciplinary action; yet the public are not to know exactly what that disciplinary action is other than the fact that it has been recorded on the officer's personal file. The commissioner can also choose to proceed with charges in certain instances. The only alternative is that perhaps the ACC could furnish a copy of its report to the Director of Public Prosecutions if it felt that it may be of interest to him and that he may wish to take some action.

As a result of an investigation conducted by the Anti-Corruption Commission, the decision on what will happen to someone who has been the subject of an investigation rests with one person - the Commissioner of Police. As I have pointed out, that covers a wide range of possible penalties, ranging from nothing to charges being pursued or standing down an officer, as the commissioner has done previously. That is highly unsatisfactory. We must also look at this matter from the point of view of someone who raises a concern with the police or with the Anti-Corruption Commission, as Mr Maller has done. Mr Maller has been unfairly treated in this matter. His criminal record was exposed during an election campaign and used for political purposes. The fact that Mr Maller had a criminal record was not new knowledge and he had owned up to that publicly on many occasions. However, it has come to light that his record was passed to someone and, directly or indirectly, it then made its way to the desk of the Lord Mayor. When we look at the various reports and the comments of the parties involved, we see there are many unanswered questions. I will highlight part of that: Early on in the matter, on 25 February, Lord Mayor Dr Peter Natrass had an interview with radio 6PR's host Harvey Deegan. His answers to questions conflict with a letter he subsequently sent to a number of people, including Mr Maller. Those questions and answers, as reported in *The West Australian*, state -

**Q. Were you aware of Mr Maller's record on Tuesday night when that council meeting was held?** Yes.

**Q. How did you come to know of the record?** That's a good question. It appeared on my desk, so obviously it was causing concern.

**Q. It appeared on your desk. What, just magically out of nowhere?** A. Harvey, obviously it's of concern to someone because they felt it was appropriate to let me know.

**Q. Well, don't you know who that person was?** I have no idea.

**Q. So how do you know that it's genuine then?** A. Harvey, let me say this. I believe that talkback shows such as yours would be the very first to criticise if we didn't do everything possible to guard against a repeat of some of the activities that led to the Wanneroo Inc inquiry. Local government does not need that and certainly our wonderful City of Perth does not need that.

**Q. Why don't we let the voters of the City of Perth decide that? Maybe you're right, maybe you're dead**

**right, 100 per cent right, but maybe you're not as well.** I said that right at the beginning. It's not for me to judge. It's for the electors to judge. But the electors must know the facts.

Mr Bloffwitch: From where did he get the information?

Mrs ROBERTS: That is a good question. All we know from the 6PR interview is that details of Mr Maller's record magically appeared on the Lord Mayor's desk. We know subsequently that an officer of the Police Service has been reprimanded to some degree over the leaking of Mr Maller's record.

Mr Bloffwitch: The police officers are really to blame for giving it to him.

Mrs ROBERTS: There are a number of concerns, one of which relates to the police officer. We do not know the details of the inquiry. All we know is that a police officer accessed Mr Maller's criminal record and that somehow details of that appeared on Dr Nattrass' desk. Everything in between is clouded. It arrived on Dr Nattrass' desk during the campaign for the Perth City Council elections. The timing of it is more than coincidental, so it was being used for a political purpose in that sense. It seems that there is a cover-up of the identity of this person, what exactly he provided to someone else and how it appeared on Dr Nattrass' desk. In this instance and in other instances we have a complete cover-up, and the public is none the wiser as to how any of this happened. I have a list of questions which Mr Maller wanted answered.

Mr Bloffwitch: Did he refer this to the Anti-Corruption Commission?

Mrs ROBERTS: I am not sure whether Mr Maller directly referred it to the Anti-Corruption Commission. He made a complaint to the police and the police have said that they referred it to the Anti-Corruption Commission. The questions that the police are refusing to answer as listed in *The West Australian* on 29 July state -

What is the name, or rank, of the police officer who accessed Terry Maller's criminal record? What date was the file accessed?

That is important. It continues -

Was the officer acting on behalf of someone outside the police? What action has been taken against that person?

Who, outside the police, did the officer speak to about Mr Maller's record? Did he also obtain a printed copy of it?

Given that Mr Maller had admitted in several media interviews that he had a criminal record and had served time in jail - without giving specific details - why did the officer want his file?

Why was the officer counselled and not charged? Who made that decision?

That last part has been largely answered. We know that the person who made the decision was the former Commissioner of Police, Mr Falconer. The current acting commissioner, the Police minister and others are now saying it was the previous Police Commissioner's decision; no further correspondence will be entered into. That is not good enough if the Government is interested in being accountable, and if people like Mr Maller can hope to receive some form of justice. The role of the lord mayor in this matter must be given further consideration to determine whether the officer involved decided off his own bat to provide this information to Dr Nattrass or whether Dr Nattrass sought this information. It does not do anyone much good to have these kinds of questions remain with regard to this issue, least of all Dr Nattrass, who should have the matter cleared up once and for all. A lot of rumours are going around within the Police Service, and outside it, about who this officer may be and about the seniority of this officer, yet the officer about whom people are talking and speculating may not have been reprimanded at all and may have no case to answer; the officer involved may be another person in the system.

This is not an appropriate way of dealing with matters such as this and of providing accountability in this State. Serious allegations have been raised, and we are led to believe from reports in February that if it were true that a person's record had been accessed and passed on to another person, it would result in charges being laid, yet it suddenly appears that the matter has been swept under the carpet, a person within the Police Service has received some form of reprimand, and the public, Mr Maller, and everyone else are none the wiser about what is happening. We are also none the wiser about whether the Police Service or the Anti-Corruption Commission investigated the role of other persons with regard to this matter, because persons other than a particular police officer and Dr Nattrass may have been involved and have some form of case to answer. The Anti-Corruption Commission, the Police minister and the Commissioner of Police should not continue to hide behind this veil of secrecy. The Government should look seriously at this matter. The Premier is the minister responsible, and he should take some action.

**MR OSBORNE** (Bunbury) [10.22 am]: I wish to place a few remarks on the record, because the Opposition has been speaking to this amendment for several hours and has presented a picture of a Government that is totally unprepared to be accountable to the people of Western Australia and the Parliament. That is a complete misrepresentation of the history of this Government and the facts in this State at the moment. When my good friend the member for Girrawheen moved this amendment last night, I listened to it with interest and thought that in the excitement of moving the amendment - in fact, he almost missed his opportunity to move the amendment - he had misread it. The amendment is curious, because it does not refer to a specific matter in the Governor's speech but rather is a catch-all amendment that gives the Opposition the opportunity to traverse a range of issues that have no direct relevance to the Governor's address to this Parliament.

This Government is the first Government in this State to operate under freedom of information legislation. Members opposite have from time to time waved with glee particular documents that have small amounts of information on them as if that were a demonstration of the Government's total unpreparedness to operate under the Freedom of Information Act, without acknowledging the reality that this Government is the first to operate in this State under a Freedom of Information

Act, and that while that Act may not be perfect in the eyes of the Opposition, it is a significant step forward in this State with regard to accountability and access to information by members of the public and members of Parliament. However, like any Act of Parliament, certain restrictions must be placed on the information that is made available, and that explains why information is deleted from documents in certain instances. The legislation sets out the reasons for that deletion of information. That is not a significant shortcoming in the legislation. The Freedom of Information Act contains commonsense provisions to protect information that is personal and is not appropriate to be revealed publicly. The Freedom of Information Act is a significant Act of Parliament and a significant step forward in providing accountability to the people of Western Australia.

The amendment moved by the Opposition, which states that the Government is continuing to deny access to information in a vain attempt to avoid public embarrassment, is open to considerable debate and would be rejected by any fair-minded observer of the situation in Western Australia.

Mr Marlborough: It is not open to much debate, is it, under the Freedom of Information Act?

Mr OSBORNE: I am debating it now.

Mr Marlborough: The facts are clear.

Mr OSBORNE: The fact is that the Opposition never operated under freedom of information legislation; and I do not say that as a criticism of the Labor Government; it is just the way things were in those days. This Government has taken a significant step forward in introducing that legislation. We now operate under its terms, and while admittedly on some occasions people express dissatisfaction about the amount and quality of the information that is available, under this legislation there has been a vast increase in the amount and quality of information that is available to the people of Western Australia.

I will talk also about some of the accountability reforms to the functions of the Legislative Assembly that have been introduced by this Government. When I first came into this Parliament, the level of accountability that we had inherited from previous administrations, including administrations from this side of politics, was nowhere near as good as it is today. A number of reforms have been made, from which we have all benefited, many of which stemmed from the establishment of the Select Committee on Procedure, which was chaired by the then Chairman of Committees, the member for Scarborough, who is now our Speaker. Many changes have been introduced into the standing orders of this Parliament to improve the level of information and the level of accountability of the Parliament to members and, through members, to the people whom they represent. In the past couple of years we have introduced -

Several members interjected.

The ACTING SPEAKER (Ms McHale): Order, members! The member for Bunbury is obviously not taking interjections.

Mr OSBORNE: I confirm your observation, Madam Acting Speaker. I wish to make some quick comments and to get some facts on the record, and I have no intention of taking interjections and seek your protection in that respect. The Government has also introduced, as I was saying before I was drowned out, the idea of supplementary questions. That has improved the conduct of question time and gives the Opposition essentially a second bite of the cherry and an opportunity to ask twice as many questions as members on this side of the House. We do not complain about that. It is a worthwhile innovation which improves the ability of members opposite to examine the activities of the Government and thereby provide better information to the people whom they represent. We have increased the number of sitting days that the Legislative Council sits. I know that backbench members are very appreciative of the opportunity to make 90-second statements. That gives six backbenchers every week an opportunity to come into this place and present information to the House. That opportunity did not exist.

Grievance debates are now conducted once a week. When I first came into this Parliament grievance debates were conducted once a fortnight. Again that is a doubling of opportunities for backbenchers and members from both sides of the House to request information of the Government and also therefore to improve the level of accountability of the Government to the people of Western Australia. Another important matter is that we now have a provision in our standing orders for members of the public who are named in the House to have the opportunity to seek redress and have their point of view recorded in *Hansard*. That is an important advance in accountability.

I want briefly to talk about the level of budget accountability. This Government has made significant reforms in the presentation of financial information to the Parliament. Once again we have a situation where members opposite are routinely not satisfied with the level and quality of information. I would argue that a fair observer would conclude that the Government makes better and more timely information available to the Parliament and to the people of Western Australia. Members will remember that we introduced the innovation of bringing our budget period into line with the financial year. That makes for a pre-June budget. It brought some difficulties to the House because in the first year it was introduced we had a very difficult situation, probably more difficult for the Treasury than for the House, because we had to have two budgets in pretty quick succession. That put a fair amount of pressure on the system but the great benefit was that the Parliament's budget was in line with the financial year of the business world. Government finances were then able to be reasonably compared with what was happening in the Western Australian economy as a whole.

Our budget papers these days present four-year forward estimates. These statements are based on Australian accounting standards. Those are important changes in improving the quality and the amount of information available in the budget papers. An issue which members opposite have always raised - it is a fair matter to raise because it does bring some concerns - is that budget papers have changed regularly over the years. As we have introduced reforms and changed

accounting standards and tried to improve the quantity and quality of information that is available, changes have been made to the presentation of the budget papers. In defence of what the Government has done I must say that members opposite cannot have it both ways. They can either have full comparability between the budget papers for this year and previous years and have budget papers which therefore, by definition, are unchanging or they can have budget papers which evolve and improve but which have the down side that the ability to compare them to papers of previous years will be negatively affected. On balance the practice of updating, changing and evolving budget papers, although it leads to some difficulties with comparisons with previous budget years, is a worthwhile change that the Government has made in improving the accountability levels to the people of Western Australia.

I want to make some remarks with regard to the public sector. I intended to speak for only 10 minutes. The Government has introduced a number of significant reforms in the public sector; for example, the public sector code of ethics. We have established the office of the Commissioner for Public Sector Standards. Unlike practices the public sector in the 1970s and 1980s, there have been a great many improvements in the appointment of staff, the preparation of budgets and financial responsibility. As well as those three instances that I mentioned, we operate under a Freedom of Information Act, which has not been necessary for any Government before us. Although some claim it is an imperfect system, it is a system that has vastly improved on what went before with regard to the financial accountability of the Government to this Parliament and through this Parliament to the people of Western Australia. There has also been the evolution of, and the changes we have made to, the standing orders of the Chamber, allowing backbenchers and members on the other side of the House a greater opportunity to scrutinise the activities of government. The claim in the Opposition's amendment that this Government refuses to provide information to the people of Western Australia and refuses to be accountable, cannot possibly be supported.

Amendment put and a division taken with the following result -

Ayes (15)

Ms Anwyl  
Mr Brown  
Mr Carpenter  
Dr Edwards

Dr Gallop  
Mr Graham  
Mr Grill  
Mr Kobelke

Ms MacTiernan  
Mr Marlborough  
Mr McGinty  
Mr Ripper

Mrs Roberts  
Ms Warnock  
Mr Cunningham (*Teller*)

Noes (31)

Mr Ainsworth  
Mr Baker  
Mr Barnett  
Mr Barron-Sullivan  
Mr Bloffwitch  
Mr Board  
Dr Constable  
Mr Court

Mr Cowan  
Mr Day  
Mrs Edwardes  
Dr Hames  
Mrs Hodson-Thomas  
Mr House  
Mr Johnson  
Mr Kierath

Mr MacLean  
Mr Marshall  
Mr Masters  
Mr McNee  
Mr Minson  
Mr Nicholls  
Mrs Parker  
Mr Pental

Mr Shave  
Mr Sweetman  
Mr Trenorden  
Dr Turnbull  
Mrs van de Klashorst  
Mr Wiese  
Mr Osborne (*Teller*)

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Pairs

Mr Riebeling  
Mr Thomas  
Mr McGowan

Mr Omodei  
Mr Prince  
Mr Tubby

Amendment thus negatived.

*Debate(on motion) Resumed*

**MR GRILL** (Eyre) [10.39 am]: In this Address-in-Reply debate I want to address an issue which is of considerable concern to people in the eastern goldfields; that is, the future of the Western Australian School of Mines as part of the Curtin University of Technology. It is the perception in the eastern goldfields that the Western Australian School of Mines is under some threat. That is not new; it has some history. Nevertheless, there is a belief that something of a crisis is developing in respect of the School of Mines and that a large part of its function could be transferred from the Kalgoorlie-Boulder campus to the Bentley campus of Curtin University in Perth and that such a transfer of function is unnecessary and counterproductive.

I do not pretend to this House that this matter is not without some complexity. I will therefore give some background to it. The eastern goldfields area is supported principally by the mining industry which is made up of the exploration industry, something that is not always appreciated by the general public; the extraction industry; the mining industry itself; and the refining industry. We have more than one refiner in the eastern goldfields. Until recently, the WMC Resources Ltd nickel refinery, south of Boulder was the only refinery. However, other nickel refiners are now operating in the area. The area relies on gold and nickel. In the past copper, limestone and other lesser minerals were mined. However, it is principally a nickel and goldmining province.

The second most important employer that is in a wealth-creating industry is the education industry.

Mr Pental: What is?

Mr GRILL: The education industry. I suppose some service industries, such as health, and the retail sector rival education.

However, over the years we in the eastern goldfields have had a very healthy tertiary education centre, albeit in various forms. The name of that institution is the Curtin University of Higher Education Kalgoorlie Campus. It has a vocational training education centre and the WA School of Mines. My remarks will concentrate on the WA School of Mines because, historically, that institution has existed in the eastern goldfields since 1902; it is almost 100 years old. There are few educational institutions in Western Australia, if any, that have a history that long. I do not know of any tertiary educational institution in this State that has provided that length of service to the public.

It has a very good worldwide reputation. It is well known in the United States, Britain and other parts of Europe, Asia and Africa for its ability to turn out high quality mining engineers, metallurgists and geologists. In my view and in the view of many other people, the WA School of Mines has been, and remains, the best mining education centre in Australia. I can say that with some degree of certainty because of the way in which graduates from that institution are received by the mining industry generally throughout Western Australia and Australia.

The industry in a sense votes with its feet when it comes to measuring up the various institutions. When they assess graduates that come from the WA School of Mines with qualifications in mining engineering, metallurgy and mining geology - I make a distinction between mining geology and other types of geology - the graduates are snapped up by industry almost before they graduate and in many instances well before they graduate. Graduates that come out of the WA School of Mines Kalgoorlie-Boulder Campus are assured of job prospects. Very few institutions of a tertiary educational nature in Australia can boast that success.

Why are these graduates preferred by industry in Western Australia and elsewhere? The reasons were exemplified in a rally held by the students of the school in Kalgoorlie-Boulder at 7 o'clock on Monday in the graduates' hall of the School of Mines. It was held because of the concern to which I referred earlier about the future of parts of the institution's function. It was called by the students and attended by my colleague, Megan Anwyl; persons such as the ex Mayor of Kalgoorlie, Ray Finlayson, who spoke at the meeting; Professor Eric Grimsby, the Director of the School of Mines; Professor David Spotterswood; the director of the campus in Kalgoorlie-Boulder; my old friend and colleague, Graeme Campbell, a former member for Kalgoorlie; and people of that ilk. Most of those people spoke at the meeting.

It was the speeches made by the undergraduates that impressed me. They were articulate and to the point and they spoke eloquently about the superior education that they received at the WA School of Mines Kalgoorlie-Boulder Campus. They said that campus was a far better study environment than the environment they had encountered in Perth. Most students who spoke, although undergraduates in one degree, had degrees and qualifications from other universities and were able to make those comparisons. They said that the School of Mines was a better and more focused mining education institution; its tuition was far better focused; they had early access to the mining industry, which is not available while studying at most other mining institutions because they are in capital cities; and they were educated in a mining environment. A further important advantage to the Kalgoorlie-Boulder students is that there is plentiful vacation and part-time employment. There is certainly a more practical approach to mining education. Employers of mining graduates - I have spoken to many - will relate much the same list of benefits to graduates who come out of the WA School of Mines as the undergraduates.

I will give a small history of the perception of crisis that appears to be facing the School of Mines at present. Three or four years ago the Chamber of Minerals and Energy in Western Australia became interested, as it should be, in mining education in this State. At that time in Australia several institutions focused on mining education, and the situation has not changed very much in the last three or four years. At that time the premier institution in terms of numbers and quality of graduates was the WA School of Mines. However, the University of Queensland had a strong mining department and a strong mining engineering program, as did the University of New South Wales. I suppose one could say they were the big three. However, to a lesser degree and of somewhat lesser relevance was the University of Adelaide, which turned out about 15 or 20 mining engineering graduates per annum. In total, those institutions produced between 120 and 150 mining engineering graduates - on average, about 120 - per annum.

In metallurgy, which is the second main discipline at these mining education schools, we had a number of players. Once again one of the leading players, if not the leading player, was the WA School of Mines, with a four-year degree course. It turned out about 15 graduates per annum. However, in Western Australia there was a competitor, which was Murdoch University, which has a mineral science degree. It is only a three-year degree; nonetheless it is something of a competitor. Queensland has a strong program turning out about five students a year. New South Wales has a program turning out about 10 students a year.

The problem that has manifested itself on the horizon is that the University of Western Australia, a well-supported institution financially - my alma mater and the alma mater of many people in this House - decided that it would enter the field of mining education. It did not call it mining education, but two years ago it indicated that a degree in resource engineering would be offered. The people who have fostered that course at the University of Western Australia have denied that it is a mining engineering course. However, there are strands within that resource engineering course which set up a mining engineering discipline and a mining engineering course. Although the University of Western Australia denies it, many of the students who have taken up that course believe that when they pass through the course and finish their degree they will have a degree in mining engineering. Many of the pamphlets and other promotional material put forward by the University of Western Australia promote the course on that basis.

Just a few minutes ago I spoke about the Chamber of Minerals and Energy of Western Australia. The Chamber of Minerals and Energy, quite properly, three or four years ago indicated that it wanted to take a much greater interest in the quality and number of graduates coming out of institutions in Western Australia particularly, and in Australia generally. Dick Carter from The Broken Hill Proprietary Co Ltd, who is well known to many people in the House as a leading light within the

Chamber of Minerals and Energy, fostered a report on the state of mining education in Western Australia.

I will summarise the report in general terms. It said, first, that not enough specialist graduates were coming through; secondly, in some respects there was dissatisfaction with the quality of those graduates; and, thirdly, the mining education schools were not accessing the top tertiary entrance examination graduates who were coming through the high schools. I must admit, although it was not stated in direct terms, that there was an implied criticism of the WA School of Mines in all of those respects. That tended to open the door at that time to this foray by the University of Western Australia into mining education through the resource engineering degree that it is now operating.

The implication of the report was that the WA School of Mines should move its regional campus from Kalgoorlie-Boulder to Bentley and, if that were done, many of the problems that were enumerated in the report by the Chamber of Minerals and Energy would be overcome. However, that was strongly resisted by the professional staff at the WA School of Mines. As a body, it is the only professional group that is involved specifically in mining education in Western Australia. It said that it did not want to move to Perth. It did not think it would help mining education if mining education was taken away from a mining environment.

Dick Carter, who was properly concerned about this matter, moved on and took up a position in Melbourne to run, I think, BHP Minerals. At that time he became chairman of the Minerals Council of Australia. He virtually took this project with him. As a result, the Minerals Council of Australia produced a further report which was entitled "Back from the Brink". That report embellished the Chamber of Minerals and Energy's report from Western Australia and came up with much the same concerns and considerations as the former report had mentioned. "Back from the Brink" was publicised in February 1998. Once again we saw many of the same concerns, such as not enough specialised mining and metallurgy graduates and graduates not being of sufficient quality. The report said that the academic structure in Australia and Western Australia was not sufficient to produce that type of graduate. However, it went a bit further, and there was a positive side to the report, which was that the authors felt that the industry needed to get closer to the academic institutions and provide them with advice and cooperative support in presenting mining education. The implication within the report was that the industry should provide funding over and above that which was supplied from government sources and from other university sources.

As a result of that, the Minerals Council of Australia called for submissions for mining education courses from academic institutions around Australia. The implication was that the Minerals Council would endeavour to find substantial funding from the minerals industry to foster the types of courses that it thought were applicable. To help with that, the Minerals Council of Australia set up the national tertiary education task force, and that task force operates today. Initially it called for cooperative submissions from the academic institutions, and an informal concept of a western and eastern node to mining education in Australia was put forward.

