



WESTERN AUSTRALIA

Parliamentary Debates

(HANSARD)

THIRTY-FIFTH PARLIAMENT
SECOND SESSION
1999

LEGISLATIVE ASSEMBLY

Wednesday, 17 March 1999

Legislative Assembly

Wednesday, 17 March 1999

THE SPEAKER (Mr Strickland) took the Chair at 12 noon, and read prayers.

AUSTRALIND, ACCESS FOR PEOPLE WITH DISABILITIES

Petition

Mr Bradshaw (Parliamentary Secretary) presented the following petition bearing the signatures of 285 persons -

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

We, the undersigned, hereby request that Westrail provide suitable access for people with disabilities to board the Australind Train from stations between Perth and Bunbury.

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 155.]

LANGFORD REDEVELOPMENT PROJECT

Petition

Ms McHale presented the following petition bearing the signatures of 42 persons -

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

We, the undersigned, wish to express our utmost disappointment and concern at the delay in the commencement of the Langford Redevelopment Project.

We call upon the Government to take heed of the community's needs and concerns and take immediate steps to ensure that no further delays are experienced and that work on this project is undertaken forthwith.

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 156.]

PARK HOMES, LEGISLATION

Petition

Mrs Hodson-Thomas presented the following petition bearing the signatures of 54 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 respectfully call for specific legislation to be introduced in respect of park homes, which are widely used as permanent fixtures in park home villages and caravan parks:-

1. Repealing the current requirement for park homes to have wheels affixed to them.
2. Reducing the minimum required floor height of 600mm above the ground to 200mm, in keeping with the needs of elderly/disabled residents.
3. Allowing the park homes to be assembled on site at the park village or caravan park, which represents a more affordable method of construction.

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 157.]

VACATION SWIMMING CLASSES

Petition

Mr Osborne presented the following petition bearing the signatures of 116 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 158.]

BRAILEY, MS DENISE

Response to a Statement by Minister for Fair Trading

MR BLOFFWITCH (Geraldton) [12.08 pm]: On behalf of the Standing Orders and Procedures Committee, I present a report under Standing Order No 165A with respect to a request by Ms Denise Brailey for a response to a letter read last week by the Minister for Fair Trading to be incorporated in the *Hansard*. The committee has agreed with Ms Brailey on a response and the report recommends that the response be incorporated into *Hansard*. I move -

That the report be adopted.

Question put and passed.

[The following paper was incorporated in *Hansard*, pursuant to Standing Order No 165A.]

My name is Denise Brailey and I am President of the Real Estate Consumer Association (Inc). I have been adversely affected by reason of a letter dated 8 March 1999 from PPB Ashton Read addressed to the Hon Doug Shave MLA, Minister for Fair Trading, which was read out in the Legislative Assembly on 10 March 1999 and recorded in *Hansard*.

I refer to statements in that letter and respond as follows -

1. "Aggressively pursued by advisers and others requesting them to "sign-up"

FACTS: All investors telephoned by RECA were advised of group meetings held at genuinely no cost to them at the offices of Solomon Brothers. No invitation to join RECA was given in writing until at least one or two weeks after the event and then as a courtesy only.

No aggression was used. These approaches have been voluntary altruistic solely in the interest of retirees. All actions by RECA, including me personally and others, over the past 8 months go to demonstrate and establish the truth of what has been done.

2. "Despite repeated attempts to have Ms Brailey address these issues, she has failed to do so"