The State Government in Western Australia responded to that, and I congratulate the current Minister for Education on coming to the party with \$1m which he put into a Resource Institute of Western Australia. He oversaw the setting up of that institute under the chairmanship of Malcolm Richmond, a well-known mining figure, to endeavour to rationalise mining education in Western Australia and to place mining education in those academic institutions in Western Australia. The minister has just come into the House and he will correct me if I am wrong about this.

Mr Barnett: I heard that you complimented me. You can withdraw it now.

Mr GRILL: I do not want to withdraw the compliment if I am correct. I understand that the primary aim of the Resources Institute of Western Australia is to rationalise mining education, to raise its standard and to bring about a cooperative approach between mining education institutions, and the minister has allocated \$1m to promote that process.

An informal concept of a western and eastern node was suggested. It has not been fully followed through, but it is being discussed and it is in the minds of many people involved in the Minerals Council.

Mr Barnett: The approach is development within Western Australia in a manner complementary to what happens elsewhere. We want to ensure that we are not being held back by the eastern node.

Mr GRILL: At least the Resources Institute of Western Australia gave the University of Western Australia, the WA School of Mines and Murdoch University the opportunity to cooperate in mining education. I congratulate the minister on the choice of chairperson - Malcolm Richmond is a fine choice.

Mr Barnett: It still has a way to go, but it is progressing.

Mr GRILL: I understand that of late the task force to which I have already referred has tended to move away from an initial view - namely, that there should be consortia of mining education institutions - to a national focus on disciplines. The major disciplines are mining engineering, metallurgy and earth sciences, which includes geology, geoscience and so on.

The Minerals Council's view is that its role is to foster excellence in mining education. I understand that on 23 September it will be considering propositions put forward by the various institutions. As I said, it has moved away from the consortia concept and is considering proposals from the various institutions based on a "disciplines" approach. I also understand that the Resources Institute of Western Australia's role is to coordinate the proposals put forward by the various institutions of this State. I largely support that concept. We must have rationalisation in Western Australia and cooperation between the various institutes.

I also like to believe that some of the initial critics of elements of the courses run by the WA School of Mines have modified their criticism; they are now far less damning of the courses being offered and the graduates than they were three or four years ago. I will write to the minister today, supported by my colleague the member for Kalgoorlie, pointing out that the



initial concept put forward by him and others in respect of the Resources Institute of Western Australia was correct. There should not be wasteful duplication of competitive courses in Western Australia. The minister was correct in promoting a cooperative approach, and we hope that he will follow through on that.

We can see casualties in this area. I have not mentioned Ballarat School of Mines, but 100 years ago it ranked with the WA School of Mines as one of the two premier mining institutes in Australia. It is clear that the WA School of Mines has prospered and that the Ballarat School of Mines has fallen by the wayside. It is no longer a relevant institution in the big game, although it can play a subsidiary role. I do not want that sidelining of a regional institution in Western Australia.

My colleague and I support the minister's initial intentions. He gave me clear undertakings in that respect, and I believe that he has followed through on them. He told me informally that he would endeavour to ensure a cooperative approach in Western Australia and, as a result, there would not be a lessening of the role of the WA School of Mines.

Mr Barnett: Perhaps it has a changing role. I certainly see an opportunity for the more "practical" elements of mining education. The WA School of Mines might provide courses at all institutions and they might all have a Kalgoorlie component in their courses.

Mr GRILL: The WA School of Mines has already made changes; it has modified its programs and its structures. It has also modified its approach to recruiting and made very considerable changes in respect of cooperation with other institutions. It has focused on an approach that would allow the professional courses - that is, the third and fourth years of courses - to be conducted at the Kalgoorlie campus. The first and second years of the courses can be conducted at the Kalgoorlie campus, the Bentley campus, the University of Western Australia or Murdoch University. It has also amended its first and second-year courses to focus more on basic sciences, which will be more in line with the practice at the other institutions. That would allow students from the University of Western Australia, Murdoch University or other institutions to do two years of basic science at those institutions and then to do their practical and professional courses in Western Australia.

In that sense, the hierarchies of the WA School of Mines and Curtin University have indicated that they would like first and second-year courses to be run at the Bentley campus. They have not closed off the option of their being run at Kalgoorlie-Boulder, but a threshold of students must be established. That issue has concerned the people of Kalgoorlie-Boulder. Concerted attempts have been made in the past by the hierarchy at Bentley and - although I do not like to admit it, but it is true - a past dean of the school and, more recently, senior lecturers at the school to transfer the campus at Kalgoorlie-Boulder to Bentley.

Mr Barnett: I can remember the issue when I was a very junior tutor at Curtin University in the late 1970s. It is history being revisited again and again.

Mr GRILL: I am relying on memory, too. I know the personalities and their views, both in the past and more recently. I will not mention names, but frankly they were out of order. Action by their colleagues saw them moved on. By and large, Curtin University staff take the view that there should be professional courses in mining engineering, metallurgy and geology in a mining environment. Good luck to them.

Investment in the School of Mines over the years has been extensive. Those putting forward these new concepts are not tainted by what has happened in the past. They do not have a view that the school should be moved to the Bentley campus. Unfortunately, if we were to do a blueprint for the piecemeal removal of the campus from Kalgoorlie to Bentley, we would probably come up with this model. A model that on the one hand supports an enhanced School of Mines at Kalgoorlie-Boulder is also a model for the piecemeal removal of that campus to Bentley. That is of considerable concern. Given the history of the matter, people are very worried.

The crux of the argument I put to the minister today is simply this: The courses being fostered by the University of Western Australia without a full complement of professional mining, engineering and metallurgy staff are wasteful and not cooperative. They are competitive courses and completely unnecessary. We do not need to duplicate these sorts of courses at this time, especially given the amendment that the School of Mines has made to its course. Finally in the Address-in-Reply -

The ACTING SPEAKER (Mr Barron-Sullivan): As there is no opportunity for an extension of time, I ask the member to conclude his comments very rapidly.

#### *Amendment to Motion*

Mr GRILL: I shall. I move -

To add to the Address-in-Reply the following -

But regrets to inform His Excellency that the House condemns the Premier's attack on the principles of Medicare which provide a universal, free and comprehensive health service to people of Western Australia at the same time as His Government fails to provide adequate funding to our public hospital system.

**MS McHALE** (Thornlie) [11.10 am]: In seconding the amendments, I begin my comments by saying that in the short time I have been the opposition spokesperson for health - just over a week - I have been struck by the overwhelming sense in the community that it has been let down badly by this Government in the health arena. I measure that by the number of telephone calls I have received and the case after case brought to me of the failure of the Government to meet the urgent needs in the community. Our community has lost confidence in the Government's willingness or capacity to deliver accessible, free public health systems. In my view the community is at the crossroads on health care. It is a critical time

for public health, for the future of Medicare and for future directions for the Western Australian health system.

My preliminary comments are sharpened today by the clear and objective comments by Dr Carroll in his resignation from Royal Perth Hospital. The mere fact that a doctor with 20 years' experience has thrown in the towel because of the funding crisis in the public health system is an indictment of this Government and is a graphic example of the many instances where the Government has failed in its health commitments. In recent weeks the Premier has articulated his views on his model for health. Aspects of the model for health are quite clearly disastrous. They include encouraging individuals to provide for their own health care, means testing privately insured patients using public hospitals, and out-of-pocket public contributions for basic services. In effect, these options amount to nothing more than a thinly veiled assault on the principles of Medicare by the Premier.

In this crisis in health care the Premier has concluded that Medicare is the major cause of the demise of private insurance. He has completely closed his eyes to the crisis in the Western Australian public health system. Instead of blaming Medicare, the Premier should concentrate on ensuring that our hospitals are funded properly and adequately. Instead of disregarding Dr Carroll's assessment of the funding crisis as merely his personal view, the Premier should accept responsibility for the low morale in the hospitals and for the moribund management structures of the health administration. He should also come clean on budget allocations for public hospitals. Instead of knocking the Senate inquiry, the Premier should welcome its investigation of the adequacy of the funding levels, the impact of cost-shifting arrangements and of the private health insurance rebate on public hospitals.

Mr Osborne: He is only lobbying because he thinks the Productivity Commission would have done a better job.

Mr McGinty: The Liberal Prime Minister did not agree with that.

Ms McHALE: Absolutely. The Productivity Commission is not conducting the inquiry because this Liberal Premier and Prime Minister were not convincing. It was up to the Labor Party health ministers and shadow ministers to get a Senate inquiry under way. We supported the Productivity Commission inquiry, but at least we managed to get the Senate inquiry, which is better than nothing.

Several members interjected.

Ms McHALE: I will continue. Instead of convincing the Prime Minister, the Premier has based his overall strategy on the premise that a strengthened private insurance system is essential for the future of Medicare. This is an obsessive, short-sighted and dangerous view, which poses the greatest threat to the future of health care.

Let us look at what are suggested as outcomes and measures for improving health care. The Premier talked about additional incentives for private health insurance, improving the value of the product, permitting insurers to negotiate fixed priced contracts with doctors and hospitals, and developing managed competition models. Let us look at those options for a successful health care system. The 30 per cent rebate on private health insurance, for instance, has failed on all counts. It has failed to increase membership; to attract young people; to bring about real reform; and to relieve the pressure on the public health system. We have seen \$1.7b poured into subsidies and approximately 57 000 Australians taking out health insurance. That represents a staggeringly low figure of 0.2 per cent of the proportion of Australians covered by health insurance. Of that rebate, 99 per cent has gone to people already covered. It has been a dismal failure in meeting the ever-increasing crisis. We know the cost of health insurance has increased nationally by about 5 per cent.

Let us look at who is benefiting from the persistence of the Federal Government in bolstering private health insurance and refusing to acknowledge the crisis in the health system. Those who are benefiting are not public patients who are waiting for treatment, nor the many patients who are still on waiting lists and in need of treatment for acute, incredibly painful arthritis and other illnesses. The benefits are not going to the case I refer to now, which involves a grandmother in her eighties who a couple of weeks ago was diagnosed with liver cancer. She was a patient at Royal Perth Hospital. She was moved out of her bed, put in a chair all day and then sent back to a hostel. She was not sent to a nursing home. At the hostel no care is available at night. She is vomiting constantly and is in need of care and does not get care at night. Because she does not meet the criteria for palliative care - notwithstanding that she is at death's door, she has not got a morphine pump - her last days will be spent in a hostel. That is an appalling indictment and her family is distraught because of the way in which she has been treated by Royal Perth Hospital, which was caused by the lack of beds and funding. There are many cases of this nature; this is not an isolated example. Dr Carroll's comments this morning were not made in isolation. He represents just one of many voices appealing to the Government and the Parliament to change the nature of health care.

The people of this State and nation do not support the dismantling of Medicare. Nor do they support what would accompany that dismantling; a system of private sector managed care whereby insurers control the medical response to clinical needs, not the doctors and patients in consultation with each other. Members should take heed because that is already happening in this country. Only last week the Medical Benefits Fund in Queensland - and this will spread to New South Wales and Victoria - called for competitive bids from health providers.

Mr Bloffwitch: And about time they did too.

Ms McHALE: Does the member for Geraldton support managed care?

Mr Bloffwitch: I do indeed.

Ms McHALE: Let us have it on the record that the member for Geraldton supports the American managed care system. He supports the insurance companies controlling the medical response to clinical needs.

Mr Bloffwitch: I think they control it a lot better than governments do.

Ms McHALE: Let us have it put on record that the coalition Government supports the dismantling of Medicare.

Mr Bloffwitch: Why are the doctors so terrified of that? They know they will get squeezed.

Ms McHALE: They know they will lose control of clinical needs.

Mr Bloffwitch: They will have to be competitive and that will be the end of the world.

Ms McHALE: It will certainly be the end of universal health care. I thank the member for Geraldton for making the Government's position clear; that is, dismantling Medicare. Let us have it on record that this is an entry into the reality of managed care and is very likely to mean that patients are no longer guaranteed quality care based on clinical assessment; rather it will be based on the health insurance funds controlling the treatment patients receive and dictating the total package of care by the single fee they will pay. We know what this means from studies in the United States and elsewhere. It means shorter hospital stays because the move is to get patients out even more quickly. That will place a strain on home and community care, on the carers and families and it means that more people will die.

The community and patients are at the crossroads of health care. We never thought we would have to repeat and defend the principles of universal health care. However, comments made by the Premier in recent weeks clearly suggest that the coalition Government is considering making amendments to Medicare which will remove the basic principles of universal, geographical and free access to the public health system. Medicare has been in existence for 15 years. It is a well thought out system which the public of Australia holds dear and does not want to see downgraded in any way. It is a relief that one of the major planks of the Senate inquiry is the strengthening of the Medicare system rather than the dismantling of it.

Mr Bloffwitch: You would have made sure that was there.

Ms McHALE: Absolutely. We would ensure it was there because this community fought hard for the Medicare system and does not wish to see it removed.

Mr Bloffwitch interjected.

Ms McHALE: Once again let us put on record the fact that the member for Geraldton opposes a universal health care system and he is happy for us to have a managed care system.

Mr Bloffwitch: I want to know who pays for it. You certainly do not.

Ms Warnock: We all do with our taxes.

Ms McHALE: The member for Geraldton does not understand the funding of the health system, yet feels he is capable of discussing the health care system in this country. Let us put on record the quality of the debate coming from the government benches about health care.

The Opposition believes that Western Australia is at a critical period in health care. There are very real threats to the Medicare system. The choices are clear. The coalition Government denies there is a funding crisis, and denies there is a morale crisis in the health industry every time wards are closed or doctors resign. It fails to recognise or accept that our health system is underfunded and in need of careful scrutiny and additional funding. The coalition Government is promoting the eventual dismantling of Medicare and an obsessive reliance on private insurance for the few. That is not the health care system the community of Western Australia demands or deserves. The community of Western Australia deserves a quality, adequately supported and comprehensive health care system, a system which is given the priority it deserves.

There is no doubt that health is a complex social issue. I have seen that over the past few days in trying to understand the enormity of the health portfolio. Nevertheless, it is a social issue which deserves the highest attention and it is not getting that from this Government. Privatisation is no solution and means testing Medicare will take us backwards. We need effective management and recognition and identification of the problems and then we can work towards solving them. Strong health policies and an integrated funding strategy are required. In the view of members on this side of the House, the Government has failed on all fronts. With those comments, I support the amendment.

**MR McGINTY** (Fremantle) [11.28 am]: As the member for Thornlie said, this morning we have suffered another setback for health care in Western Australia. The resignation of Dr Graeme Carroll, the head of rheumatology at Royal Perth Hospital, was made in despair and disgust at what is happening to our health system in Western Australia and the responsibility for that must be sheeted home to the Government which has responsibility for health care and the funding of it. It was interesting to listen to Dr Carroll on ABC radio this morning. He made a number of important points about the health care system in Western Australia.

Mr Day: Did you listen to me?

Mr McGINTY: I did and I thought the minister was most ungracious. The minister's approach was very callous in trying to dismiss Dr Carroll as by and large being disaffected, lacking a broader view and whingeing and griping. The minister did not do himself any credit but I did listen to him. Dr Carroll welcomed the Senate inquiry into the health system. The first proposal that there be a Productivity Commission inquiry into the health system in Western Australia was opposed by the Liberal Party at a federal level and rejected by the Liberal Prime Minister. At least now a Senate inquiry has been set up by the Labor Party.

At least we have the opportunity to place a number of issues under scrutiny to achieve a better health care system in Australia. That was welcomed by Dr Carroll. Second, he identified a lack of funding as a problem, which is acute in his

area of rheumatology. He has seen the number of beds provided for his patients at Royal Perth Hospital and Shenton Park Campus reduced over the last 10 years from 20 to 6, and the area currently has no patients as a result of the closures. This was the subject of comment in recent times. This pressing problem for the doctor applies throughout the health system. Can the minister provide information on funding? Dr Carroll said on radio this morning that, on average, there had been a 6 per cent cut to funding to metropolitan hospitals. It is more than that for some hospitals.

When I was the Labor spokesperson for health, I wrote to Mr Andrew Weeks of the Metropolitan Health Services Board inquiring about the indicative allocation to hospitals. This matter has been the subject of some commentary. He wrote back a rude and dismissive letter stating that he would not tell me. That leads to the next problem to which Dr Carroll referred this morning: He said that the Metropolitan Health Services Board had been an abject failure and was out of touch. The secretive and dismissive approach of the board has left it with few friends and supporters, certainly on this side of politics and in the health industry at large. I concur with Dr Carroll's comments about the board. Will the minister provide to Parliament the information which Mr Weeks refused to provide publicly; namely, the indicative allocations, which we know have been sent to the hospitals? We know roughly what they are, but they should be placed on the public record.

Mr Day: The allocations have not been finalised at this stage.

Mr McGINTY: I called them indicative allocations, which have been sent to the hospitals. Beds are closing and decisions are being made, particularly at Sir Charles Gairdner, as a result of those allocations. Will the minister make them available in debate even though they are not finalised? We know that significant cuts are proposed for hospitals this year. The public has an interest in knowing what those cuts will be, and the minister has a duty to provide them. Dr Carroll also referred to the lack of communication generally in the health system, and this relates to between the Metropolitan Health Services Board and the individual hospitals and between politicians and senior bureaucrats at the head of the system. He also criticised a lack of sensible planning in the health system. Dr Carroll went close to identifying the most pressing issues facing the health system today.

The Premier, in addition to the Minister for Health, was on radio this morning dealing with a range of matters affecting the health industry. First, the Premier urged the Prime Minister to act unilaterally to change the Medicare system because, in his words, to do so would leave Labor on the back foot. If the Premier seeks political advantage rather than sensible health care, he should be condemned. The Premier rejected the Senate inquiry into the health system because, in his words, it would be "a political exercise". Politics is where policies are determined.

Let us consider the Liberal record on health. Our Premier has advocated compulsory private health insurance for everyone except pensioners in this State. Are we moving to a Stalinist Russia in which people are compelled to take out private health insurance? That idea went down like a lead balloon when proposed by the Premier a few months ago. He advocated, and continues to advocate, the introduction of fees for public hospital treatment. An essential element of our health care system is that treatment in public hospitals is free of charge to the consumer. It is reprehensible for the Premier to advocate the destruction of the health system as we know it, and the imposition of another tax on consumers of the system.

The Premier presented a paper to a meeting of Premiers three weeks ago in which he advocated some managed care; in other words, American-style health care which he termed "managed competition". Australians do not want American-style health care in which wealth determines the quality of health care, and the size of the wallet is checked before the pulse when admitted to hospital. The Premier should return to first principles. What principle should underpin our health care system? Those principles prescribed in the Hospitals Act should remain and not be amended as the fundamental principles which guide health care delivery in Western Australia. Those great Medicare principles are as follows: First, coverage be universal; second, treatment should be free; and third, treatment should be based on need. I urge the Government not to destroy those great Medicare principles. The Premier's approach on these issues has been destructive.

Undoubtedly, as Dr Carroll identified this morning, Medicare has its problems. We can do one of two things: As the Premier advocated, one can engage in destructive behaviour by destroying the institution and its principles, or one can act to enhance our health care system. The Premier's pattern of behaviour in health and everything else he touches is destructive.

Let us consider the question which dominated politics in this State at the time of the 1993 state election. The now Government made great play about the level of state debt rising to unacceptably high levels, as it saw it. The Government's answer upon assuming office was to flog off the family's assets by means of privatisation. An even greater problem has been created; namely, the erosion of the State's asset base in order to have notional debt reduction. In net terms, we are no better off.

A problem was perceived with unfunded superannuation liability. Therefore, the Government embarked on its usual destructive behaviour and destroyed the state superannuation scheme. We no longer have a contributory superannuation scheme. This was replaced with another great Labor initiative in the superannuation guarantee, which guarantees that a certain proportion of all workers' salaries are paid into a superannuation scheme by employers. We no longer have the state superannuation scheme which offered state public sector workers a good scheme. We have overcome the problem of an unfunded superannuation liability, but at what price? A good institution in this State was destroyed.

One cannot do away with the problem by abolishing institutions, undermining principles and behaving destructively, whether it be with health care, superannuation or in other areas. The challenge for any decent Government is not to destroy our great institutions, but to enhance them and make them work. That challenge lies ahead with health care. One does not destroy the principles and institutions which have operated for the betterment of our community for many decades. This side of

politics rejects privatisation and asset sales as the answer to reducing state debt, and rejects the abolition of the state superannuation scheme as the means to fund superannuation liability. Similarly with workers compensation, I do not accept that to remove compensation payments for seriously injured workers is the answer to the problem that employers face with the increased cost of insurance premiums.

We need to be more creative and less destructive in our approach to the various issues that confront us. Nowhere is that need more pressing than with regard to our health policy. I object to the approach of the Government in destroying our great institutions under the pretext of solving problems. The Government is now proposing to take that same destructive approach to our health system. There are difficulties with our health system, as Dr Carroll amply spoke about this morning. However, we do not want the principles upon which our health care system has been erected to be eroded. Our health care system has served us well. It is one of the great egalitarian institutions in this country and it defines what it means to be an Australian, which is that we all pride ourselves on our egalitarianism. If this Government were to destroy that egalitarianism in our health system and replace it with an American-style health care system, it would come back to haunt members opposite for decades because they would no longer be in government if they were to continue down that path. The answer to the problems in the health care system is to strengthen the great institution of Medicare.

I now transfer the debate from this Government to the Federal Liberal Government. In recent times, the Federal Government has wasted precious health dollars in a failed attempt to privatise the health system by transferring resources from public hospitals to the private sector. The greatest squandering of taxpayers' money in recent times has been the 30 per cent health insurance rebate. It is interesting to look at what the Premier said about that matter in the paper that he prepared for the recent Premiers conference. He said -

On the incentive side, there was the 30% non means-tested rebate for private health insurance, which was very costly and appears to have largely gone to those already privately insured.

It is a failure. Australia is spending \$1.7b each year to attract 57 000 new people into private health insurance. What a massive subsidy to people who do not need it! Had that money been applied to our public hospital system, which was the Labor Party's solution to this issue, the Government would have had an additional approximately \$170m to spend on public hospitals in Western Australia. That would have removed the waiting list for elective surgery. It would have enabled our public hospitals to avoid an average cut of between 6 and 7 per cent in their operating budgets this financial year. It would have enabled Dr Carroll to continue to provide the world-class, excellent treatment that he has been providing and not to resign. It would have enabled the beds that have been closed at Sir Charles Gairdner Hospital to remain open. It would have given us a public hospital system of which we can all be proud. However, what has the Government been doing? Each year it has been wasting \$1.7b to prop up people who are privately insured. The attempt to privatise health care by shifting its delivery from the Government to the private sector is the most wasteful exercise that I can ever recall in our health care sector. It has been roundly condemned and, in the Premier's words, it is a failure. It would have been great had that money been put into the public hospital system of this State.

The Federal Government has also introduced a 1 per cent Medicare surcharge for higher income earners. That measure has not resulted in the significant increase in private health insurance that it was designed to achieve, nor has it resulted in a significant increase in commonwealth government revenues. Again, that initiative, which was designed to downgrade our public hospitals and enhance the delivery of private health care, has failed. The most recent initiative of the Federal Government was the introduction of lifetime community rating by adding 2 per cent to the private health insurance bill each year for people aged over 30 years. It was estimated - I believe falsely - that that initiative would result in a 3 per cent increase in the number of young people who took out private health insurance. That jump in private health insurance has not been achieved, because private health insurance is a singularly unattractive product for young people. If \$1.7b can be used to get 57 000 people throughout Australia into private health insurance, community rating will not add to the private health insurance area anything like the figures that have been projected.

Mr Sweetman: Are you privately insured?

Mr McGINTY: No, because I believe in our public health system and that it should be available for everyone. I do not believe in two classes of health care, one for the better off and one for the poor. I have the same view in respect of education. My children have always attended the local state school, because as the providers of that system, I believe we have a duty to support and promote it. I believe strongly in our government health and education system, and I will happily defend that anywhere.

Mr Day: Does that apply to your colleagues?

Mr McGINTY: The minister should ask them. I was asked a question, and I have answered it. I believe strongly in our public health system and that it should be supported. I do not believe that people should be ashamed of it, should downgrade it, should deny it funds and should plunge it into the crisis that we have had in this State. Our greatest responsibility in the area of health is to enhance the system.

Mr Day: Who has denied it funds? Have you looked at the record in the past six years?

Mr McGINTY: We have seen, as I have tried to paint to the minister, a massive transfer of funds from the public sector to the private sector - funds which I am sure in the minister's heart of hearts he would acknowledge would have been far more effective had they been spent in our public hospital system rather than on private health insurance.

Mr Day: We would like to have both.

Mr McGINTY: The minister has come halfway. We all know that those funds would have been very effectively spent in

our public hospital system and would have alleviated most of the problems and crises that exist today. I support the amendment, because we do not have today the sort of health system that we had 10 or 20 years ago, which was a world leader and of which we could all be proud. Ten years ago, Dr Carroll was the head of a department that was an Australian leader in the treatment of arthritis with various techniques and that had 20 beds operating. Today the number of beds has been reduced to six, and no patients are being taken on for that important treatment, which featured prominently in the media two weeks ago. When an Australian leader is downgraded to that extent, I can completely sympathise with Dr Carroll's objective analysis of the health care system that exists today, because there can be no greater admission of failure in health care than what we have seen in the combined efforts of the State and Federal Liberal Governments.

**MS WARNOCK** (Perth) [11.47 am]: It is no secret that this Government is failing to provide adequate funding to our public hospital system, to quote the amendment moved by my colleague, the member for Eyre. Everyone knows that, just as everyone knows that this Premier has been trying to back away from the extremely popular but greatly stressed Medicare system. This Premier wants to get rid of Medicare, or at least make its benefits available to very few. He has made that clear, and there have been arguments, as we have heard from my colleagues in the past hour or so, between state and federal Liberal politicians about the pressing matter of health care funding in Australia. The Premier's Liberal colleague Prime Minister John Howard has at long last come to the realisation that Medicare is very popular with the people of Australia, and he has begun to talk it up in recent days. I am pleased to note that, because at one time he was apt to be dismissive of Medicare and to talk about private alternatives and about further propping up the private system. The Premier has his own views about the privatisation of health care, and he has been promoting those views to some extent over the past few weeks. While failing to solve funding management and waiting list problems in the health system, the Premier is talking about doing away with the principles of Medicare. That is what this amendment is about and it is supported vigorously by members on this side of the House.

A couple of months ago I spoke, I believe during the budget debate, about the problems, funding and future of King Edward Memorial Hospital. Labor colleagues and I mentioned that approximately \$20m in capital funding was needed to bring that important institution up to date. Some parts of it are more rundown than others. I am not criticising the care; I am simply criticising the state of the building. We said that as it was an important research and teaching hospital it needed urgent attention. A great number of people such as visiting politicians from other States, people who used to work at the hospital, people who had their babies there and various others who have been concerned about its future have made similar comments.

Since those comments were made in this House and outside by politicians and members of the community and the medical profession, what has changed? As I say, support groups have spoken out about their concerns over the drastic staff cuts and cuts in senior nursing positions at the hospital. According to those people not only patient care but also professional development and training could be compromised as a result of those cuts. The major hospitals in this State and in every other State are tremendously important for not only emergency care and care of patients with serious illnesses but also professional development, training and research.

As I said, like many others on this side, I was concerned particularly as the shadow spokesperson for Women's Interests, to pursue the fate of this very important institution, King Edward Memorial Hospital. I have spoken to many people about its fate and I have been watching it through the media. This week I rang a series of contacts in the health care profession to check how it stands right now. Like most people in this House, I heard the interview this morning with Dr Carroll concerning his resignation and his disgust about the state of play at Royal Perth Hospital.

One doctor to whom I spoke about this pressing matter was particularly frank. To use a phrase that is probably not parliamentary, he said, "It's a bloody shambles." We spoke earlier this year, and I have spoken to a number of other people about health care. I rang to see whether the situation had changed since we last spoke. He was more distressed and annoyed than when I last spoke to him about matters concerning health. He also said that the 2020 report is gathering dust on a shelf; it was an expensive exercise for no reason. That report was produced by the Government on future health care in Western Australia. It was an important report which, as I said at the time, did not have a great deal to say about women's health which is obviously of concern to me. According to that medical professional, who like Dr Carroll has been in the profession for many years, it is gathering dust on the shelf.

That doctor also said that he was very concerned because six weeks into the new financial year, it was not clear exactly what would be his hospital budget and when departments would see the money provided. He said a series of meetings had been held among senior professionals at not only this hospital but also others. He said that a number of his colleagues at all levels were expressing concern about the structure and management of medical services in Western Australia. He described the Health Department in this State as being in total disarray. He said that the important teaching and research hospitals would lose their integrity if action were not taken soon.

As I said, those big hospitals with their emergency departments and teaching obligations need expertise to deal with the sudden serious illnesses with which they are expected to cope. The smaller hospitals do not handle those cases. At this stage the larger hospitals should not be dealing with staff cuts. I refer here to the recent moratorium by the Metropolitan Health Services Board on the employment of all new staff. I am aware that it was modified a day or so ago regarding nursing staff. However, the doctor said that the recent moratorium on the employment of all new staff was not in the least helpful when hospitals must deal with the usual winter ailments, such as serious cases of respiratory illnesses. He said that most hospitals are preoccupied with finding out how far their budgets are expected to stretch this year, when they will find out about the funds and what they will do about those serious staff cuts at a senior level.

Senior medical people apparently passed a motion of no confidence in that medical board. As Dr Carroll clearly indicated, they are fed up with being forced to do more and more with less and less. It is not the way to run a safe, fair, high quality

health system, which is what we expect in a developed country such as Australia and a relatively wealthy State such as Western Australia. This Government is responsible for the health system. According to this medical contact of mine the picture has not improved in the several months since we spoke about the problems in his area of the health system.

I will take this opportunity to refer to unplanned pregnancies, another important aspect of health care about which I have spoken before in this House. I recently attended a seminar of the Public Health Association in this State. As a result of the seminar the association released a press statement that a major reduction in unplanned pregnancies among the young women in this State was achievable but that too little was being done in Western Australia to educate young people about how to avoid unplanned pregnancies. During the acrimonious abortion debate last year everybody, including people in every part of this House, agreed about one thing; that is, we want to prevent unplanned, unwanted pregnancies and reduce the call for abortion in this State. Although there was disagreement about many other aspects, there was no disagreement about that.

What can we say about the reduction in unplanned and unwanted pregnancies a year later? The Public Health Association in Western Australia believes that we can do something about it and that we must act. In a letter it sent to me this week the association says that it has excellent evidence of what can be achieved in efforts to reduce unwanted pregnancies. That evidence comes from the Netherlands where dramatic strides have been made in this important area. I remind the House of some statistics: Approximately 8 000 terminations are carried out in Western Australia each year. It is estimated that 46 out of every 1 000 teenage girls in Australia will become pregnant this year. This compares with about 98 per 1 000 in the USA, 69 per 1 000 in the UK, and 10 per 1 000 in Holland. This is the reason that the Public Health Association of Australia in Western Australia is so keen for Western Australia to emulate what is being done in the Netherlands. A letter from the association states -

This is not an accident but rather is achieved in Holland by the type of successful public health programs we conduct here in WA in the area of tobacco, alcohol and road trauma. Such programs include multi faceted and comprehensive educational campaigns and informational programs. While issues of sexuality are inevitably part of such a program, we have demonstrated through our successful HIV prevention programs, that such issues can be successfully tackled by a mature program in a mature community.

That is what the Public Health Association in Western Australia is urging us to do. The association's letter continues -

There is a clear road forward by which the trauma, and the economic cost of abortion can be prevented. We therefore urge you -

That is, members of Parliament -

- to support the establishment of a comprehensive program aimed at preventing unwanted pregnancies in Western Australia.

Let us look briefly at what the Dutch are doing right and how Western Australia could emulate them. The Dutch have public information campaigns that are backed up by programs in schools and in health and community settings that have succeeded in reducing pregnancies among teenagers. The rate in Holland is less than one-quarter of the rate in Australia. Admittedly the Public Health Association says that the Dutch are more open about sexuality than perhaps we are in Australia. The Dutch treat information programs on sexuality and conception in a similar way to our approach to smoking and alcohol. The Dutch have a variety of programs in many settings to ensure the messages are available and consistent. The point that the Public Health Association makes is that it works.

The one major ingredient that we do not currently have is the investment of resources to tackle the problem properly. According to the Public Health Association President, Terry Slevin, the Government should put its money where its political rhetoric is. Members will remember that last year both sides of the House were consistent in their determination to reduce the rate of unwanted, unplanned pregnancies in Western Australia, particularly pregnancies among young people. The Public Health Association is asking members on both sides of the House to commit to a substantial effort to improve the level of education and prevention programs aimed at reducing unwanted pregnancies which lead to abortion.

Let us briefly consider what the Dutch do, because it is an astonishing achievement to have reduced its rate of teenage pregnancies to the lowest of all westernised industrialised countries. That is an achievement that the rest of us would like to copy. As in Australia, contraceptive services in Holland are provided both by general practitioners and family planning clinics. The Dutch family planning clinics are run by an independent organisation but receive the bulk of their funding from the Ministry of Welfare, Public Health and Culture, as it is called in that country. These private foundation clinics operate similarly to the family planning clinics that operate in Western Australia. They provide services to men and women on all matters pertaining to sexual health, including clinical and counselling services. There is a central telephone line to deal with queries from young people on all matters to do with sex, contraception and relationships. A holistic program is aimed at people aged from 11 to 16 years. Education workers visit schools and youth clubs, and organise trips to clinics. Something is working in Holland and we should seek to emulate that in Western Australia.

As this material from the Public Health Association states, none of these services is remarkable. Australian family planning associations offer quality clinical counselling and education services. What is remarkable is the government support offered to these initiatives in Holland. When the matter was debated some years ago in Holland it was contentious, as it was contentious in Western Australia last year. However, it was also dealt with in a pragmatic Dutch way. They responded by trying to prevent the need for abortion. That was the first and foremost issue that arose out of the debate on abortion in Holland several years ago. The Dutch did this by investing considerable government funds into contraception and sex education.

Contraception has been readily available in Holland since 1971 and research and health promotion in the field of family planning and reproductive health has been massively subsidised. Last year during this contentious debate, which we all remember vividly, we were all concerned to prevent the need for abortion in this State, particularly among young people. The Public Health Association in Western Australia has offered us a way forward. It has urged us as community leaders to invest resources in this area. If we want to emulate the Dutch and reduce the rate of unwanted, unplanned pregnancies, particularly among young people, we must be prepared to put our money where our mouth is and invest in those services. I hope the Government will do that. I urge the Government to do that if it is as good as the rhetoric that we all heard during the abortion debate last year. I support the amendment.

**DR EDWARDS** (Maylands) [12.06 pm]: I am a strong supporter of Medicare and the principles that underline it.

Mr Bloffwitch: If somebody picked up all my debts I would be a strong supporter of it. If I was looked after that well, of course I would love that system. Then again, I would not like anyone else picking up the bill for me, which is what we do in health.

Dr EDWARDS: If the member for Geraldton were true to that interjection, he would not claim anything from Medicare when he goes to the doctor. The member for Geraldton does not understand that Medicare underpins the whole medical system.

Mr Bloffwitch: I do not claim anything from Medicare.

Dr EDWARDS: I hope the member does not have a heart attack or need a transplant.

Mr Bloffwitch: I have a good friend who is a doctor and he does not charge me, so that is convenient.

Dr EDWARDS: Does the member for Geraldton sign a Medicare form?

Mr Bloffwitch: No, I do not sign a form.

Dr EDWARDS: The member had better check that his doctor is not bulk-billing and the cost is not being assigned to Medicare.

Mr Bloffwitch: I do not want fraudulent claims going in on my behalf.

Dr EDWARDS: We should check up on this. It is a most unusual doctor who does not charge anything. It is standard for doctors to bulk-bill, and patients then do not pay the difference between the Medicare rebate and the doctor's bill. The Minister for Health should investigate what is going on in Geraldton, because if the doctors are so altruistic, I will send my constituents there; it would be worth travelling there.

Mr Bloffwitch: The doctor must be a good friend and know the family well. If the member has patients that are in that category, I am sure she will look after them too.

Dr EDWARDS: I am a bit concerned about all of this. The hole is getting deeper and wider.

The ACTING SPEAKER (Mr Sweetman): Debate is degenerating. It would help members if the member for Maylands addressed her comments through the Chair.

Dr EDWARDS: We are on a really good issue, but I will get back to Medicare.

Mr Bloffwitch: If you send them to Geraldton, send them to the Aboriginal Medical Service and they will get it all done for nothing. They do not pay a cent. The taxpayers pick up the bill.

Dr EDWARDS: Anyone whose doctor bulk-bills is in the same category. The member for Geraldton is perhaps reinforcing what we all want to see.

Working as a medical practitioner in the period prior to the introduction of Medicare caused me great distress. In the days of Medibank, prior to Medicare, on a number of occasions I had patients who could not afford to have the tests that were needed for a diagnosis to be made. I remember on one occasion a young girl who was quite ill and needed some tests. Professionally, those tests were needed before treatment could be started so we knew what we were dealing with. In her case tests were deferred and the treatment was deferred because the family at that time could not afford to pay those bills. As a practitioner who worked in those circumstances, although that may have been at the small end of things, I found it extremely distressing. When I thought about it at night, I hoped that this young patient did not have a serious, underlying condition. Even if it was minor, it was a condition that may have affected this person's health in the future if it was not nipped in the bud.

Mr Day: Were there no doctors who would have been prepared to see her pro bono?

Dr EDWARDS: It was not an issue of doctors, it was an issue of pathology.

Mr Day: I am sure you would have had an altruistic attitude towards her.

Dr EDWARDS: Sure. One phones around and tries but it is not always possible. There is a limit to which friendship stretches. Even the member for Geraldton may find out that. I hope to God he never has a serious illness but if he does, he may find -

Mr Bloffwitch: I have private cover so I will be paying the gap; I don't mind.

Dr EDWARDS: The member for Geraldton will be paying gaps all right and I will talk about that in a minute. From a



philosophical point of view, I believe people have a right to a universal health care system that is accessible to them and is based on need, not on whether they can afford to pay. My own experience as a doctor who worked in the days before Medicare led me more strongly to support such a notion.

I will talk about the role of the private sector. Most of my work as a medical practitioner was in the private sector, which plays an extremely valuable role. However, we must remember that it is Medicare that underpins that role and it is Medicare that basically pays the bills. The private sector can teach the public sector a great number of lessons. Perhaps one of the best examples in this State was with day surgery. The private sector was taking the initiatives with day surgery, which the public sector later picked up; therefore, we can all learn from the private sector. The Government must foster a very good relationship between those two sectors. People sometimes argue that the private sector will be cheaper. On occasions that may be so. Certainly day surgery was cheaper when the private sector was leading in that field. Just because it is conducted by the private sector does not automatically mean that it will be cheaper. There will be occasions when it will be more expensive. A private doctor will say to a patient, "We could perform the procedure with a local anaesthetic but I, as a doctor, will find it easier and you, as a patient, will find it more comfortable if you have a general anaesthetic. Let's have a general anaesthetic." That is fine; these are all medical decisions; however, I believe the private sector will be more inclined to go down the second route because the patient will be more comfortable and the doctor will feel more comfortable performing it under a general anaesthetic. Ultimately it will come back to, and be more expensive for, the taxpayer.

One of the things we must remember is that one cannot always go straight to the private sector. If someone has an accident outside this place and is seriously injured, the ambulance inevitably will take that person to a public hospital. Public hospitals play a particularly valuable role.

Mr Bloffwitch: Why do you say that? More often than not an ambulance will take people to our private hospital in Geraldton.

Dr EDWARDS: I was referring to outside Parliament. The reality is that most ambulances in the city take people to public hospitals. The other reality is, as nursing friends of mine refer to it, "the Friday evening exodus"; that is when, in particular, intensive care units and intensive nursing areas suddenly find they are receiving patients from the private sector. Anything the minister can do to help address that problem will be useful. The initiative at Murdoch hospital helps that and also helps the ambulances as to where they go. However, there will be instances where the best place for a person is in a public hospital to begin with.

In my own family experience recently when my father was extremely ill in the middle of the night, I got the phone call that I am sure all of us dread: "Your father has been tipped into an ambulance. We do not know whether he will be alive or not when he arrives. Can you go down to Royal Perth Hospital and greet the ambulance?" There is nothing more heart-shattering to see the country ambulance arrive and not know whether one's father is dead or alive in the back of the ambulance. On this occasion, fortunately, he was alive and I am very grateful for the excellent care that he received. However, on this occasion my family was keen as soon as possible to have my relative moved to the private sector for a great number of reasons, not the least being I wanted to know that a public bed was being freed up. However, he could not be moved as he was there during a public holiday and for a number of medical reasons he had to wait until staff came back after the public holiday before he could be removed. Sitting in the hospital as a normal person with a sick relative, I found it distressing to hear the staff talk about cuts in money and cuts in staff and to hear that they were using equipment that they knew to be faulty but it was the batch that was there at the time. One wondered whether the reason it was faulty was that it was a cheaper batch.

I want to make one other comment about the relationship between the private and public sectors and health insurance and about the gap that people pay with private health insurance. I am interested that the Premier has made a few comments about that in his own paper on health insurance.

Mr Bloffwitch: It is a big disincentive for people who pay \$2 000 a year for private health cover to then be presented with a bill when they go to hospital.

Dr EDWARDS: Exactly. The member for Geraldton could not have made the point I am about to make more eloquently. There is a big problem with the gap. It causes a great deal of tension when people are insured, go to a private hospital and have a procedure done and then find a big bill that is not rebatable from anywhere. I hope the State Government will work to do whatever possible to try to resolve that problem. I know it is difficult. I understand from medical friends the pressures they feel and the opinions they have. Obviously we do not always agree, and I wish the minister well in those deliberations. I have had constituents visit me with other bills, particularly from anaesthetists, where there is a huge gap. I know of one case where the bill arrived with a \$300 gap. If the bill was paid immediately, the bill dropped by \$300. However, if it was not paid immediately but was sent off for cheques from the health fund and Medicare, there was still a gap; on top of that there was the \$300 surcharge. The bill in that case amounted to about \$900. The patient paid the anaesthetist first to get the \$300 discount but it means that all the other doctors, institutions and pathology companies are waiting to be paid because usually people cannot afford to pay thousands of dollars worth of bills for hospital stays. Inevitably the bills are sent off, they get their cheques and they then pay the gap. There are issues in the medical profession that medical practitioners should be discussing. It is unfair for surgeons to be waiting for their money when the anaesthetist gets it immediately because a super surcharge has been whacked on to the bill.

Mr Day: I hope you have expressed your view to the anaesthetists.

Dr EDWARDS: Yes. I am lucky as I am a member of Parliament and a medical practitioner in that when these things happen I tell people to ring the doctor and complain about it. In all cases I know of where the patient has rung the doctor

and complained about the bill, the whole or part of the bill in dispute has been dropped or the doctor has been amenable to making changes.

I am interested in the Premier's comment about health information, patient rights and patient advocacy. It will not solve the problem but a little bit of work there can help. I had a group of seniors at Parliament House for morning tea and I was trying to encourage them when they visit their doctor to discuss, at least with the receptionist if not with the doctor, what will be the costs and the out-of-pocket expenses. I told them that they will be pleasantly surprised that many doctors now can give patients that information. I know from my own experience that obstetricians in particular are really up-front. They will provide lists stating the Australian Medical Association rates, the college of obstetricians' rates, the schedule fee, the refunds from the health fund, depending on the fund, and Medicare. If there are complications and other procedures, they will list the charges and the minimum and maximum amounts of out-of-pocket expenses. That type of information is extremely helpful to consumers and doctors have a duty to be up-front with the charges that a patient may face. However, again, anything that the Government can do to help the public be more confident to ask these questions will be beneficial. Obviously, as the Premier points out, some of the people who are most likely to use the health sector are those who are ageing. They perhaps have not been brought up in the same system as we were where we do question what it will cost; that it is no problem to say to a doctor, "What are you going to be charging?"