FACTS: I had one meeting with the Administrator at the office of Solomon Brothers on Tuesday 23 February 1999. What was being done by RECA in conjunction with Solomon Brothers was explained to Mr Read, he asked me to attend a further meeting at his office with the absence of Mr Solomon. At that meeting he asked me how I was obtaining the addresses of various investors, and I told him. Addresses were obtained from the White pages including the Internet edition and the electoral roll. He counselled me against becoming involved with lawyers, he did not ask me about RECA's plan for "assisting the investors with the complex problem in dealing with borrowers and attending to the realisation of the secured properties and maximising their return" on that occasion or at any time since. In fact, the precise details of RECA's plans were detailed in the speech I gave to a rally of investors on 2 March 1999, copies of which were freely available to all in attendance in that rally and have since been provided to all interested people, including a number of members of Parliament who are members of the Liberal Party, namely Hon members Nicholls and Osborne, both of whom represent electorates with high proportions of distressed investors who are extremely concerned by the failures to act on the part of Minister Shave and the Ministry of Fair Trading. Accordingly, the full details of the proposal of RECA in conjunction with Solomon Brothers was made available as a matter of public record to Mr Read and the Hon Minister Shave at all times from and including 10 March 1999. All the Hon Minister had to do if he wanted to know whether Mr Read's letter was true and accurate was to ask his staff to obtain a copy of my speech, if a copy of it was not already available in his own office.

3. **"Investors who have been aggressively pursued by Ms Brailey"**

FACTS: Mr Read says numerous investors have complained to him about the aggressive nature of Denise Brailey and the threats she has made in the event that "investors show unwillingness to "sign up" with RECA". I have made no such threat. The Hon Minister should table the names of those who allege I have made such threats provided to him by Mr Read, and I will then respond in detail with respect to each complaint. At this point, I cannot go further than to categorically deny the allegations and to say that a number of investors in Global Finance had personal and financial connections with Global Finance officers and could never be relied on to express facts in an unbiased and undistorted way. At this point, without the names of the alleged complainants, I can but assume that they are people with various types of special loyalties to Global Finance officers who are concerned that the actions of RECA have resulted in exposure of the disgusting practices engaged in by Global Finance.

4. **"It is the investors situation and the action of various individuals who are seeking to act on their behalf that I wish to bring to your attention"**

FACTS: It has been the Administrators and not RECA and Solomon Brothers that have aggressively pursued the mortgagees. RECA and Solomon Brothers were happy to work with the Administrators and told them so at the first meeting with them. Doug Solomon and I were photographed with the Administrator for the West Australian Newspaper. This photograph appeared the next day with a story expressing our willingness to work together however, at the meeting on 26 February 1999 Mr Read announced a proposal for the Administrator to be appointed project managers for the investment. He attended that meeting with a solicitor and a queens counsel, and the QC suggested to the meeting that the advice given them by Solomon Brothers was dangerous to them, Mr Read has now repeated that allegation 8 March 1999 read in this page. Despite Mr Solomon seeking the reasons for that advice on 27 February 1999 he has had no response. Furthermore some of RECA'S clients have asked the administrators for the names and addresses of all people involved in their particular investment. The administrators have refused to give those details, claiming it would be a breach of confidence to do so without the consent of all other people in the group. The administrators are merely the successors of the directors of Global Finance. It was clearly an implied part of the pooled investment arrangement that investors need to make contact, Global Finance would facilitate that. By not giving investors the names and addresses of those in their group, the administrators are effectively preventing the investors from doing anything other than accepting the Administrators proposal to represent them. The false accusations by Mr Read of aggressive pursuit of investors by RECA, along with the Administrators refusal to give each investor the names of other investors in his group, establishes that the only people who are aggressively and unfairly pursuing investors are the administrators themselves.

BIRCH, MR CLIVE

Amendment to Response to a Statement by Former Member for Gosnells, Mrs Henderson

MR BLOFFWITCH (Geraldton) [12.10 pm]: On behalf of the Standing Orders and Procedure Committee, I present a report under Standing Order No 165A regarding a request by Mr Clive Birch to adjust the wording of a response incorporated in *Hansard* on 10 September 1998. Some doubt arose about the extent to which the original statement was in the exact form to that which had been agreed. Although the committee does not want to see this recur - it has taken steps to ensure that it does not - on this occasion it has agreed to the incorporation of a slightly amended statement by Mr Birch. The report recommends that the statement be incorporated in *Hansard*. I move -

That the report be adopted.

Question put and passed.

[The following paper was incorporated in *Hansard*, pursuant to Standing Order No 165A.]