I now comment on the demand for health care. Again, most of these issues are referred to in the Premier's paper. There is no doubt that the population is ageing, but I understand the health dollars are expended on people in the last two years of their lives. If there were more debate in the community about how people want to spend their last few years, perhaps health care would be delivered in different ways. Unfortunately, it may not cost less money. I was interested to read a paper some time ago about palliative care and people dying in their homes rather than in hospital. In fact, home care is no cheaper than caring for people in hospital.

Mr Osborne: Why is that?

Dr EDWARDS: Because of the wages involved. When people are dying at home, they still need some nursing care and other help. They also need certain types of medication.

Mr Bloffwitch: In Geraldton most of these workers are voluntary and there is very little wage content.

Dr EDWARDS: This paper was a cost benefit analysis. I hope that what the member for Geraldton says is true, but this was an economic type paper that indicates there is no saving.

Mr Bloffwitch: Most people prefer to die in their own home.

Dr EDWARDS: Absolutely.

Mr Osborne: Did the paper mention the benefits to the patients? Probably not.

Dr EDWARDS: No it did not. Undoubtedly there are benefits for the patients and if it can possibly be arranged, it is the best thing to do. It is a mistake for people to think they can remove the cost from the hospital and it will automatically result in a decrease, because the cost will pop up somewhere else.

Other points of demand relate to community expectations. Whether the Government likes it or not, people now expect to get the best treatment available if they become sick. To some extent this expectation is fuelled by positive stories that appear in the media, for example, when a young baby is saved by the use of the latest technology. People therefore think that if their children become sick, they will have access to the same technology. There is an expectation that all people will get Rolls-Royce treatment, but the community may not be aware of the cost of that treatment.

Technology is here to stay and in the health arena it will continue to be used. The whole medical biotechnology area will take us into the next century. However, the problem is that when these new and fancy technologies are introduced, it does not mean that the basic care of patients can be dropped off. When people visit their doctors because they feel unwell, the doctors cannot afford to immediately send them for a CAT scan. They must first go through the basic tests and procedures to determine whether the patients need the expensive procedures. There is no real saving because the basic procedures must still be followed. When people buy fancy new telephones they can get rid of the old ones, but in medicine the doctors must still go down the basic paths before the expensive technology is utilised.

I was interested in the Premier's comment that demand follows supply. That is true, and there are two reasons for it. First, the community knows about many of these tests and the modern machines, and they will ask for those tests to be done. I would be interested to know whether the Health Department has done any work on the second factor, which is the fear of litigation. Has any study been carried out of the extent to which new technologies are used because doctors fear that if they have not used them to rule out certain conditions which become evident at some stage in the future, litigation will result? Litigation is a much bigger factor now than it was 10 or 20 years ago. Many doctors, and the health professions in general, adopt much more defensive health practices than previously because they are fearful of litigation. I would be interested to know if it is a factor, or whether these developments would have gone ahead anyway.

Mr Osborne: There is also the cost to practitioners of carrying insurance to protect themselves.

Dr EDWARDS: That is probably significant in the member's electorate, because of the smaller group of people to service that cost.

Finally, I will comment on some cases in my electorate and the distress caused to families when cuts in medical care are made. I tie it to the comments of Dr Carroll on a radio station this morning. Generally his patients are people with chronic

conditions; they are not at the sexy, acute end of medicine. In medicine it is much more exciting to deal with an emergency because it requires an immediate response and there is a fairly quick result one way or the other. With chronic illnesses, particularly rheumatological illnesses, people can be incredibly ill but it does not become immediately apparent. The chronic diseases with which people must live cause a lot of distress. I am concerned that people with acute illnesses and accident and emergency patients have more health power. They are more likely to appear in the media and to grab people's attention and perhaps the health dollars.

In my electorate at the moment is an elderly man who is extremely ill. He is being cared for at home, but a number of months ago the Silver Chain stopped providing a service to him because of its reduced funding. He has an elderly wife and when I visited them recently at their home I was most distressed. He is on oxygen all the time, is bedridden and cannot talk without coughing. I have tried to have the Silver Chain service reinstated and to get help from other local services. People with chronic illnesses such as that are suffering and are incredibly distressed.

We have an excellent system in Medicare, but we must all work together to make sure the system stays universal and that people continue to have access to adequate and appropriate health care based on their need and not based on their income or bank balance.

**MR DAY** (Darling Range - Minister for Health) [12.27 pm]: This has been an interesting debate, and I have particularly enjoyed listening to the comments of the member for Maylands because she addressed many of the issues about which we have a common concern. I take the opportunity of congratulating the member for Thornlie on her appointment as Opposition spokesperson on health issues. Health is an area of public policy which is extremely important to us all and I look forward to some informed and constructive debates on health.

Ms McHale: Like the one we have just had.

Mr DAY: Absolutely. Having said that, I can only say that I completely disagree with the amendment moved by the Opposition because it does not reflect the existing facts, either in relation to the Government's attitude to Medicare or government support for the public hospital system in Western Australia.

As far as the first point is concerned, it was claimed by Opposition members that the Premier and this Government had made an attack on Medicare. That is not the case. As has occurred in all other jurisdictions of Australia, perhaps with the exception of the Commonwealth, the Premier and I, as Minister for Health, have questioned how we will be able to adequately fund the health and public hospital systems over the next 10 to 20 years. We have a problem in Australia at the moment because in general terms policy about the provision of health services is determined largely by the Federal Government and the Federal Parliament, but the States have primary responsibility for funding the secondary and tertiary services to meet public expectations and demands. The discussion which the State leaders had a couple of weeks ago, without the Commonwealth, led to the conclusion that we need informed public discussion about how best to provide for health needs in the future, and that there should be a Productivity Commission inquiry to ensure we have the informed debate and come up with options to sensibly address the issues that must be dealt with.

Mr Bloffwitch: Why do we need the Productivity Commission inquiry when it is obvious we need more people to have private health cover and more people to contribute to the health dollar? You do not need an inquiry to find that out.

Mr DAY: We must address the various ways in which that can be achieved in the context of the Australian community strongly supporting the overall principles of Medicare. That is now accepted. As a Government, we are not arguing that there should be a dismantling of Medicare or that there should be a removal of the principle of universal coverage. We must maintain universal coverage, but how do we best achieve that and best fund our needs for the future? The Premier highlighted those concerns and said that we must come up with some options for funding the system in the future. Some of those options may include ensuring that more people in the community take responsibility for contributing directly to the costs of their health care if they can afford to do so. I was interested to hear the member for Fremantle admit that he does not have private health insurance. That is disappointing because all members of Parliament are paid at a level which enables them to afford private health insurance. The fact that some choose not to is a good example of why we have these pressures. Obviously some people will take advantage of a "free system". They cannot see that they should make a direct contribution, even though they can afford to do so. To a large extent it explains the great deal of pressure on our public hospitals and on our public health system in Australia. Approximately 70 per cent of the population relies on treatment being provided entirely by the taxpayers. Only 30 per cent are covered by private health insurance or use their private health insurance. That produces a major problem from the point of view of Governments which are responsible for funding the system. It is important to remember that a significant proportion of the population which are privately insured do not use the private insurance unless they absolutely must. That is largely as a result of the existence of the gap payments to which the member for Maylands and others have referred. That issue must be addressed adequately. It needs some goodwill on the part of the medical profession and private hospitals to ensure that the public concerns are addressed.

Dr Edwards: Is there any benefit to the public system of having private patients who are paying?

Mr DAY: I am advised that privately-insured patients who are receiving and paying for treatment in the public hospital system are not paying the full rate of the cost of providing that service; therefore, there is still a net cost. It would be far better from the point of view of public hospitals if we could get full cost recovery which exists in private hospitals.

Dr Edwards: Is workers compensation in the same category?

Mr DAY: The fees which are paid for compensable patients - workers compensation and motor vehicle insurance patients - are paid at a much higher rate; that is, it is much closer to the full cost of providing the service.

We also have significant pressures on our system because of the ageing population. Over the next 20 years, the greatest proportionate increase in our population in the various age groups will be in those over the age of 50 years. That is an extremely important issue which must be faced, and it is another good example of why we need a broad-ranging and informed public discussion and debate about how to provide for our needs in the future. It is correct that we have major pressures on our health budget and health system. That has been the case for many years, and this year is no different. I will come to how we are addressing that in a moment.

Ms McHale: There was a report about the research into the cost of ageing. It indicated that, contrary to the received wisdom, the ageing population is a significant drain on the health industry and that that was being thrown into question. Have you had any analysis done of that research?

Mr DAY: I am aware of the Productivity Commission report which has been published in the past couple of days, but I have not had an opportunity to look at it or get any detailed analysis of it. I will do so and I am very interested in looking at it. We cannot avoid the fact that as people are living longer and as much more complex and expensive treatments are becoming available, there will be a lot of cost pressures on the whole system. We would prefer to see a Productivity Commission inquiry into the issues which we are discussing. The fact that a Senate committee has been given the responsibility of inquiring into some aspects of the issue is a second-best option, but it is better than nothing. We will certainly make a contribution to the discussions and deliberations of that committee from Western Australia's point of view. I am concerned that, to some extent, it may become a political slanging match. I hope that does not occur. If it does, no-one will win. I hope that we can have a sensible and rational discussion through the operations of that Senate committee of inquiry. During the Health minister's meeting in Canberra last week when only the ministers were present, we had a constructive discussion about some of the issues we must face from the point of view of States, Territories and the Commonwealth. That applies to all Health ministers, whether they are Liberal, Labor or independent ministers from around the country. I hope that that sentiment will be continued.

The second part of the amendment moved by the Opposition refers to this Government's failure to provide adequate funding to our public hospital system. The facts do not bear that out. Over the six years that the coalition Government has been in office there has been an average increase in our health budget of 6.4 per cent per annum from 1993-94 to 1998-99.

Mr Bloffwitch: What is that in dollars?

Mr DAY: I will come to the dollars in a moment. In the last three years of the Labor Government in this State the average increase per annum was only 3.7 per cent. As a State we are certainly meeting our obligations. We have taken the issue of providing health services to the community very seriously. It is a major pressure within our budget. Health in this State consumes almost one-quarter of our whole state budget - more than any other portfolio. We cannot validly be accused of not facing up to our responsibilities or not putting our money where our mouth is as far as providing health services is concerned. In dollar terms, the health budget has increased from \$1 219.8m in the last year of the Labor Government to \$1 764.1m, which was expended in 1998-99, the last full year of the coalition Government. That is a substantial increase of approximately \$544m.

Over the past few days, I have been interested to read the comments of the Institute of Public Affairs. It expressed the view that the Western Australian Government now spends more per person on health than any other State in Australia. Obviously the Institute of Public Affairs' point of view is that we must do more to reduce the proportion of our budget that we spend on public health services in this State.

Mr Graham: You should spend more of it in the Pilbara than in the city. I am sure that is what it said.

Mr DAY: I do not think the IPA has addressed that point at all, much as the member for Pilbara would have liked it to. I can guarantee that this Government is spending a lot more in the Pilbara and has done a lot more in expanding services in the Pilbara than has ever been the case, albeit we need to do more and I hope we will do a lot more.

Mr Graham: That is patently and demonstrably false, and I will tell you why when I give my speech.

Mr DAY: On a per capita basis, our allocation for health funding has also increased substantially by an average amount of 5.2 per cent per annum over the period that the coalition Government has been in office. That is far above the rate of inflation in this State and in this country. We have taken our responsibilities very seriously and we are continuing to do so.

One of the aspects of our health system that is very clear in this State is that we have had a concentration of the major health and medical services close to the centre of the metropolitan area. This Government has a clear policy of expanding the range and quality of services in the growth areas of the metropolitan area, principally towards the periphery, and also in regional and rural parts of Western Australia. We are in the process of continually redistributing resources and facilities to those areas. That will certainly have an impact on some of the areas to which services have more traditionally been provided; for example, Royal Perth Hospital whether it be the city or Shenton Park campus, Sir Charles Gairdner Hospital, King Edward Memorial Hospital and Princess Margaret Hospital for Children to some extent as well. We are providing services at places like the Armadale Health Service campus, Swan District Hospital, the new South West Health Campus in Bunbury and the Peel Health Campus in Mandurah, where services are now provided that have never been provided in the past. People are able to get surgery, babies delivered and a whole range of other services much closer to where they live than has ever been the case in the past.

Two weeks ago I had the pleasure of opening the major upgrading and expansion of the Broome District Hospital. That is another example of substantial funds being spent to expand services outside the metropolitan area, which has never occurred in the past. Another specific example is that of renal dialysis. We are about to start providing renal dialysis in Port Hedland

and Broome. That means for the first time patients from the north west of the State will not have to relocate to Perth to get their renal dialysis.

Mr Bloffwitch interjected.

Mr DAY: That principally affects the Aboriginal communities. That will be very welcome from their point of view and the Government is very happy to do it. As the member for Geraldton indicated when he interjected, we are now making renal dialysis available at places like Geraldton. It has started in Bunbury in the past couple of weeks. It is available at Mandurah and Armadale. It will be established in Midland, Fremantle and Albany. It is available, I think I am correct in saying, at Joondalup. This Government has done a lot to get services closer to the people.

Significant comment was made about an article in this morning's paper flowing on from the letter of resignation submitted by Dr Carroll of Royal Perth Hospital. Dr Carroll complained about a reduction in the number of beds being available for rheumatology at the Shenton Park campus over the winter months. I am advised that is simply a reflection of what happens every year. There is always an expected increase in the demand for beds for winter ailments, whether influenza or other serious respiratory illnesses. Beds are made available for patients with those illnesses and there is some reduction in beds available for elective surgery, which is principally the procedures which Dr Carroll is talking about. I am advised that he negotiated for six beds to be available for rheumatology in the current winter bed plan as he felt that he could manage his patients at this level. I am also advised that there is always some flexibility in this system and that on at least two occasions since the winter bed plan commenced this year, additional beds have been made available for rheumatology admissions. The needs of his patients are certainly being taken seriously but in the context of the management of Royal Perth Hospital having to appropriately manage beds on an overall basis. Principally what Dr Carroll is talking about is a management issue for Royal Perth Hospital. Claims have been made that the decisions affecting his patients have been brought about by budget cuts. That is clearly not the case. As I have indicated, there have been no cuts in the health budget in Western Australia; quite the contrary, there have been substantial increases for every year that this Government has been in office.

I refer briefly to the progress that has been made in treating people who are waiting for elective surgery and are therefore on waiting lists? First, there has been a significant reduction in the number of people waiting for elective surgery. From the peak of around 17 000 patients, the number of people currently waiting is approximately 12 500, which is the lowest it has been at any time over the past two and a half years. Much of the progress is being made through the activities of the Central Wait List Bureau, which has been established to ensure that wherever possible patients who are waiting for elective surgery are offered procedures to be performed earlier than would have otherwise been the case. There have been many examples of patients who are on waiting lists for a particular hospital being advised by the Central Wait List Bureau that they can get their surgery performed earlier at another location. I will read briefly examples of comments that have come into the Central Wait List Bureau, which bear out the point I am making. One grateful member of a patient's family wrote -

Thank you for your help concerning my wife's operation, it made a pleasant change to find someone prepared to listen and help if possible, a thing that is not too common these days,

A patient wrote to the Central Wait List Bureau -

May I say a very sincere "Thank You" for the no less than joyous news given to me by Maureen today. Had I not spoken to her I would have had several considerable bills for treatment for osteoarthritic knees as a result of a letter from the Booking Coordinator at Shenton Park Hosp., telling me that I had a further 2 years to wait for surgery.

Thanks Maureen. Thanks Guys for doing a damn good job.

I must say that I concur entirely. I oppose the amendment.

Amendment put and a division taken with the following result -

#### Ayes (16)

Ms Anwyl  
Mr Brown  
Mr Carpenter  
Dr Edwards

Dr Gallop  
Mr Graham  
Mr Grill  
Mr Kobelke

Ms MacTiernan  
Mr Marlborough  
Mr McGowan  
Ms McHale

Mr Ripper  
Mrs Roberts  
Ms Warnock  
Mr Cunningham (*Teller*)

#### Noes (24)

Mr Baker  
Mr Barnett  
Mr Barron-Sullivan  
Mr Bloffwitch  
Mr Board  
Dr Constable

Mr Court  
Mr Day  
Mrs Edwardes  
Dr Hames  
Mrs Hodson-Thomas  
Mr Johnson

Mr Kierath  
Mr MacLean  
Mr Marshall  
Mr Masters  
Mr McNee  
Mr Minson

Mr Nicholls  
Mrs Parker  
Mr Pandal  
Mr Shave  
Mrs van de Klashorst  
Mr Osborne (*Teller*)

#### Pairs

Mr Riebeling  
Mr McGinty  
Mr Thomas

Mr Tubby  
Mr Prince  
Mr Cowan

Amendment thus negatived.

*Debate (on motion) Resumed*

**MR MCGOWAN** (Rockingham) [12.50 pm]: I will make a few remarks about an issue of great importance to me and to my electorate. It is an issue which should be of great concern also to the wider Australian community. We have discussed this issue in the Parliament previously. I refer to the HMAS *Westralia* disaster which resulted in the death of four young people last year.

I preface my remarks by indicating that I will discuss the issue of awards that should have been presented already to some of the people who exhibited exemplary bravery during that incident and also awards that should be made to the people who died in that awful incident. I will say a few words also about my knowledge of the treatment of the families who suffered as a result of that disaster.

I knew one of the people who died on the *Westralia*. He was Petty Officer Shaun Smith, otherwise known to everybody who knew him as Smoo. He was an outstanding person who would always do things for other people. He contributed a great deal and was liked by all. He was a leading seaman at the HMAS *Stirling* naval base when I first arrived there, and he and I became friends. I went to sea on a patrol boat on which he served. He was always full of laughs and was a person whom everybody liked. He was always up to some antics that caused a great deal of amusement to all of his friends. He was subsequently promoted to petty officer. He was on board the *Westralia* on the day of the incident, and he died in the engine spaces of the *Westralia* on that morning. I have subsequently dealt with his family in a range of areas, and naturally they have suffered a great deal and are still suffering as a result of this incident.

I will have more to say about the family later. However, at the outset I will talk about the awards that I think should have been made already to the people who exhibited bravery, to those who exhibited great intestinal fortitude and to those who died in the incident. The accident occurred on 5 May 1998 just off the coast of Western Australia. The *Westralia* is a 40 000 tonne tanker. At that time she was loaded with 20 000 tonnes of F76 diesel fuel oil which powers our warships. The *Westralia* left the HMAS *Stirling* naval base at eight o'clock, I think, which was the standard time. She had sailed up the channel and had gone out just beyond Rottnest Island when there was a catastrophic incident in the engine spaces. There was a leak from the now infamous fuel lines. That leak turned into some sort of spray or mist which came into contact with some of the hot surfaces on one of the engines in the engine spaces, and that caused an explosion. That explosion caused an immense amount of smoke to develop in the engine spaces. There was a great deal of pandemonium.

At that point there was also a loss of power in the ship and she lost way. She then started to drift towards a shoal - I think it was called an 8-metre shoal - and she was somewhere in the vicinity of 100 metres from that shoal. If she had breached herself on that shoal, there is little doubt that we would have faced not only a human catastrophe, but also an environmental catastrophe off the coast of Perth. After the fire started, the smoke started entering the engine spaces, and the crew in the engine spaces attempted to leave. People evacuated from the engine room because it was rapidly filling with black acrid smoke, which was causing great difficulty in breathing. There was also intense heat in the engine spaces.

At that time, most of the crew managed to extricate themselves from the engine spaces. However, four people remained. They were Midshipmen Megan Pelly, Phillip Carroll, Bradley Meek and my friend, Petty Officer Shaun Smith. Unfortunately, they did not make it out of the engine spaces, although a number of reports indicate that some of them exhibited great bravery by going back to attempt to get others out of the engine spaces. They were successful in dragging out others who had lost their way. Because of the overwhelming effects of the smoke and the darkness, people had lost their way in the engine spaces and could not get out. Independent evidence indicates that some of those who died went back to try to secure those people, save their lives and get them out of the engine room.

There is also evidence that the sailor by the name of Phillip Carroll was found lying on top of Midshipman Megan Pelly. She was very new to the ship. I think it was her first time at sea. It was reported that some people witnessed that Phillip Carroll went back to retrieve Meagan Pelley to try to get her out of a situation in which she had very little chance of survival. He subsequently gave his life in doing so. I have no doubt that the person whom I knew, Petty Officer Shaun Smith, also exhibited bravery because that is the sort of person he was.

As always happens in these circumstances, a plan was put together in the command centre of the ship - on the bridge. Some of the fire team were sent down to do their best to douse the blaze. At that time a number of people went into the engine spaces, which were well and truly alight, to put out the fire. They were going in to fight a fire in a tanker carrying 20 000 tonnes of diesel fuel oil, which was in danger of drifting onto a reef, in complete darkness. In that circumstance, one must expect that there is a large prospect that some people will not survive. The evidence that was presented before the board of inquiry showed that these people, including a number of women, willingly went into the engine spaces, fought the fire and won. They put out the fire, they saved the ship, they saved the 70 to 80 crew members on board and they saved the Western Australian coast from an environmental disaster. I suppose as a result of that they also saved their families and the Australian public a great deal of anguish.

*Sitting suspended from 1.00 to 2.00 pm*

**[Questions without notice taken.]**

Mr MCGOWAN: I have been talking about a matter that is extremely important; that is, the presenting of bravery awards to the people who committed acts of bravery and who carried out their duties in an exemplary fashion in the HMAS *Westralia* incident, and also to the people who died in that incident. I have indicated to the House that a friend of mine died in that incident and that both he and the others who died are worthy of some recognition. I have mentioned that one can reasonably assume from some of the reports that other people also acted in such a manner as to be worthy of a bravery award.

I had reached the point in my speech where the ship was about to drift onto some rocks, and where the fire teams that went into the engine spaces to fight the fire were able to win and save the ship. That area was extremely hot and was completely engulfed in smoke, and had the ship been breached on the reef, there would have been massive flooding as well as the potential for a massive fire that could have killed them. Some of those people went into those engine spaces to fight that fire in the knowledge that it could result in their death. That it did not is a matter of history, for which we owe those individuals a great deal of gratitude. At the same time, other people on board the ship were doing a magnificent job in helping with the overall process. Another person whom I know, Petty Officer Steve Plant, was a medic on board that ship, and when the ship arrived back alongside, he had to be ordered to leave the ship and go home, and to cease providing medical treatment to the people who had been injured and helping with the inquiries that started immediately the ship arrived alongside. A number of other people who helped to save the ship and who performed administrative and medical tasks on the ship while it was at sea also deserve a great deal of recognition.

Once the ship had come alongside later that day, a team went on board to investigate the incident. A board of inquiry was then set up under the defence inquiry regulations to examine why the incident had occurred, the performance of the personnel on board, and the performance of the post-incident management. The board received a great deal of legal assistance and heard from a great number of witnesses. The inquiry made certain recommendations about the management of the incident, the technical and engineering issues, and a range of other matters. The inquiry report is very comprehensive and can be seen on the Internet. However, that part of the inquiry that relates to the people who should be recognised is not on the Internet but is secret.

The board of inquiry handed down its report in late August-September last year. Over the succeeding 12 months, no recognition has been paid to the people who acted above and beyond the call of duty in this tragedy on HMAS *Westralia*. Some of those people have been posted off the ship to various places throughout Australia, and I expect that some of them have left the forces. Those people have received no recognition in that 12-month period. That is wrong. To coin an old phrase, justice delayed is justice denied. These people should be given some immediate recognition in the form of awards for what they did in that incident. In wartime, a person who performs an act of bravery receives a medal within a day or two. I suppose that is appropriate in that circumstance. However, it is a travesty of justice that people who have performed acts of bravery in peacetime have not received recognition after more than a year. We should rectify that immediately and ensure that these people are given a proper ceremony and proper recognition. I suspect that in the fulness of time, the Navy and the defence forces will recognise these people, but why should they need to wait for that? Furthermore, the families of the people who died in this incident should know that there is some recognition or acknowledgment of what their loved ones did in this incident. That need not necessarily be financial - the financial matters are different, and I will deal with them later - but there must be some acknowledgment of those people, and it should take place now. One person who lives in my electorate has been awarded the Order of Australia for her actions with regard to this incident, and I have sent her a congratulatory message. However, she was not on the ship. It is time this issue was taken up by the Federal Government and it recognised the actions of the people who were on the ship and who risked their lives in this incident, and of the people who passed away, and ensured they receive the recognition they deserve. Bravery awards can be awarded in peacetime. There are four categories of award, and these people should receive an award in the highest category, and that should be done straightaway.

As I indicated, I knew one of the individuals who died in the incident. I was in touch with his family after the event; he was Petty Officer Shaun Smith, the only Western Australian who died in the incident. Many of the families of the people who died were treated very poorly. The mechanism that swung into operation immediately after the incident involving HMAS *Stirling* and the team of people at that base was excellent. The ceremony after the event was handled with a great deal of decorum and sensitivity. An appalling incident involving many people who would have been highly stressed and hurt by it was handled with a great deal of very good organisation and management. I can only praise the commanding officer of HMAS *Stirling* for the way he handled the media and a range of other necessary events.

The public service administration in Canberra involving commonwealth superannuation and the safety compensation and rehabilitation people was very poor. A few incidents have occurred in recent years: The *Westralia* fire, the *Black Hawk* disaster and recent deaths in an F111 jet tragedy. A good way of rectifying the poor handling of these situations would be to have an individual in the Defence Department in Canberra appointed solely to deal with the problems of each family involved.

My experience is that the partners of the deceased in this instance received assistance, but the mothers, fathers, brothers and sisters did not receive much assistance. They are confused and upset and are required to generally act on their own. They do not know to whom they should speak when dealing with the Canberra bureaucracy on matters such as superannuation, workers' compensation, wills and personal effects. An individual should be appointed to deal with each family to ensure that they receive very up-to-date and personalised case management. That would be an excellent way of handling these issues. In due course it would also mean there was much less litigation, disputation and media coverage of these family situations. From my experience and that of the people I know, that must be done; otherwise aggrieved family members will only flounder around in the dark trying to fill out submissions and so on with very little help.

I do not blame the Navy for this situation; I blame some of the commonwealth government departments operating out of our national capital. Appointing an individual to deal with each family would be a very positive step and should occur expeditiously.

I reiterate my main point that the defence force must make awards to the people who acted bravely, those people who died and those who performed exemplary duties, as soon as possible. It is now 15 or 16 months since the incident and 12 months since the board of inquiry report was handed down. In the past, awards were made on the day after the incident. Although

that was not appropriate this time, the time has come for those people to be recognised.

**MR TRENORDEN** (Avon) [2.55 pm]: In the years in which I have been in Parliament I do not recall a Governor of Western Australia referring to the task and performance of members of both Houses in the way that His Excellency did. I thank him for that; it was a genuine effort by someone who is a spectator of this process and gives some balance to what is a problem in the community.

It is disappointing to me as I travel around my electorate to hear of the low esteem in which politicians are held in the community. There is no question that we are perceived by a section of the community as working against the interests of the public. That is obviously a dangerous and sad thing. It is dangerous because those are the emotions that have historically given rise to all sorts of movements that have caused dislocation and pain in the community. It also grieves me personally that people think of me in that manner. I would not accuse any member of this Chamber or the other Chamber of not having the constituents' interests at heart. One of the problems in politics is that 100 per cent of those interests are not seen by any one group. It is not healthy for members of Parliament not to be held in reasonable regard. We do not have to be worshipped in the community; nonetheless, it is unfortunate in a democracy as sound and as strong as ours that those feelings prevail.

I attended a Northam Rotary Club meeting a few nights ago as guest speaker and I found that one of the members of that club is in one of the groups of people held in the lowest regard in the community. I will not say what it was, but it was not a member of Parliament.

**Mr McGowan**: Does he have the same occupation as the member for Geraldton?

**Mr TRENORDEN**: He is one of the participants in that industry. I do not feel bruised by those judgments because before I came into Parliament I was an insurance salesman, which profession is also considered to be at the bottom of the scale. It is interesting to note that some senior academics speak about the dangers of democracy while that low opinion of politicians prevails. Each of us should bear that in our consciousness and endeavour to improve our image.

I have some wonderful news that I think most, if not all, people in this Chamber will appreciate. Three openings of community banks are imminent in Western Australia in the coming weeks. The Kulin Community Bank will open on 15 October, followed by the Goomalling Community Bank on 22 October and the Tambellup-Cranbrook Community Bank on 5 November.

**Dr Turnbull**: The people of those communities are very grateful to you for your assistance in getting the community banks up and running.

**Mr TRENORDEN**: I thank the member for Collie for that. I am pleased to hear those comments. Not too many people in the State have thought through the process. The biggest issue with community banking is not the lack of service, but a community doing things for itself.

I ask members to give a thought to the charges they pay at their own bank, and to ask themselves whether they would like 50 per cent of the charges that apply to those bank accounts to go into their own community. I am a shareholder in BankWest. I would quickly drop the dividend I receive from BankWest in favour of becoming a member of a community bank any day. I am not saying that because I am a member of Parliament, but because I am passionate about my community. I know how much I pay in charges for my own accounts. If half of the profits from those funds went into my community I would be happy. It would be a far better return for me than the dividend I receive as a bank shareholder. The communities of Rupanyup and Minyip in Victoria were the first to start the community banking process and are now receiving revenue of \$10 000 a month from community banking activities. The community bank president, David Matthews, was in Western Australia some weeks ago. He is an impressive and likeable individual. He is an Australian we should all look up to for showing the forethought to go through this process. I congratulate the communities of Rupanyup and Minyip and David Matthews, who went through the rough ride of putting this new concept together.

Community banks are popping up all over the place. The major banks must give serious consideration to their service delivery. It is easy for them to say that this is a flash in the pan and a process that will not continue for long. Rupanyup has a community of 600 people, and they are successfully running a community bank. There is a strong message there. In my constituency, Toodyay, which has a population of about 4 000, is seriously considering community banking. If Rupanyup and Minyip, with a total population of about 1 100 people, can make profits of around \$10 000 a month, what would Toodyay achieve with about 4 000 people? Toodyay must decide on that, but \$150 000 has been raised to go into a community bank, and the likelihood is that it will commence operating before Christmas. I will be participating in that process. Even though whatever profits they earn from my accounts will not go directly to the community in which I live, at least they will benefit a community close by me.

An event of some note will be held at Kulin on 15 October, and will be the most important event in the communities of Kulin, Goomalling, Tambellup and Cranbrook for many a long day. There will be great joy in Kulin on 15 October. I am pleased to note that I will be receiving an invitation to that event. There will be no-one happier to see that event occur on that day.

A group of people in Northam investigated putting together a multicultural festival. That received an enthusiastic response. I have made this point a couple of times before, and it needs to be reinforced. Northam has a preeminent place in our history as the most multicultural community in Western Australia. The history of Northam was affected by developments in the goldfields when people moved out of the goldfields and into the Avon region. The Avon Valley was one of the first places to be settled in this State. The population in the Avon Valley in the 1910s and 1920s reflected a considerable blend of many



nationalities. There were several famous Chinese market gardeners and people of Lebanese descent. Northam was the site of an army camp in the 1940s. Immediately after the Second World War, for a time over 30 000 displaced people lived in the Avon Valley, and many of those people are still living there. When it was first announced that we would run this festival we received an enthusiastic response from the many groups in the State. This is the fiftieth anniversary of a number of important events, the most important of which is the arrival of the first ships bringing displaced people from Europe. Although that was in May, we are holding the event in October because the Avon Valley will be magnificent then. Most members will probably know that it is also the fiftieth anniversary of the first citizenship ceremony in Australia in the format that we now have. It is an important event and will be linked around those ethnic groups. I am also pleased to announce, so that people have no misconception about the day, that the local Noongar community will be centre stage on the day. The National Aboriginal and Islander Day Organising Committee celebrated its annual event before the festival, but some of the activities planned by NAIDOC will be part of the festival so people can see the Aboriginal culture on display on that day. Northam has some excellent Aboriginal performers and artists who are doing extremely well, and it will be good to see them performing in Northam. In the near future members will see some publicity about this event. It will be held on the riverbank in Northam near the new tourist centre and it will be quite a day. I am looking forward to it.

There has been a slight hiccup with the *AvonLink* service. The member for Rockingham will love to hear this, because he is the greatest knocker of that service. We have had to review the *AvonLink* service because of a disaster. The member for Rockingham will be pleased to hear that the demand for service has been growing at 17 per cent a month, and the new train that was proposed for the *AvonLink* is already under size. If we had ordered the train that was proposed to be ordered, it would not be able to meet the demand of the service. We are looking at a reconfiguration of the needs of the train. It is delightful to see how successful the *AvonLink* service is. Toodyay is a little different from York and a lot of other towns. Many of the people who come into Toodyay on the weekend are looking for real estate. There is a lot of real estate activity in Toodyay, and the *AvonLink* is the major transport service to Toodyay. Toodyay is among the fastest growing local authorities in Australia, let alone Western Australia. The *AvonLink* service is an important part of that community, let alone Northam. I am not in any way discounting its importance to Northam, but it is particularly important to Toodyay and is an important part of the process. I point out to the member for Rockingham that his knocking of the service is noted in the Avon region and is not appreciated.

Mr Carpenter: And you are very popular in Rockingham, I believe. The community there wants to put up a monument to you.

Mr TRENORDEN: I tell the member for Willagee that I support a service to Rockingham. Some of the activities of members opposite annoy me. I support passenger services and I believe that Rockingham should get one. I do not know why the member for Rockingham believes that we do not deserve a service; that is something very ordinary that comes from the member for Willagee's side of politics from time to time. I remind the member that we are talking about people and services. The *AvonLink* train is the cheapest passenger service in this State by a mile. That may be because of a few accidental things but it is a reconfiguration of the *Prospector*, costs the State virtually nothing to run and is a well appreciated service. The member for Willagee keeps on knocking it on size, but it is reasonable. The train does not carry large numbers of people but the patronage in each carriage on a per head basis is well above everything else that occurs in this State.

Mr Carpenter: The member for Rockingham's view is that if there is a train that goes up to Avon, there should be one to Rockingham.

Mr TRENORDEN: How much did it cost to get a train to the Avon?

Mr Carpenter: I don't know.

Mr TRENORDEN: Less than \$100 000.

Mr Carpenter: The member for Rockingham is saying that if you can justify a train to Northam, you can justify it to Rockingham.

Mr TRENORDEN: Someone on the member for Willagee's side of politics should go up to the Avon Valley and tell the people there that the Labor Party does not want to take that service away; because the people in the Avon Valley believe it does.

Mr Carpenter: You must be actively misleading them.

Mr TRENORDEN: I do not pump out that information; I do not have to do those things in my electorate. I sincerely hope that Rockingham, Mandurah and many other places in this State get passenger train services. I receive many calls from people in Albany wanting train services back there.

Mr Brown: So do I. However, when I asked the minister a question on that subject, he said the current services are perfect.

Mr Wiese: That is not true.

Mr Brown: I will bring in the letter.

Dr Turnbull: Current services are perfect but they may need extending.

Mr Brown: I am very pleased about that interjection.

The DEPUTY SPEAKER: I ask the member for Bassendean to come to order.

Mr TRENORDEN: There is a fair bit of history here. One of the reasons for people in the Avon Valley being sceptical

about the Labor Party's commitment to the *AvonLink* is because the last Labor Party Minister for Transport, Hon Pam Beggs, said there would never be a service to Northam. She visited the region and said, "Stop bothering the Government about it. It will never ever happen."

Mr Osborne: I bet old Ken McIver is turning in his grave.

Mr Brown: The Prime Minister has now learnt to never say never ever because he said it and he was wrong.

Mr TRENORDEN: That is right. If I am fortunate enough to win another couple of elections and work extremely hard for the next two terms, I might be half as popular as was Ken McIver. He is a revered man in the Avon Valley and it is one of the greatest shames that after leaving politics he lived less than two years to enjoy it.

Mr Brown: That is why he wanted another two terms too.

Mr TRENORDEN: I had not thought about it like that. The member for Bassendean might convince me to keep re-running. However, it was sad that Ken McIver died so shortly after he had put in a long service in the Avon region. He is well respected and his name will never be removed from the Avon. To many people in this place and in Perth he was a well loved man.

Another issue of importance in the Avon Valley - I am sure it is not important to members opposite and I will receive some derision from the Opposition - is the single and double leaf Cape tulip. Because of the soil conditions and the rainfall in the Avon Valley, this plant flourishes. It is one of those things with which we are in conflict because in a few weeks people visiting the Avon Valley will be delighted with the display put on by the Cape tulip, but it is a major menace to agriculture and to the Avon River itself.

Mr Wiese: Paterson's curse is too.

Mr TRENORDEN: Yes, the blend of Paterson's curse and Cape tulip is spectacular. The Avon Valley receives a great deal of tourist activity due to both of those plants. Paterson's curse in the Avon Valley is magnificent for the honey trade as it does well in that area. Nevertheless, it is a noxious weed that creates a major problem by choking out the river, creeks and pastures. It has been known for some time that there are natural predators of Cape tulip. It is an African plant that was moved to Western Australia, I understand, for garden purposes.

Mr Osborne: It can be used in a salad.

Mr TRENORDEN: That is why the double-gee was introduced to Western Australia, as a salad vegetable for convicts, and we all know how widespread that is. Noxious weeds like double-gee and Cape tulip do not have natural predators in Western Australia. In their natural surroundings of Africa they have plenty of competitors and are not regarded as pests as they are here, obviously because everything is in balance and mother nature balances out that process. There is a need therefore for an amount of \$100 000 a year for three years to identify a natural predator, to ensure that it does not have a negative impact on the community or on mother nature. It needs to be put into a laboratory situation for a number of years to ensure that it will work and it will not have any serious consequences on our environment. It is important that this occur. Farmers are not keen these days to apply chemicals, particularly with Cape tulip which is difficult to get rid of. For those members who do not know, it is a bulb and while it grows underground, it is hard to affect and requires the application of very strong chemicals which farmers are reluctant to use.

Health services in country areas are out of balance with the metropolitan area. Members will agree with me when I say that it annoys me when I drive to Perth and occasionally listen to talkback radio programs with metropolitan people bleating about poor health services and I drive back to my constituency and see the services put up with by country and rural people. Health services are absolute basic requirements of lifestyle in this State. Over at least the past decade all the services in the rural areas have been pruned and pruned so that they are lean and mean. There is very little fat left in health services in rural WA. I would not say the same thing about the major teaching institutions in Perth. Because governments - this and the previous Government - have been able to have an effect on country hospitals, health services have been pruned down to the bare bones.

I think members will agree with me that it is about time they were rewarded for that effort. It is well and truly time that country hospitals and country health services were rewarded for at least a decade of tight management and a responsible attitude to activity. In the metropolitan area one cannot say that has been replicated in the major teaching hospitals; that is well known by country people. There may be a slightly different argument for some of the outlying hospitals. I have not looked at the figures for some time. However, it is my understanding that 55 per cent of the total Health budget is taken up by those services in major teaching hospitals. Obviously, we do not want to deny those services because some of them are used by country people.

Many of the people who are in need of the services provided by the popular hospitals, such as Princess Margaret Hospital for Children, are country people. They do not have the capacity to take their children to the hospital on a one-off consultation basis but must come to the city for extended periods. Country people are not opposed to the provision of those services, but it would be good to think that those institutions had been through the same processes as country health services. They have not. It is about time those people who deliver services in regional areas were rewarded, and that the people living in those regional areas were also rewarded. There are some desperate needs in those areas, which I do not have to tell you about, Mr Deputy Speaker, but I will mention them because some members may not be aware of them. People who have kidney failure and must use a dialysis machine or those who have serious mental health problems desperately need a whole range of services, some of which are becoming available in regional Western Australia. Disability services are improving under this Government, without any question, but they are still a long way from where they should be. The need for these

services must be recognised.

There are many issues in rural areas, some of which are good news stories. I am constantly amazed by the excellent work done in land care in rural Western Australia, particularly in my electorate. A week or two ago I was at Yenyening Lakes talking to the group which has done an outstanding service to that countryside. If members went to Yenyening Lakes, they probably would not notice the work that has been done. However, when I was a teenager I was involved in the terrible activity of duck shooting at Yenyening Lakes. Not many ducks were in mortal danger as a result of my shooting! Nevertheless, I loved going there with my father and brothers and we would camp by the lakes. I am going back about 30 years now. The MacLean family in Beverley, near Yenyening Lakes, were neighbours of my family in Wyalkatchem.

Mr MacLean: Not related.

Mr TRENORDEN: The member should not say that so quickly, because they are a very good family. A branch of that family were our neighbours in Wyalkatchem and we had a strong relationship with them. It is excellent to see the improvement in those lakes, which had been deteriorating. About two or three years ago the Yenyening Lakes were four times saltier than seawater. Today they have been measured as about one-third as salty as seawater. In the arguments about salinity, those efforts should be recognised. They involve not just the people around Yenyening Lakes; an effort must be made throughout the whole catchment area to make that kind of improvement. Together with other members, I have been concerned over the years that some of the people involved in land care might burn out because it involves enormous physical effort. However, people seem to be as enthusiastic today as they have ever been, and it is a great credit to them.

**MR BROWN** (Bassendean) [3.24 pm]: I take the opportunity to speak in the debate about matters concerning my electorate and some issues that have been raised with me on a number of visits to regional Western Australia in recent times. The first matter is often spoken about in this House; that is, crime. Next Monday I will meet with a number of groups of senior citizens in the suburb of Beechboro to discuss their concerns about crime in the immediate vicinity. They have reported to me that the matters of concern to them have been steadily increasing, and it has now reached the point at which they believe they need to stand up for themselves and demand that some action be taken. Needless to say, there is constant demand from people who do not have security services in their area for patrols to be established to attend to some of the antisocial and criminal behaviour that unfortunately besets the suburbs in my electorate, and those in other electorates.

Security patrols established in my electorate have had a measure of success but that is because so far they have been applied only in some areas. To date, we have seen a level of displacement. When an intensive effort is made in one area and not all areas, according to the criminologists displacement occurs. In those circumstances people shift their criminal and antisocial activities from one area to another, and thus it is displaced. That has happened in the Homeswest redevelopment program in Lockridge, where a security service has been engaged in that suburb. It has been welcomed by the residents of Lockridge and has resulted in a decreasing crime rate. However it has not had the same effect in surrounding suburbs, and in parts of suburbs such as Bassendean the level of crime has increased. Up-to-date figures are not available, but it is suggested that some displacement has occurred.

In recent times the Government has paraded around a graph showing that the level of crime reported has declined and that the level of certain crimes reported - stealing motor vehicles and house break-ins - has declined. All I can say is thank goodness that is the case, because one would hate to think those levels could go much higher. This Government came to power in 1993, and in its law and order policy released in 1992 it claimed that Western Australia was a place of lawlessness and that the State was out of control. We all know that since that time, the rate of crime per head of population has increased dramatically. Fortunately, those figures have now dropped, but the level of crime is nowhere near the level per head of population. Also, there is a much higher crime rate, despite the significant increase in the prison population in 1992. It is a significant increase in the number of prisoners and also in the number of prisoners per 100 000 of the general population.

I have spoken in this place before about the need for substantive measures for crime prevention. I continue to make those sentiments known whenever I speak to people who are prepared to listen. I will not today go through all the arguments I have previously raised about this matter. They are set out in previous speeches and in a speech I made to a crime prevention conference four or five years ago. The measures advocated then are the same measures that I advocate now. They still have not been implemented and no effective resources have been put into crime prevention in the suburbs. If the Government is serious about tackling crime, it must allocate significantly more resources at the local level to make a strenuous effort to prevent it. It is all very well to talk about an increase in the apprehension and clean-up rates. However, that means is that we are getting better at catching the offenders; it does not mean we are stopping crime. If we want to stop crime, we must ensure that we deter young people from going down the criminal justice path and, unfortunately, it is young people in the crime statistics. That should be done not by passing legislation in this place which imposes greater penalties, but by intervening in the lives of young people, particularly those at high risk, and ensuring that they have real alternatives to work, training and education. If we consult with members of school communities, local health services, local police and some of the youth agencies in the electorates, we will find where these pockets of young people are emerging. It is not a difficult scientific job which must be handled by an expert from overseas; it can be handled at a local level if the resources are put in at a local level.

Three months ago I raised a concern about substance abusers in my electorate, particularly the issue of young people sniffing glue and the hazards they bring to both themselves and the community. I asked for an intervention program to be established in the electorate, which would engage those young people and take them away from substance abuse and into social programs, work or school. It needs resources and competent youth workers and other professionals who are prepared to work with those young people and their families to get them away from the abuse and help them to make a positive contribution to our society. I had a meeting with senior officers from Family and Children's Services. As a result of that

meeting, I thought those officers would respond to my issue. They indicated that they would provide a response to me in four to six weeks from the date of that meeting. I was hopeful of seeing the establishment of a program which would deal with that issue. Three months have passed and I have not heard a thing. That indicates that either those officers in Family and Children's Services are overstretched and have not given the matter consideration or they have duly reported on the issue, the report has gone to the senior management of the department or to the minister, and it has simply been rejected. Whatever is the case, nothing has been put in place to provide that intervention program.

It is true that a local drug action group has started in my electorate and some good people are involved in that group; people for whom I have a lot of time. We all know that a prime role of the local drug action group is to work with families and substance abusers and to encourage substance abusers to stop the abuse. It is not the role of that local drug action group to run intervention programs. It does not have the money, resources or talent to put people into difficult situations to work with people who do not necessarily want assistance. That is the type of program we need if we are to have proper intervention. We need a collaborative program. Youth workers must work with the police, local education authorities, communities and employers to set up appropriate programs so we can give those young people who are off the rails some hope and choice and a positive lifestyle. We will not achieve that by wishing and hoping. We will achieve that only by putting in the resources and by working with those groups and families. That is resource intensive. However, is this argument simply being put by someone who is namby-pamby and who simply believes in equity for equity's sake? The argument is not being put for that reason. Even the most hard-headed economic rationalists can argue for this program. Why is that? If young people sniff glue for three or four years solidly, and if the intellectual damage they will suffer is taken into account, they will have limited value and will make a limited contribution to our society for the next 10, 20, 30 or 40 years, if they survive. If they have sniffed petrol, glue and other substances for four or five years before they reach the age of 20, they can be a drain on society. If they lived to 60 years of age, ordinary taxpayers would pay for the treatment and care of that person for the next 40 years. Is that good economics? No, it is not. Establishing an intervention program and stopping the substance abuse is better economics. It will cost money and it will require resources. However, by any stretch of the imagination and by any calculation, the use of resources for that purpose will be a saving. Even the most hard-headed economic rationalist can see that, let alone the people who believe in equity and fairness. I am one of those people and I am proud of it. Even if we take the hard economic rationalist approach, there are strong and substantial reasons for putting in those intervention programs. There are insufficient programs to make an effective dent in the problems in the area. People can talk about parental control and the education system and find all sorts of reasons and causes, but at the end of the day, the community as a whole must deal with this issue. We need those intervention programs to deal with the types of social problems we are now experiencing.

I will also speak about education, particularly the allocation of pre-primary places in our primary schools. I am pleased that the Minister for Education is in the Chamber. I will read some correspondence that I have exchanged recently with one of the district directors of the Swan Education District. I have an extremely high regard for this person. On a number of occasions he has intervened in my electorate to deal with some difficult education issues, and he has done an admirable job. I wrote to him on 15 June concerning the pre-primary placement policy. My letter stated -

I have been asked to ascertain the Department's policy on the manner in which pre-primary places will be allocated in the situation where a family living within the school boundary has one or more children attending the local primary school.

It has been put to me that parents with two or more children eligible to attend the local primary school may not be offered a pre-primary place at the same school for their second or third (pre-primary) child. Needless to say, some parents are concerned about the transport, security and cost implications of this policy.

It has been put to me that in allocating pre-primary places the Education Department should have regard to whether the pre-primary school student has brothers or sisters attending the same school. In those circumstances the emphasis should be on keeping the children together and facilitating the needs of the family.

You would appreciate there are a number of problems parents would have to contend with where one pre-primary school child is not allowed to attend the same school as their brothers and sisters. The cost of providing different uniforms, entering into separate after school hours care are obvious as well as the transport problems involved in having children at two schools.

My purpose in writing to you is twofold. First to request a significant criteria for the allocation of pre-primary places be one relating to whether brothers and sisters of the pre-primary child presently attend the school. And second, to provide a clear outline of the criteria that will be used to take this factor into account.

Would you be kind enough to let me know if you are able to oblige.

The district director replied in due course in the following terms -

The selection criteria and enrolment procedures relating to both kindergarten and pre-primary placement was recently reviewed resulting in a revised set of selection criteria and enrolment procedures being forwarded to schools in May 1999.

The review group aimed to develop clear and easy to administer selection criteria together with enrolment procedures that would minimise the amount of work for district offices and schools and which would ensure a transparent process.

In reviewing the selection criteria and enrolment procedures the review group took account of the provisions of

the School Education Bill.

That is the Bill currently before the other place. He continued -

Under the School Education Bill boundaries or 'local intake areas' will not apply to the pre-compulsory (kindergarten and pre-primary) years of education regardless of whether the school has a local intake area or not.

As a result it was seen that only one set of criteria was necessary, built upon the principles of being simple to administer, in the best interests of children and their families and was as equitable as possible given the parameters in which we operated.

For the non-compulsory school years (kindergarten and pre-primary) all eligible children are guaranteed a place in a kindergarten, community pre-school or pre-primary program as near to their home, although not necessarily at their local school.

The Education Department recognises that it is preferable that children are able to access a program at their local school or with their siblings and although every endeavour is made to comply with parents' wishes we are not in a position to be able to guarantee that this will occur. It must be said that the vast majority of parents' requests are met.

When looking at the situation that we have now with no 'local intake areas' the committee was faced with a dilemma. If siblings were mentioned as criterion then those children would be guaranteed a place before children living closer to the school who did not have siblings. This was an unenviable situation to be faced with but it was felt that by having children living nearest to the school as the criterion it would mostly cover all children, with or without siblings, who lived closest to the school.

The letter then goes on to outline the selection or allocation criteria that will be used. This poses a major problem for parents with two or more children at a local primary school and with a second or third preprimary school child who will be denied access to the local school. I have been prevailed upon by a number of people, including one very articulate constituent who wrote about that letter in the following terms -

The formulation of the Departments policy was based on the need for it to be clear and easy to administer. I believe that the underlying notion for this is that the policy is the most cost effective with which to administer. This flies in the face of the Education Departments apparent ethos (located at the bottom of their application for placement forms), of "developing a robust sense of personal worth in all students dedicated to learning, equity, excellence and care". I believe that for this "ethos" to apply, then the selection criteria for the placement of children needs to accommodate at least one of two scenarios.

1. Children in kindergarten or pre primary should be guaranteed a place in their local kindergarten or pre primary especially when there are already older brothers or sisters in attendance at the local school.
2. There should exist facility in the policy to accommodate the individual needs of children in extenuating and/or difficult circumstances.

The allocation of places based on distance from the school fails to consider either of these two items.

I believe the Department's primary reason for the non-allocation of boundaries for the Kindergarten and Pre Primary's is a pre-empting of the Education Act before parliament, which I believe includes the abolishment of boundaries for all schools.

Research in education has shown that the most important years for a child at school are up to and including grade 3. The possibility exists with this present policy that students can attend a kindergarten in one area, a pre primary in another and finally attend their local school the year after. I fail to see how this lack of structure for any child can lead to optimal learning; in fact I believe it would be a detriment to learning. This movement from school to school not only impacts on the stability of the child's learning but also the socialisation of the child with their peers. Children with special needs need to have these considerations catered for and this policy totally disregards it.

The impact of separate schools for parents is also a concern. Most schools in this district finish at approximately 3:00pm. If a parent is faced with having children at multiple schools then it is likely that additional costs will be incurred such as after school care, since it is impossible for a person to be in two places at once. At \$3 per day per child it is obvious that this is a significant expense for the parent. The cost of transport would also be a concern along with different uniforms, which could not be handed down. Parents would also have to become familiar with different school policies and procedures. With the pace of educational changes at present it is difficult enough to keep up with one school.

It is unfortunate that the Minister for Education obviously has other commitments and is not in the Chamber. I raise this because it is a very important issue to a number of parents in my electorate who have a child going to a kindergarten or preprimary school and older children attending the same school. There is no guarantee that the youngest child who is attending the preprimary school or kindergarten will be allocated a place. This will be dysfunctional for the family and the family will incur extra costs. It is not the best environment in which a young person should go into a school, particularly when the matter could be accommodated easily by the Education Department. It does not make for nice, clean, crisp bureaucratic decision-making, but the question is: Are we to have nice, clean, crisp decision-making by bureaucrats so that they are happy or are we to have a policy that suits families and children? Where should the emphasis lie? The emphasis

should be on families and children. The wrong weight has been given to this policy. I will send the minister a copy of this speech together with the letters to which I have referred and ask him to deal with this matter. I was hoping that he might deal with it by way of interjection. This is a significant issue and one that will gain pace as time goes on.

The minister has entered the Chamber. I do not know whether he will answer the question while he is here. A moment ago I finished making a fairly long speech about the allocation of preprimary and kindergarten places where a family has one or two children attending the local school and has a younger brother or sister who will go to the preprimary school or kindergarten the next year. The Education Department has said that the younger brother or sister who will attend preprimary school or kindergarten may have to go to another school if he or she is not in the group of enrollees that are closest to the school. One could have the older brother and sister attending school A and the younger sister, the preprimary school student, attending school C even though she is recognised currently as being in the local intake area. She would have to go to another school when her brother and sister attend the local school. There are questions of cost and inconvenience to the family, different uniforms and all of the issues that have been referred to as well as the educational opportunities that may come about.

Mr Barnett: I must go somewhere else. I am aware of that issue. The department has tried to see that siblings stay together. The difficulty arises because obviously kindergarten in this State is for two half days a week. A kindergarten, particularly in rapidly growing areas, may be serving several schools. That presents some logistical problems, but wherever possible we are trying to ensure that siblings stay together. I appreciate the point that you have made. We are certainly not trying to separate families, but sometimes it is very difficult. There must be an element of discretion at the district or school level. However, the emphasis is to try to keep siblings together.

Mr BROWN: I appreciate that, and I appreciate that the minister must go somewhere else. I ask the minister to review the document that is being used at a district level - I understand it is not one district but all districts - because it says that is not a consideration. If the minister is talking about exercising some discretion, as he just indicated, and doing those sorts of things, that is what people would like to see in that document so that at least they can make representations to the local school.

Mr Barnett: There is no perfect rule for these issues, and there might be guidelines. At the end of the day commonsense on the ground must apply.

Mr BROWN: I refer to another issue raised by one of my constituents who lives in a strata title unit. This constituent had a great deal of bother with the tenant of another unit because the tenant of that unit would continually park a car immediately in front of the unit in which my constituent lives, would wake up my constituent at all hours of the day and night and commit various other offences against the rules that applied in the strata title units. This action went on for months and months, and as a result my constituent laid a number of complaints and eventually received an order from the strata title referee. The order was breached and eventually the matter went to the Magistrate's Court. The magistrate imposed a fine on the offender. This was not a parking offence where someone erred on one day; this was a situation in which there had been one offence after another for months and months.

In more recent times my constituent has endeavoured to have the Fines Enforcement Registry enforce the fine. However, he has been told that the person who received the fine comes backwards and forwards into the country. I am not sure whether that person has residence or temporary visa status. That person does not have a Western Australian driver's licence. The Fines Enforcement Registry has said that the only thing it can do is suspend the driver's licence. It cannot collect the fine. This is an absolute joke. My constituent has put up with months of inconvenience. He has gone to the strata title referee. I will certainly be raising this matter in more detail.

#### *Amendment to Motion*

Mr BROWN: I move -

That the following words be added to the motion -

but regrets to advise His Excellency that the Court Government has failed to address a range of major social issues from personal safety and security to family law with dire consequences for many Western Australians.

Further, whilst noting the Government's legislative proposals for law and order we regret to advise that they are insufficient in terms of time frame, detail and substance. Legislative reforms in areas such as prostitution, the confiscation of the assets of drug dealers and the provision of protective custody for those suffering from substance abuse are long overdue.

**MRS ROBERTS** (Midland) [3.53 pm]: This is an exceptionally important amendment for us to debate in this Chamber at the earliest opportunity. Governments are elected to govern, yet we have a Government that has really lost its nerve to govern. It fails to tackle the hard social issues and it also fails to deliver on key community priorities. Those priorities, as everyone in this Chamber should know, are law and order, health and education. Of all of those priorities, the one I single out, particularly because I am the Opposition police spokesperson but also because it is a key issue which is raised in my office and which I am sure, is raised in the offices of most members, is community safety and security and the provision of law and order in our community.

When the Court Government was originally elected in 1993, it was elected to a large extent on a platform of law and order, and it promised to deliver a great deal. Unfortunately, the record is nothing short of pitiful in a number of ways. It is pitiful because of the alarming increases in the past six years in a range of disturbing crimes. It is also pitiful because of the few

legislative reforms that it has put in place in that time. It is probably worthwhile to reflect on those legislative reforms, given that a new session of Parliament has now started.

Let us examine the record of the Court Government and what it has done to legislate to enhance community safety and security and examine what it is proposing to do, as outlined in the Governor's speech earlier this week. I will refer to what has been achieved so far in legislation from the coalition Government. We saw amendments to the Firearms Act. These were to reflect a national firearms agreement. They were initiated not by the Government of this State but nationally, with bipartisan support of the major parties. That was one of the earlier pieces of legislation put through this House which arguably provides for people's safety and security by removing many guns from the community.

Recently we debated the Weapons Bill. However, I understand that, despite the minister's concerns about the time it took to pass through the Parliament, most of the delay occurred in the upper House and was due to the lack of action by the leader of the coalition in the other place as well as some delays with a committee of the upper House which was dominated by coalition members. However, further than that, I understand that at this time the Government still has not proclaimed the Weapons Act. If that is the case, one must wonder why. Maybe it is because the Government has not yet sorted out the regulations. However, it makes the minister's claim of delay with this legislation fairly shallow because it seems that the Government was not ready to proclaim it once it was passed. Again we have tardy action by the minister and his Government.

Another piece of legislation which the Opposition supported was the Pawnbrokers and Second-hand Dealers Act. At the time there were huge concerns about the level of burglary in the community. Back then, many people realised that this was driven largely by an increase in drug use, with people wanting to steal and pawn goods to obtain money to purchase drugs. A large number of televisions, videos, stereo equipment, cameras and the like were being stolen and easily pawned. Money was being stolen. There were many reports of goods being stolen to order. People involved in criminal activities were supposedly making up lists of video recorders, stereo equipment, or other hi-fi or technological equipment, and those goods were being stolen to order and pawned, with cash being obtained. To stop that activity, the Pawnbrokers and Second-hand Dealers Act was introduced by the coalition Government. It was supported by the Labor Party because it, too, wanted to put a stop to people's goods being stolen and then hawked in second-hand shops and the like.

Unfortunately, as a result of making that very difficult, because the cause of crime was not addressed and because people were still intent on criminal behaviour and obtaining cash - perhaps to serve a drug habit or for some other reason - the problem has worsened. Because they can no longer easily pawn those goods, they have taken to other crimes. The minister has admitted that he believes the increase in other crimes, such as armed and unarmed robbery, is attributable to the fact that the Pawnbrokers and Second-hand Dealers Act has made it difficult to pawn goods. We have seen many more crimes involving directly taking cash, such as holding up delicatessens, camera stores, liquor stores, video stores and the like. The number of assaults on elderly and other vulnerable people has also escalated. Perpetrators steal handbags to get cash directly rather than pawn goods. Unfortunately, as a result, we have seen an increase in more violent crimes. Previously goods were stolen while people were out during the day. People, including the elderly, are now being assaulted on the streets and in their homes.

The Government also proceeded with the Police Act Amendment (Graffiti) Bill. Of course, that legislation was largely driven by the Leader of the Opposition's introduction of a Bill to amend the Police Act to deal with graffiti. The Government did not support that Bill, but surprisingly some time later it introduced legislation that looked very much like that introduced by Dr Gallop. Nonetheless, the Government belatedly introduced legislation to attempt to control the incidence of graffiti in our community.

The Government also introduced the Security and Related Activities (Control) Bill, which was designed to control the security industry. Again, that legislation was supported by the Labor Party. The Surveillance Devices Bill, which was debated in this House earlier this year, also received Labor Party support. In fact, listening devices legislation, which the Surveillance Devices Act eventually covered, was promised as early as 1992 as part of the Government's election policy. It took me a couple years of questioning the Police Minister about that legislation and stressing the need for it to deal with people involved with drugs before we eventually saw its introduction.

They are the only key pieces of law and order legislation introduced by this Government. I note that in every instance the Government's legislation has received Labor Party support. Let us have no rhetoric from members opposite about any failure in respect of law and order or reluctance to introduce legislation being due to a lack of support from the Labor Party. The Government has enjoyed Labor Party support for such legislation in every instance. Members on this side have offered time and again to take a bipartisan approach to legislation designed to provide better protection for the community.

The Governor outlined the Government's future direction in law and order legislation. He made reference to the network of Safer WA committees and the good work that is being done in that area. We could become embroiled in a long argument that this is largely a name change, and that these committees were in place prior to the initiation of the Safer WA program. However, some good programs are being implemented. The Governor mentioned having recently visited Karratha's Gurd Cafe, which is a very good initiative.

The Governor also noted that encouragement for the partnership approach to crime prevention is offered by the latest police service crime statistics. He refers to the "police service crime statistics", not to the Australian Bureau of Statistics data. If he were to refer to the ABS statistics, I doubt that he would be encouraged. The latest statistics contain graphs that are largely contrived. They cover periods sometimes as short as three months. Whenever senior police officers refer to them they choose their words very carefully. The graphs also tend to compare periods that will make the Government look good; for example, they compare a period during which the level of crime was high with current statistics rather than the overall

trend. When one looks at the figures from 1993 to 1998, one sees some very disturbing trends. Even the new limited figures provided by the Police Service show that the rate of assaults in this State is out of control. The incidence of assaults increased even during the period to which the Government points as indicating a positive outcome.

The currently proposed legislation is not encouraging. There is no definitive commitment to a willingness to pass certain Bills through this House before the end of the year. The Opposition has already noted that prostitution legislation, which was referred to at the commencement of the last session, is now no longer mentioned. The Premier admitted in question time earlier this week that the Government was finding it too difficult to introduce that legislation. The review of the Police Act, perhaps in the form of a new police services Bill, was promised by members opposite before they took office. The Police Act 1892 is a very large and cumbersome piece of legislation, and it has been in need of urgent review for some time, as have many of the Police Act regulations. However, we have seen no action from the Government. The same is true of prostitution legislation. The minister says that it is being reviewed, that he is working on a draft and that things are happening behind the scenes, but nothing ever seems to surface. The best we can get from the minister is that he hopes to be able to introduce a new police services Bill to replace the Police Act before the end of this year or before the end of this session, which is halfway through next year. The Government is running out of time. It will have been in office for seven years by the time we have any opportunity to look at the revised Police Act. Law and order and policing are not attracting the priority that the community expects. The minister needs to pull his finger out and introduce something promptly.

The Governor pointed out that -

Along with a *Criminal Investigations (Covert Operations) Bill*, this legislation will give the Police the powers they need to deal with modern crimes and modern criminals.

The Governor's speech does not specify what these modern crimes are or what modern criminals are involved in. Perhaps one could assume that the Governor's speech referred to drug-related crimes. It may be that is what the Government and the Minister for Police consider to be modern crimes.

In any event, my understanding is that the Criminal Investigations (Covert Operations) Bill which the Government has proposed - despite the fact that the Government has not yet presented it to the House - will provide the police with additional powers to investigate offences and will include powers and procedures governing the use of DNA sampling. That is a very important piece of legislation, and one which the previous Commissioner for Police talked about for a couple of years before he left the State. I thought we would have seen that legislation well before now. The previous minister talked about this legislation and the previous commissioner talked about DNA sampling and what an important tool it would be to investigations and in reducing the crime rate. I again call upon the Government to bring that legislation forward.

I also call on the Government to bring forward legislation in the area of prostitution, which it has not done so far. We heard excellent comments by the member for Bassendean asking the Government to provide legislation relating to protective custody for those persons who are affected by substance abuse. The member for Bassendean outlined those problems very well. Children in my electorate, and in most other electorates, are abusing all kinds of substances. They are involved in chroming, and in sniffing glue and all kinds of other substances. These substances make people as high as a kite. When we go to the police to get something done, we find that the police can do nothing until these children either commit an offence, or become the victims of some offence because they are so vulnerable. The police can do nothing to take these children into custody and, as the member for Bassendean as pointed out, Family and Children's Services is not offering effective programs to deal with these kids. It is sad indictment that these kids are being allowed to kill their brain cells. It is as simple as that. They are ruining their future potential when they are as young as 11, 12 or 13 years of age. It is a significant community problem and this Government is not tackling it.

I have been waiting for the Government to introduce law and order legislation. At a meeting convened by the member for Girrawheen and the federal member for Cowan the other night, reference was made to the need for legislative reform to confiscate the assets of drug dealers. Mr Standing said he hoped that he would get bipartisan support. I can tell Mr Standing, the Police Service and the Government that the Opposition looks forward to confiscating the assets of drug dealers, but where is the legislation? It is not listed in the Government's legislative program. The Minister for Police and the Premier should provide a proper list of what will be included in the new Police Act. What exactly will it cover, and what is the time frame involved? The most serious issues that face the community are law and order and drugs. The Government has not brought in the appropriate legislative reforms to deal with either area. The Opposition is happy to offer bipartisan support to deal with a range of law and order and drug issues. The Government should take up our offer.

**MS ANWYL** (Kalgoorlie) [4.14 pm]: I support the motion and endorse the comments made by the members for Bassendean and Midland. The view in the community on the major social issues that are now banking up before the Government and which it needs to deal with in its legislative agenda, is that if something can be classed as a social issue, one cannot expect to have it dealt with by this Government prior to the next election. That is a most unhealthy attitude to exist in the community, because as we all know there is already a degree of cynicism and scepticism about all politicians. We now find in the community generally a view that if something is too hard it will not be dealt with in the run-up to an election. There are vast numbers of people in our electorates who are disenchanted by the concept that particular issues are in the too-hard basket.

One issue that is most often discussed, and perhaps is highest in the public's mind, is prostitution. I have some contacts in my electorate from time to time about that. The overwhelming evidence for the need for legislative reform in the area of prostitution is what is occurring to our young people in our inner city suburbs. They are routinely exploited on our streets, whether it is in Perth, Kalgoorlie-Boulder. We know that people, usually with some sort of criminal aspirations or records, prey successfully on young people. They act as pimps for young people. They are keen to keep young people addicted to



hard drugs. They make a lot of money from young people and are not being touched by our law enforcement agencies at the current time.

We know that people engage in paedophilia. Let us not kid ourselves that a dividing fence exists on the Western Australian border so that Western Australia does not have organised and active paedophiles in our midst. Let us not think that we do not have serious problems such as those which were identified by the Queensland Criminal Justice Commission and the Wood royal commission in New South Wales. Let us not think that we do not have those issues in Western Australia, because we do. One does not have to go terribly far down the track of misery that becomes evident when someone is addicted to heroin to find out that young people are actively recruited into prostitution by people who are concerned with profit and power, and who use young people as their sexual playthings. Those people exist in our communities. The longer that we fail to enact laws that adequately deal with prostitution, the longer we are sentencing a number of young people in our community to an absolutely sordid and horrific life. Quite frankly, if we were privy to that happening to members of our own family, we would despair and we would not be quite so dispassionate about what is happening to other people's families in our community.

Prostitution is one of the most significant areas in which corruption can flourish - not only in the Police Service, but wherever there are institutions. Whether it is an institution like Family and Children's Services or any other government agency, the potential exists for certain individuals to reap rewards from the use of the information they have about children who are vulnerable. One need not go terribly far to find that and one need only look at what is occurring in other States. Other States have been prepared to look at their own institutions. Recently the Queensland Government had the decency, the courage and the moral fortitude to call an inquiry into institutional abuse of children that had occurred not only in the past but currently. One has only to look at investigations like the Wood royal commission to find out that wherever children are placed in institutions as wards of the State, some adults - not all - hang around those institutions because they know they are the best places to recruit vulnerable young people. They want to recruit those young people for financial gain and use them for immoral purposes. Therefore, we should not kid ourselves that this type of thing does not occur in Western Australia.

Another social issue that should be on the legislative agenda that has been either ducked or ignored is the long-term call both nationally and at a state level for the appointment of a commissioner for children. About a year ago the Minister for Family and Children's Services announced that a family and children's policy office would be set up. Moneys were allocated in the past financial year and in excess of \$1m has been allocated in this year's budget for the setting up of that policy office. We have heard not one thing further about that matter in this Parliament since the start of this financial year. I suggest to this House that more than \$1m is a significant amount of funding and, given the level of concern that exists around a number of issues relating to children and young people in this State, it is about time we had some detail from the minister about what will occur with this policy office. Clearly, there is a need for coordination of services between the Office of Youth Affairs and the Department of Family and Children's Services. Clearly there is a need for coordination between the juvenile justice and the offender management divisions. A significant number of young people are creating problems in their communities and families. The members for Midland and Bassendean have talked about children who are substance abusing; that is one example for which there is a greater need for effective action and coordination between a number of agencies; of course the Health Department has a role there also.

De facto property law reform has been on the agenda for as long as I can remember having lived in this State.

Mr Osborne: Show us your family tree.

Ms ANWYL: Another day.

There were calls back in the 1980s for reforms to de facto property laws. Most States, with the possible exception of one or two, took action on that issue a long time ago. Members will have received a circular letter from a Mr Withnell who wrote to all elected representatives about his son's difficulties. Without going into that case, a significant number of people in the community choose to live in stable relationships but not get married. I am one of them. I choose not to get married but I resent any suggestion that my relationship is inferior to that of a person who chooses to get a marriage certificate. I also note that many people live in de facto relationships and have done so for many years. Although it is true that one can get married in a very short time and one can commence a de facto relationship in a very short time, it is simply not correct to apply one's own moral standards to the choices made by other couples.

Mr Cowan: My wife keeps on going down to the registry to see whether the licence has expired!

Ms ANWYL: Perhaps she needs some legal advice.

Ms McHale: Tell her there are other ways.

Ms ANWYL: If she needs a good family lawyer -

Mr Cowan: No, she doesn't.

Ms ANWYL: I have no difficulty with people getting married. I say good on them, and I congratulate them all. However, people have freedom of choice and we should recognise that a significant number of couples in Australia and Western Australia choose not to get married. We should provide legislation which deals with the breakdown of those relationships. Supreme Court judges say that they would rather not have their time taken up with complicated legal trust arguments following the breakdown of de facto relationships. Although we have finally come to our senses in this State and applied the family law system to children of de facto couples - which is something we have done relatively recently compared with the rest of Australia - we are yet to bite the bullet on de facto property law reform. We could free up the scarce resources of the Supreme Court and ensure that Family Court judges and magistrates, who are the most experienced in this field, apply

their knowledge to this area.

I am contacted frequently by people who are waiting for gender reassignment legislation to pass through this place. I do not understand why there is a delay. There are no particularly complex issues to be sorted out. I am sure other members have been contacted by people who are affected by this issue. It must be distressing for people to be in a legal limbo having undergone significant surgical and hormonal changes. Once again, what is the delay?

I am also frequently contacted by people who are waiting for the amendments to adoption legislation, which were promised a long time ago by the Minister for Family and Children's Services. We underwent the review, as required by the review clause of the Adoption Act. That review process was completed a while ago yet we are still waiting for adoption amendments to come into the Parliament. Again, these issues are very important to the individuals affected.

The Minister for Family and Children's Services has promised for many years a complete overhaul of the child welfare legislation. I do not see that matter on this year's legislative agenda. I believe the Governor referred to it in his speech last year; if not, the minister certainly did. However, it is not on this year's agenda.

I wish to comment on my experience as a member of two select committees, the Select Committee on the Human Reproductive Technology Act 1991 and the Select Committee into the Misuse of Drugs Act 1981. I was a member of those two committees contemporaneously for the large part. I invested a huge amount of my time and energy in those committees, as did the other members of those committees, and particularly the chairmen, who had the responsibility at the end of the day for delivering the reports. Each of those reports were delivered some time ago. The report of the Select Committee on the Human Reproductive Technology Act 1991 was delivered on 22 April 1999, almost four months ago. Pursuant to standing orders, the Minister for Health is required to reply to that report in this Parliament; that has not occurred. The minister had the opportunity to table that report this week. I sincerely hope that he will deliver a report to Parliament on what he intends to do in that regard.

As I said at the beginning of my speech, most members of the Western Australian public and I know that there will be controversial aspects to any legislation that we are required to consider. The more cynical among us - or perhaps the more pragmatic - realise that the legislation may not see the light of day under this Government. I do not know whether the Deputy Premier can say whether the matter has been to Cabinet. If the processes of this Parliament have any weight whatsoever, and if we are to continue with the system of select committees in which members and staff of the committees invest significant amounts of time, surely the recommendations should be acted upon. If no attention is paid to the recommendations of these select committees, I do not see the point of them and I do not see the point of members of Parliament spending up to 250 to 300 hours of their time engaged in select committee activity.

The Select Committee into the Misuse of Drugs Act 1981 is an even more pressing example. We can extend to the Minister for Health some latitude for responding to the reproductive technology report. However, the report on the Misuse of Drugs Act was delivered a year ago. Some very important recommendations were made in the interim report of that committee in November 1997 and a significant number of the composite recommendations were made in August last year relating to the way in which we enforce the law. This Government claims to be big on law enforcement and claims to care about and give attention to apprehending drug dealers in our society. It claims that abstinence is the best model and that "Just say no" is the right message to give. It believes that will help to apprehend dealers and reduce demand. It has conducted huge operations, such as that in 1998 in Northbridge when large numbers of young people were rounded up and charges were laid. However, we are still waiting for the Government to implement some of the legislative reforms that have been recommended by that committee. Specifically, we are still waiting for legislation dealing with the confiscation of the proceeds of crime. We are also waiting for legislation that would ensure police officers could go about their undercover operations with some safety and security, such that they would not face allegations of corruption. We are still waiting for legislation dealing with proper procedures for the more shadowy operations of law enforcement agents.

I was horrified recently, in view of this legislative enactment on the confiscation of the proceeds of crime, to learn that one of the few assets delivered in my electorate as a result of this legislation - a police aeroplane - has been taken from the area and will be sold in Perth so that another police helicopter can be purchased to service the metropolitan area. The police region of the goldfields is vast; it stretches from Wiluna to the borders of the Northern Territory and South Australia, across to Eucla and down to Esperance. Frequently searches are required to be undertaken and senior police officers need to be transported to various hot spots within a short period. I note with some interest that this move occurred between the retirement of Commissioner Falconer and the appointment of Commissioner Matthews. The decision was made while neither was at the helm. The local police must now charter a commercial aeroplane when one is needed. Given that the plane did not cost the police anything in the first place, because it was confiscated as a result of a drug operation, that is a persuasive argument for its remaining in place, where it had been well used. I will certainly pursue this matter with the Minister for Police to ascertain how it could be more profitable to regularly hire commercial aircraft at huge cost, as opposed to keeping a dedicated police plane located in Kalgoorlie-Boulder.

Substance abuse problems were addressed by the Select Committee into the Misuse of Drugs Act 1981 but no action has been taken on the recommendations relating to young people chronically abusing substances such as spray paint and glue. Recently a young woman died after using those sorts of substances and, even more recently a young man has died of similar causes. When will we, as parliamentarians, deal with the litany of social issues I have just addressed?

**MR GRAHAM (Pilbara) [4.34 pm]:** The essence of this amendment is to advise His Excellency that the Government has failed to deal with a range of issues, both social issues and matters relating to law and order and the protection of life and limb. I tossed up whether to speak on the question of law and order and spend some time with the House pointing out the increasing level of crime in Port and South Hedland. I could have spent some time, and in my address-in-reply speech may

well spend some time, on that. I could have spoken on the Safer WA concept and expressed my view that it is flawed. I could have spent some time explaining to the House why the Safer WA program is little more than a glitzy, glossy, public relations attempt to convince the public of Western Australia that the Government is dealing with matters of law and order and the increase in crime. I could do that, but I will not.

I could have spoken for some time, and with some force and vehemence, about the absolute manipulation by this Government of the figures relating to crime. I could have, but I will not. I could have done that with some authority and some justification, by simply quoting legitimate and reputable figures and not, as the Government has, by picking two opposing times in history and comparing them. That is where the bulk of the effort of Safer WA is aimed. It is aimed at convincing the public that there is no problem with increasing crime levels in Western Australia. There is.

I could have spoken at length about the problem of outlaw motorcycle gangs and the lack of anti-gang or bokie-busting legislation that the Government committed itself to introducing. Members will recall that commitment, made during the height of the war between the garbage in the opposing gangs. I could also have spent time in this speech pointing out how, since the Government has focused and tightened up on the bikies in the metropolitan area, they have moved out of the city and set up headquarters and established themselves in other major regional centres in Western Australia. Until the weekend before last, none of the resources in the city to track and deal with outlaw motorcycle gangs actually travelled with them. The money and resources stayed in Perth while the problem shifted to the bush. I could spell that out in detail but I will not do that; I mention those things in passing as some of the many topics I could have addressed in a speech of this nature.

I intend to address myself to cyclones and the legislation surrounding cyclones. I say that because in the last session, I brought to this Parliament a motion to set up a select committee to look into the procedures surrounding cyclones in this State. It is unfortunate that the Government initially said it would give the proposal consideration but, after it had considered it for an hour and a half, it categorically ruled it out. Incidentally, it was not ruled out because there is no problem or because there is no need to examine the procedures. It was ruled out because nobody was killed during cyclone Vance. It is interesting that that is the reason the Government rules out a forward-looking review of the emergency management procedures and legislation that relates to cyclones. It is extraordinary that the Government will not take a preventive step simply because no-one was killed in a major event in that year.

I could say many things about that and I have said much about it, not the least of which is that this Government has been more political when dealing with natural disasters than has any other Government in the history of this State, if not the nation. In previous debates I have given many examples in which Premiers, Prime Ministers and civic leaders have, in times of emergency, put all politics to one side. Everyone has travelled to a site in the same aircraft or rescue vehicle to examine it. Generally there has been bipartisan support for the necessary actions arising out of that natural disaster. The Premier of this State not only did not offer, but did not allow, the Leader of the Opposition the opportunity to travel on his aircraft. Then the Premier publicly criticised him in this place for not travelling to the site. That has never happened in the history of this State. I reiterate: No Government in the history of this State has politicised natural disasters to the same extent as this Government.

Let us look at some of the legislation that changed. I argued both publicly and privately for the need to change the legislation giving councils the power to order recalcitrant citizens to clean up their property so it will not damage other people's property or lives during cyclones. There was a three-year battle with the Government to pass that legislation and we now know the legislation does not work. We know it does not work because not only did the court procedures and processes fail absolutely, but also the government minister, in rejecting my call for a select committee on cyclones, said that we must change that legislation because it does not work. It is ironic that that was the position I argued with his colleague, the Minister for Local Government.

One of the terms of reference for my select committee was to examine the performance of the uniform building codes in the north west to see how the buildings that were constructed according to that code withstood the cyclones in recent years. It is interesting that the Government rejected the need for such a review and, having rejected it, the Government commissioned the local government department to look at the effects of the uniform building code during cyclone Vance. The public line is: We do not need to do that because no-one was killed. However, the private line is: Someone should look at what the building code did. The proposal I put forward to review the procedures that apply was the principal reason for moving for the select committee, and it was the principal reason the Government rejected it. There was nothing wrong with the procedures. No-one was killed, was the rhetoric in the press release of the Minister for Emergency Services. Surprise, surprise! The authorities are in the process of reviewing those procedures.

Another term of reference was to examine the effectiveness or otherwise of the public awareness campaigns associated with cyclones. It is interesting to note, and it will come as no surprise to members, that again the Government has instructed the department to review the effectiveness of those education programs, notwithstanding the fact that the minister's press release claimed that those programs were extraordinarily successful. There was nothing wrong with them and there was no need to examine them, but behind the scenes the department is examining them.

I have already mentioned the clean up legislation. The Government has already announced that it will now introduce legislation. I note with great interest that the Government not only announced it, but also it was most forceful in how it announced it. It pushed the point that that change was needed because it was the one failure it saw in the system. It is also interesting that the Governor did not announce such legislation in his speech. We have a whole range of issues relating to cyclones - public denial and avoidance of the issue - but on one real matter of substance on which the Government and I agree, there is no action from the Government. Because I am a bit of an optimist on a good day, I live in hope that the Minister for Emergency Services will move with a greater pace than did the Government with the initial legislation. It took

five years to produce a simple piece of legislation. Now the Government is saying it is urgent. There is nothing in the Governor's program and there is certainly nothing on the Notice Paper. We are now in the middle of August and cyclone season starts in about six weeks. If the Government is serious about preparing for cyclones and passing legislation so towns can be cleaned up to prevent loss of life and property, it must do it this week. There must be legislation on the Notice Paper today, but there is nothing. I live in hope that the minister will do it on Tuesday, because the start of the cyclone season is only six weeks away.

In terms of the legislative program, the Government and I have publicly and vehemently agreed - not just tacitly agreed - that there is a need for the introduction of emergency services legislation. I do not mean the Graham Kierath knock over the power station workers-type legislation; I mean emergency services legislation that provides a legislative framework for the volunteers who do the excellent work in times of natural disasters. I asked about that. It is not a new subject for me. Obviously it is a new subject for the Government, but no, that is not fair. I should not be facetious, because in May 1995 I asked the then Minister for Emergency Services when the Government would be introducing such legislation. He said clearly that the legislation would be introduced into the Parliament in early 1996. I waited for the Government to introduce legislation, but none was forthcoming. It is not open to the Government to say that it introduced legislation relating to the Fire and Emergency Services Authority and, by way of that, de facto legislation for emergency services. That is not the case. If that is the line of defence the Government will take, it is certainly not what the minister has said thus far. In fact, he has been agreeing with me that there is a definite need for emergency services legislation.

I will explain to the House some issues which are not legislated for currently: A volunteer helping with repairs after a cyclone in this State can still be dismissed by his employer for not being at his rightful place of work. That is an outrageous circumstance. Volunteers act in good faith during emergencies and natural disasters. I ask members to understand that our entire emergency services system is underpinned by volunteers - the people who do the work - as we have paid full-time officers. Volunteers go out and do the work when there is an emergency or natural disaster. Those people can have legal action taken against them even when they are following orders and instructions and acting in good faith. No legislative framework protects them from that action.

Another significant reason for having the legislation is that in times of emergency nobody has the power to move anybody on because technically nobody is breaking the law. If somebody wants to stand in the middle of the street during a red alert or go surfing in a flood, he is breaking no law and nobody can arrest him and move him on, not even to protect him. Certainly there is currently no legislative requirement for hotel owners to stop trading during red alerts and cyclones. They do it because the police tell them to, but should one of them ever challenge such a direction, he or she will win. When I say that, it is not Larry Graham's view of the world but the view of the authorities. I have looked at those and all the other reasons that there should be emergency legislation, not the least of which is that the Minister for Emergency Services has committed himself quite clearly by saying that the Government will do it. There is both the need and the minister's commitment to do it.

Another reason is to bring Western Australia into line with the rest of the nation. I am advised by the authorities that we are the only State that does not have emergency services legislation. It is not open to the Government to say, "But you did not do anything about it when you were in government." That was six years ago. The procedures that are in place now through cabinet policy document No 7 were written by us and remain substantially unchanged from when we were in government. It is not open for the Government to say, "You did not do it and therefore we do not have to", or "You did not do anything about it and we will fix it." That line of rhetoric is not open to the Government.

Another element of the legislation that is lacking is the requirement on authorities, whether state, local or federal, to plan for disaster. In this sense Western Australia is not too bad at what we do after a natural disaster. The financial arrangements between local, state and federal authorities in this State are very poor but what we do afterwards is not bad. We are bad at what we do before and during natural disasters.

In closing, I indicate that it is not open to the Government to deny the need for the legislation. Given its commitment to it, I was absolutely astonished to read the Governor's speech in detail and find that, yet again, another parliamentary year is to pass by without the introduction of this legislation. There was no reference whatsoever to it in the Governor's speech. It is a primary piece of legislation that is urgently needed because yet again we are about to go into a cyclone season without any emergency services legislation in place.

Amendment put and a division taken with the following result -

#### Ayes (16)

Ms Anwyl	Dr Gallop	Mr Marlborough	Mr Riebeling
Mr Brown	Mr Graham	Mr McGinty	Mr Ripper
Mr Carpenter	Mr Grill	Mr McGowan	Ms Warnock
Dr Edwards	Mr Kobelke	Ms McHale	Mr Cunningham ( <i>Teller</i> )

#### Noes (25)

Mr Ainsworth	Mr Day	Mr MacLean	Mr Shave
Mr Baker	Mrs Edwardes	Mr Masters	Mr Trenorden
Mr Bloffwitch	Dr Hames	Mr McNee	Dr Turnbull
Mr Board	Mr House	Mr Nicholls	Mrs van de Klashorst
Dr Constable	Mr Johnson	Mrs Parker	Mr Wiese
Mr Court	Mr Kierath	Mr Pandal	Mr Osborne ( <i>Teller</i> )
Mr Cowan			

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Pairs

Mr Thomas  
Ms MacTiernan  
Mrs Roberts

Mr Omodei  
Mr Prince  
Mr Tubby

Amendment thus negatived.

**CRIMINAL CODE AMENDMENT BILL 1999**

*Restoration to Notice Paper - Council's Message*

Message from the Council received and read requesting that the Bill be restored to the Notice Paper at the stage it reached in the previous session.

*House adjourned at 4.59 pm*

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**QUESTIONS WITHOUT NOTICE**

**REGIONAL FOREST AGREEMENT, FEDERAL MINISTER'S COMMENTS**

**37. Dr GALLOP to the Premier:**

Given the fiasco his Government's Regional Forest Agreement has become, does the Premier agree with his federal Liberal Party colleague, Wilson Tuckey, that his Environment Minister has "a history of turning every portfolio she administers into a disaster area and clearly her forest stewardship is on the same track"?

**Mr COURT replied:**

I do not agree with those comments, and I find them unhelpful.

MINISTER FOR THE ENVIRONMENT

**38. Dr GALLOP to the Premier:**

When will the Premier dump his Environment Minister and conduct a major reshuffle of his Cabinet to inject some vigour into what has become a tired, stale and dispirited bunch of no-hopers and non-performers?

**Mr COURT replied:**

When Hon Tom Stephens becomes the shadow spokesperson for the Arts, we know members opposite have a problem.

Dr Gallop: No-one is laughing.

Mr COURT: Mr Stephens is laughing; he thought it was funny. The leader should get a sense of humour.

The Minister for the Environment does a good job. She has had to handle what has been a very difficult issue, and she has handled it a great deal better than has the Leader of the Opposition.

**GERALDTON, DOCTOR SHORTAGE**

**39. Mr BLOFFWITCH to the Minister for Health:**

In view of the shortage of doctors in Geraldton, will the minister advise how Geraldton's application to be classified as an area of unmet need is progressing?

**Mr DAY replied:**

I thank the member for some notice of this question. I had the opportunity in February this year to visit Geraldton and Dongara and to meet some medical practitioners in the area. One of the issues raised was the need for a further four or five medical practitioners in the region. I have received a recommendation from the chief medical officer that the Geraldton and mid west health regions be declared an area of unmet need. I am pleased to advise that last Saturday afternoon I agreed to that declaration and signed the appropriate documentation.

The declaration of the region as an area of unmet need will mean that it can employ overseas-trained doctors under the excellent scheme we have in Western Australia and, in particular, under the new arrangements to which the federal Minister for Health and I have agreed. This will make it easier for appropriately qualified and experienced overseas-trained doctors to relieve some of the shortages in rural Western Australia. That is a very good outcome for Geraldton and the mid west region, and I hope it relieves the problem.

FLETCHER, MR IAN

**40. Mr RIPPER to the Premier:**

Did the Premier's former chief of staff Ian Fletcher resign or was he made redundant?

**Mr COURT replied:**

I have answered that question many times. We had a restructuring in my office and, as a result, an agreement was reached with Mr Fletcher that he would leave.

Mr Ripper: Did he send you a letter of resignation?

Mr COURT: I will take this issue further because there is an important issue at stake. Mr Fletcher was employed under a contract that included a three-month payment if for one reason or another he was to leave his job.

I will contrast his employment arrangements with the arrangements in place under the previous Government. When the coalition came to office some political advisers in positions similar to that of Mr Fletcher said they wanted to leave. We said that was okay, and they said that they wanted to negotiate their redundancy packages.

Mr Cowan: We wanted them to leave.

Mr COURT: It might be said that we wanted them to leave.

Mr Ripper: Come back to Fletcher - did he resign? At least answer the question.

Mr COURT: These people pointed out that they had contracts, as did Mr Fletcher. Under the arrangements put in place by the former Government, employees were entitled to a payout for the balance of their contract. These people had two years left on their contracts and they wanted to leave. The arrangement in place at that time represents the greatest golden parachute rort I have ever seen. These officers were paid in excess of \$200 000 in redundancy moneys and, on top of that, they were entitled to a payout of their accrued leave, pro rata long service leave and so on.

Mr Kobelke: Who paid the money? You paid the money.

Mr COURT: Members opposite made the decisions.

Several members interjected.

The SPEAKER: Order! There is far too much interjection from members on my right.

Mr COURT: We fixed up that rort.

Mr Ripper: Which Treasurer signed off on those payments?

Mr COURT: This Government applied a payout limit of one year's salary. The contract under which all new employees of this Government, including Ian Fletcher, were employed provides for a maximum payout of three months' salary, or \$43 000.

Mr Ripper: He got the maximum!

Mr COURT: Those contracts were subject to freedom of information legislation. The former Attorney General said that, consistent with longstanding practice, payment details for individuals are not made public. Carmen Lawrence, the Premier at the time, refused to reveal the size of a golden handshake payout to one of her advisers.

Several members interjected.

The SPEAKER: Order! The member for Joondalup will come to order.

Mr COURT: Carmen Lawrence pointed out that considerable resources would be required to provide the information sought, and she was not prepared to commit those resources. Members on this side could not get access to the contracts.

This Government is completely open. Members opposite have the contract and they know exactly what Mr Fletcher was paid. There is a big difference between a contract providing a payout of \$43 000 and one that provides for a payout of \$200 000 plus. Before the Deputy Leader of the Opposition starts asking too many questions about golden parachute rorts, he should do a little homework. We have done a little homework. In Mr Fletcher's case, the Labor Party -

Dr Gallop: He is so hamstrung by his own Administration. He is forced to do it.

The SPEAKER: Order! Perhaps we can continue, and perhaps we can also have less interjecting.

Mr COURT: One of the members opposite has put a formal complaint to the Commissioner for Public Sector Standards about the handling of Mr Fletcher's case.

Mr Ripper: Did he sign, or was he made redundant?

Mr COURT: The Deputy Leader of the Opposition has gone to the Commissioner for Public Sector Standards. He will do the report, something that can be done under this Government. All of those questions have been answered. I finish by saying that, in government, the members opposite were the masters at rorting the system. This Government has put in place accountability and the freedom of information legislation that is being used. Those opposite can look at those contracts and get all that information. We changed the system that they conveniently used. When there was to be an election, those opposite, when in government, always made sure the contracts had a few years to run, so people could get a nice little payout if there was a change of Government.

FLETCHER, MR IAN

**41. Mr RIPPER to the Premier:**

Since the Premier has failed to answer my question, I ask: Will he table any documents showing whether Mr Fletcher resigned or was made redundant; if not, why not?

**Mr COURT replied:**

The Deputy Leader of the Opposition asked for the inquiry. Let us have the Commissioner for Public Sector Standards do the inquiry. Then those opposite will get all the information they want.

UNEMPLOYMENT FIGURES

**42. Mr BAKER to the Minister for Employment and Training:**

Can the minister provide the House with a brief report concerning the latest unemployment figures?

**Mr KIERATH replied:**

I thank the member for some notice of this question. It is interesting to hear members of the Labor Party laughing.

Obviously they do not think employment for Western Australians is a serious business. We on this side of the House think it is very important business. I am proud to announce that 904 000 Western Australians are now in the work force in this State, an increase of just on 3 000 over the record June figure of 901 000, an all-time record. That is in complete contrast to the assertions of those opposite. Another pleasing feature of the figures is that most of the increase is in full-time work. I wanted to give some statistics; however, as the Leader of the Opposition cannot even read the budget, I thought I would produce another of my graphs to show how good Western Australia has been doing in terms of unemployment, against the national average. On this graph I am holding up, the figure for Western Australia is shown by the nice blue line at the bottom; the red line represents the figure for Australia. The only time members can say that something has gone downhill is this: The unemployment rate has gone downhill all the way, and it continues to go down. Only one other State has slightly better figures than Western Australia; that is, the Olympics-enhanced State of New South Wales. There has been a further 2.7 per cent drop in youth unemployment in the past 12 months. That figure is in a downward trend. One reason for that is the very good training we put in place to help those people and equip them for a career. We are proud of the employment record. It is pleasing to see those figures, again creating new records of Western Australians in productive well-paid work.

*Distinguished Visitors*

The SPEAKER: Order! Before we continue, I acknowledge the presence in the gallery of some members of Parliament. We have an official visit from the parliamentary delegation from the Federal Democratic Republic of Ethiopia. I acknowledge Speaker Meko, Deputy Speaker Olango, and three of the members of that Parliament.

[Applause.]

I also indicate that while we were discussing matters over lunch I was informed that four years ago Madam Speaker was elected for the first time into the Parliament, a brand new democracy, of 547 members. She was chosen as the Speaker on the first day. She has had a daunting challenge.

FLETCHER, MR IAN, VISIT TO PREMIER'S OFFICE

**43. Mr RIPPER to the Premier:**

I refer to the visit by Ian Fletcher to the Premier's parliamentary office this morning:

- (1) Was Mr Fletcher visiting in his capacity as a lobbyist for Pangea Resources Australia, which wants to set up a nuclear waste dump in Western Australia?
- (2) Is Mr Fletcher still providing advice to the Premier's office; if so, in what capacity?
- (3) Was Mr Fletcher visiting to ensure he and the Premier are speaking with one tongue when it comes to the circumstances of Mr Fletcher's leaving the government?

**Mr COURT replied:**

- (1)-(3) I do not want to be rude to the Deputy Leader of the Opposition, but I cannot believe how stupid he is. I will tell him what happened. Mr Fletcher came to my office and was seen to walk into my office by Keiran Murphy, the media person attached to the office of the Leader of the Opposition. He then got all members of the media to assemble out the front so that when Mr Fletcher walked out, they could ambush him and ask him what he was doing meeting with the Premier. The Deputy Leader of the Opposition wants to know what we spoke about.

Mr Ripper: Tell us the reasons for the visit?

Mr COURT: The Deputy Leader of the Opposition asked whether we talked about Pangea. He wishes I would tell him that we talked about that. He asked whether we talked about giving me advice. The Deputy Leader of the Opposition wishes he was giving advice. He asked about our getting our stories straight. He wishes that is what we were talking about. I will tell the Deputy Leader of the Opposition what we were talking about: Mr Fletcher came with two other people from the Rotary Club of Perth and discussed with me a proposition about a wishing well.

MOORA, DAMAGE CAUSED BY CYCLONES ELAINE AND VANCE

**44. Mr McNEE to the Premier:**

Can the Premier inform the House what level of assistance has so far been provided to the people of Moora and other communities as a result of damage caused by cyclones Elaine and Vance and subsequent flooding?

**Mr COURT replied:**

I thank the member for some notice of this question. As the member knows, members of the Cabinet visited Moora during this week. Two funds have been provided: One is a trust fund; the other represents ex gratia payments which have been provided mainly by the Federal Government. In relation to the north of the State - that is, the Exmouth-Onslow area - \$6.7m has gone out, including \$527 600 in ex gratia payments; \$3.2m in business assistance grants; and \$1.79m for community projects. In the Moora area, \$3.6m has been paid out, comprising \$920 600 in payments to individuals and \$1.94m in business assistance costs. In addition, in total, assistance of \$10.3m has been paid out in both areas. In relation to the trust fund, \$7.1m of the \$10m has been spent, and \$1.9m is awaiting approval. Another \$1m remains. Our goal with the trust fund is to have all those moneys spent and properly accounted for as quickly as we can. In addition, other expenditures have



been made by government, including \$3m or in the vicinity thereof to Westrail; close to \$4m to Main Roads Western Australia; and close to \$1m for repairs to the Exmouth boat harbour.

GILLEECE, MR JACK, RESIGNATION

**45. Mr RIPPER to the Premier:**

I refer to the resignation of the Premier's former senior adviser, Jack Gilleece, over his secret business dealings and the Premier's claim that -

"I don't want there to be anything that is not known publicly in relation to this particular issue, . . . "

Several government members interjected.

Mr RIPPER: I am surprised government members are laughing about this. This is a major conflict of interest.

Several government members interjected.

Mr RIPPER: I am surprised government members take it in a laughing fashion.

- (1) Why given that statement, did the Premier tell this place yesterday that he would need to read the report of the inquiry into Mr Gilleece's activities before deciding whether to table it in Parliament?
- (2) Given this massive conflict of interest and the fact that taxpayers' money is involved in the Premier's office, what possible circumstances could prevent the Premier from tabling that report?

Mr COURT: What about the money he got paid? Is that included in your question?

Mr RIPPER: That is for later. Does the Premier want me to ask the question again?

**Mr COURT replied:**

- (1)-(2) I received a question on notice from the member today. Yesterday the Opposition asked me two questions. The first was would I table the report. My answer was that I would wait and see the report. The Opposition then asked under what circumstances I would not table the report. If there was information of a personal nature in the report and I was advised by the Crown Solicitor that it was not suitable for tabling, I would not table it. I suggested the member for Belmont talk to Mal Wauchope about the payout because I was reluctant to table personal information about a payout. I believe the member has spoken to Mr Wauchope who has said that there is nothing stopping me from tabling that information under the privilege of Parliament. However, there is a code of ethics in the Public Service which prevents public servants from providing personal information about anybody. That was shown recently with Greg Joyce and the Homeswest case when he went on radio to correct some things.

Mr Ripper: Are you worried about the implications for accountability?

Mr COURT: The Deputy Leader of the Opposition should let me finish. I take this question seriously because this morning I asked the Opposition whether it thought all termination payments should be made public if the Government released the information about Mr Gilleece.

Mr Ripper: I am following the principle of "openness" in the code of ethics.

Mr COURT: I will come to the answer but the Deputy Leader of the Opposition said if the Opposition had this information about Mr Gilleece, it should be made available for all people in the Public Service.

Mr Ripper: If you want to make it available. Sauce for the goose, sauce for the gander.

Mr COURT: That is what the Deputy Leader of the Opposition said, what is sauce for the goose is sauce for the gander. I ask the Leader of the Opposition whether if someone in his office received a termination payment, that information should be made public.

Dr Gallop: If it was a termination payment, I cannot see why that should not be public knowledge.

Several members interjected.

Mr COURT: I have been advised by the Director General of the Ministry of the Premier and Cabinet who has contacted Mr Gilleece about whether permission would be provided to allow that information to be tabled. Mr Gilleece has said it is his personal business but if that is what is required, he does not have a problem with it. On his termination Mr Gilleece was paid \$12 836.53, which was the value of his accrued and pro rata leave. There was no termination payout; that was purely his leave. The Opposition now has that information.

Mr Ripper: What a lot of trouble you could have saved us.

Mr COURT: Hang on. I do not agree with the principle of being required to table people's personal payments when they leave the Public Service. Hon Joe Berinson made the comment when he was Attorney General that consistent with long-standing practice, actual payment details for individuals are not made public. The Opposition said this morning that all of this information should be made public and it should explain that to all public servants. I call upon the Leader of the Opposition to tell the House as quickly as he can what the termination of his current chief of staff was.

Dr Gallop: Don't be ridiculous! Of course I won't know.

Several members interjected.

Dr Gallop: Don't be ridiculous.

Mr COURT: Find out! I had to find out.

Several government members interjected.

Mr Ripper: We gave you notice of that question yesterday. Are you giving us notice for tomorrow then?

Mr COURT: I will give the Leader of the Opposition notice.

Dr Gallop: We have a desperate Premier trying to cover up.

Several members interjected.

The SPEAKER: Order! Many members are interjecting; that is not acceptable. If members want to ask questions, we will have fewer interjections and will be able to get on with the next question. I will give members the call.

Mr COURT: Once again the Opposition has gone down the path of the personal attack. I thought members opposite would have learnt their lessons by now. Day after day members opposite ask "What did Mr Gilleece do here and there?" The Opposition has FOIed all of Mr Gilleece's corporate credit cards on a regular basis. The Opposition has decided to take the personal approach. The Leader of the Opposition's chief of staff was working as a principal private secretary in a minister's office in the Labor Government. He was seconded from a government department. One day just prior to the election in 1993, he resigned from that department; the next day he was employed by the Ministry of the Premier and Cabinet. Then we had the election and a couple of months later he got a nice big payout.

Several members interjected.

Mr COURT: That person -

Dr Gallop: That is a reflection on you, not the Opposition.

Mr COURT: No, my friend.

Mr Ripper: We won't back off.

Mr COURT: The Opposition has asked me to provide this person's payment schedule and I have told the House what it is. The Leader of the Opposition's chief of staff received a payout and the Leader of the Opposition will tell us how much it was because he just committed to do that. The person is now back working under the Ministry of the Premier and Cabinet.

Several members interjected.

Dr Gallop: We don't have access to government records; you are the Government, you fool.

The SPEAKER: Order!

Dr Gallop: The old Court tactic.

The SPEAKER: Order! I formally call the Leader of the Opposition to order for the first time. We are reaching a situation where there is far too much interjecting. I caution the minister because there is much interjection coming from ministers. Perhaps the Premier could finish his answer.

Mr COURT: What is sauce for the goose is sauce for the gander.

Dr Gallop: The real Premier is revealed in the Parliament today, the real Premier, and we all know about his standards.

The SPEAKER: Order! Leader of the Opposition, I am trying to give a member the call and you are interjecting beyond what I allow as a very tolerant Speaker.

#### PEEL REGION SCHEME, LAND ACQUISITION

#### 46. Mr MARSHALL to the Minister for Planning:

Accusations have been made of a land grab in the Peel area. Can the minister inform the House whether accusations of land being stolen by the Government have any basis in truth?

#### Mr KIERATH replied:

I thank the member for Dawesville for the question and the chance to speak on this issue. There has been a deliberate misinformation campaign about what landowners can and cannot do under the proposed Peel region scheme. Those landowners need to be reassured that they can continue to use their land as they have done previously. Their land will not be stolen. That sort of phrase is journalistic purple prose and should not be used. On behalf of the Government I can say that there is no intention to resume or compulsorily acquire any of the land along the Murray River.

I reiterate that landowners under the Peel region scheme will not lose their current rights. Some of the planning procedures have been criticised, but these procedures have enabled local farmers to ship their grain using transport routes to access ports. These procedures have enabled transport routes to be identified and acquired, and have achieved the best advantage for the community in any environmental, social and economic aspect. It is true that the Government has identified parkland

and facilities which the community wants to ensure quality of life in the area, which will be largely attributable to sound planning. It is necessary.

I assure the member for Dawesville that a wilful and deliberate fear campaign is being waged which has no basis in fact. It is doing a great disservice to the community. I congratulate the member for Dawesville for his efforts to put the record straight and to give peace of mind to constituents. Under the Peel region scheme, nothing of which I am aware at this point will require compulsory acquisition. Interestingly, without the draft Peel region scheme, policies can affect land with no compensation payable. If any person's land is adversely affected by planning decisions, compensation will be payable once the scheme is in place.

#### GILLEECE, MR JACK, REFUND OF MONEYS

##### 47. Mr RIPPER to the Premier:

Some notice of this question has been given.

- (1) Has the Premier's former executive director ever been required to refund moneys to the State for matters unrelated to his business dealing now being investigated?
- (2) If so, what were the amounts involved, when were they refunded and what circumstances required the refund?

##### Mr COURT replied:

- (1)-(2) As I said earlier, the member should be careful about going for the personal attack on these matters. The records relating to Mr Gilleece are currently with the inquirer, Mr Watson. The information sought will be provided as soon as the records are returned. I repeat that most of Mr Gilleece's records have been accessed on a number of occasions by members opposite under freedom of information; they certainly have more information available than I have on the matter.

#### RUGBY UNION WA, RELOCATION

##### 48. Mr BAKER to the Parliamentary Secretary to the Minister for Sport and Recreation:

Can the Parliamentary Secretary advise whether the Government has any plans for the relocation of Rugby Union WA from its headquarters at Perry Lakes?

##### Mr MARSHALL replied:

I thank the member for Joondalup for his question, as I know he is greatly interested in rugby union and plays for the Brothers' golden oldies. The minister has provided the following response: The Ministry for Sport and Recreation, in partnership with the Town of Cambridge, the Ministry for Planning, Treasury and LandCorp, has established the Perry Lakes Stadium Working Group, the role of which is to identify how the Government and the town can work together to redevelop the Perry Lakes stadium site and associated facilities. This includes an objective to achieve resolution of the appropriate location and responsibility for the existing sporting facilities at Perry Lakes. The working group will also undertake comparative financial and economic analyses for options to relocate and fund alternative facilities for existing sporting uses at the site, as well as financial feasibility analyses of alternative uses for the Perry Lakes site. An initial report was commissioned and presented to the working group detailing options available to the Town of Cambridge within the town, as well as possible relocation options for the sports involved, including rugby union. Further analyses will be done and all options explored thoroughly before decisions are made.

#### SWISS HEROIN PRESCRIPTION TRIAL, PROFESSOR UCHTENHAGEN

##### 49. Mr CARPENTER to the Minister for Family and Children's Services:

Some notice has been given of the question, which refers to the minister's trip to Switzerland.

- (1) Did the minister, her chief of staff or Mr Terry Murphy take notes during the meeting with Professor Uchtenhagen, and, if not, why not?
- (2) If so, do those notes support the minister's allegation that the professor claimed he was under enormous political pressure from the Swiss Government to produce a positive report from that country's heroin prescription trial?
- (3) Will the minister table any notes; and, if not, why not?

##### Mrs PARKER replied:

I thank the member for his question and for some notice of it.

- (1) Yes.
- (2) Yes. Handwritten notes taken in meetings of that nature are clearly short versions of what was said, but in the notes of both my chief of staff and the Executive Director of the Western Australian Drug Abuse Strategy Office some reference is made to pressure to come up with results. The exact reference in the notes of my chief of staff is "pressure to come up with results in Switzerland". The notes of the Executive Director of WADASO make mention of "unlike 'pol' pressure on U!!", with "U" meaning Uchtenhagen and "pol" meaning political. These notes confirm my recollection of the meeting. I make it clear again that I recollect that Professor Uchtenhagen related to me the enormous political pressure he was under from the Swiss Government to come up with positive results on the trial.

- (3) Yes. In receiving notice of the question - for which I again thank the member - my office had to look for any handwritten notes which may still be available. The executive director had his notes readily available. As it turned out, my office found the handwritten notes from my chief of staff on this passage of the meeting with Professor Uchtenhagen with the Legislative Assembly Bills and Papers Office in Parliament House. When I tabled my report on 1 July, I tabled with it a copy of both the Swiss and the Swedish policy frameworks. Members will see that the notes to which I just referred were written into the Swiss policy framework document, which was tabled when I could not possibly have known that my recollection of my meeting with Professor Uchtenhagen would be challenged in this way. The notes were tabled inadvertently on 1 July. I table a copy.

[See paper No 68.]

#### PEEL REGION SCHEME, LAND USE

##### **50. Mr MARSHALL to the Minister for Planning:**

Supplementary to the minister's answer on my first question, what is the prevailing situation prior to the adoption of the Peel region scheme?

##### **Mr KIERATH replied:**

Landowners may not be aware of one main aspect - that is, that restrictions are already in place on land use. For example, the reservation of land along the Murray River foreshore where much of the park is planned is subject to the existing flood plain and environmental controls. These currently restrict development in those areas. Landowners with those restrictions applying have no access to compensation for these controls. However, the Peel region scheme will apply compensation for the first time. Land reservation will bring with it the right to be treated fairly. The decision to reserve is never taken lightly. Extensive consultation has occurred in the development of that scheme. The simple message is that landowners will have certainty for their future, and will have access to compensation. I am confident that future generations will be extremely thankful to the foresight the Government has shown in implementing the reservation for that magnificent park. Community members, both young and old, in future will recognise that good planning took care of the needs of the community. The landowners can look forward to a period of certainty, justice and appropriate compensation if their land is affected.

#### SEXUAL ABUSE INQUIRY, MINISTER'S UNDERTAKING

##### **51. Ms ANWYL to the Minister for Family and Children's Services:**

I refer to the undertaking the minister gave to a south west family last April to conduct an inquiry into why her department failed to inform them that their son had been sexually abused by a well-known paedophile, as had many other young men in the same small south west town.

- (1) Why has the minister failed to conduct the inquiry as promised last April, and why has the minister not had the decency to inform the family?
- (2) Will the minister take urgent steps to comply with the undertakings given over a year ago?

##### **Mrs PARKER replied:**

- (1)-(2) I thank the member for the question. The Child Protection Council has undertaken that inquiry and has reported to me. With regard to the correspondence with the family that the member mentioned, there has been a significant amount of contact with that family through both my office and the department. A piece of correspondence has gone out to the family - I assume we are talking about the same family - from my office in the past 10 days. I cannot recall what was in that correspondence, but -

Ms Anwyl: Will you table the inquiry in this Parliament?

Mrs PARKER: I will need to look at the protection that we are affording not only to particular individuals but to the whole community, which has been quite aggrieved in this process. The community is now very pleased to be receiving the supports that have been made available in that place, and its contact with me has been that it would like this whole affair to be put into the past and for the people to get on with their lives. I will look at that inquiry report and at whether its release would be appropriate and in the best interests of the individuals and the community concerned, and I will get back to the member on that matter.