My name is Clive B. Birch formerly of Clive Birch Real Estate and I have been adversely affected by reason of an untrue statement made by Mrs Yvonne Henderson in a grievance statement in the Legislative Assembly on 11 November 1987, recorded in *Hansard* at pages 5647 and 5648.

The wording of the response incorporated in *Hansard* on 10 September 1998, in part read - "neither the investigating police officer or the auditors of my accounts was ever involved and furthermore," when I requested that it read "neither the investigating police officer or the auditors of all my accounts made any such claim that this amount was ever involved and furthermore,".

With correction, my response to Mrs Henderson is as follows.

The statement made and repeated through Mrs Henderson's speech that "He took off to Britain with at least

\$800,000." is completely untrue, unfounded and unsubstantiated. Neither the investigating police officer or the auditors of all my accounts made any such claim that this amount was ever involved and furthermore, no authority has ever made any statement that any money was ever taken out of Australia, and that was never any part of the Crown's case against me.

I did write to Mrs Henderson on 30 October 1993, at the suggestion of the Official Secretary of His Excellency the Governor, Mr Kevin Skipworth, and Mrs Henderson did respond on 16, May 1994, however in her response she did not answer the question concerning this mythical \$800,000. I did write again on 25 May 1994 but did not receive any further correspondence from the Member.

I do sincerely believe that this untrue, unfounded and unsubstantiated statement, made by Mrs Yvonne Henderson has seriously prejudiced me in all aspects of my life since that date.

And had the circumstances been permitted I would have addressed all of her other statements.

WESTERN AUSTRALIAN NATURAL DISASTER RELIEF ARRANGEMENTS TASK FORCE

Statement by Minister for Emergency Services

MR PRINCE (Albany - Minister for Emergency Services) [12.11 pm]: I announce the formation of a task force to inquire into existing natural disaster relief assistance currently available to Western Australia. As members would be aware, Western Australia often experiences a number of natural disasters each year like major bushfires, cyclones, floods, storms and earthquakes, as was the case in 1968 at Meckering, which cause extensive damage both to public and private property.

For many years the Commonwealth Government has shared with the State Government the financial cost of providing direct relief payments to individuals and to assist the restoration of essential public assets in the event of a major disaster. However, the changing funding formula and eligibility conditions on those disaster relief measures are so complicated now that I have appointed a task force to inquire into the effectiveness and adequacy of existing natural disaster relief arrangements.

The task force will be chaired by the member for Ningaloo, Mr Rod Sweetman, and I understand that its inaugural meeting was held earlier today. The task force includes representatives from relevant state government agencies including Treasury, Family and Children's Services, Fire and Emergency Services and Main Roads WA; the State Recovery Emergency Committee; the Pastoralists and Graziers Association; the WA Farmers Federation; the Insurance Council of Australia; and the Lord Mayor's Distress Relief Fund Board of the City of Perth.

The terms of reference for the task force include to assess the adequacy of existing arrangements, both funding and otherwise, in providing effective relief to persons affected by a natural disaster; assess the adequacy of administrative arrangements in providing effective relief to affected persons; and make recommendations to me on how to improve natural disaster relief arrangements in Western Australia.

The Commonwealth Government currently provides around \$16m in base funding, and this figure represents a percentage of state revenue for disaster relief arrangements in Western Australia. However, if the State does not spend the base amount in any one year, no NDRA assistance is available. If state disaster relief expenditure exceeds the base amount by 1.75 times, commonwealth NDRA assistance is available on a dollar-for-dollar basis.

The Commonwealth also places significant limits on what is recognised as eligible state funding. Therefore, from Western Australia's point of view, a review of current arrangements is long overdue. This State has experienced a number of destructive natural disasters in recent times; for example, the Esperance floods, Pingelly bushfires and Cyclone Olivia which wiped out an entire street in Pannawonica in 1996 - to mention only a few. Undoubtedly, future natural disasters in this State are inevitable; therefore, it is vital that we put in place the best possible disaster relief arrangements to quickly assist those affected by such events and restore public infrastructure and assets. I expect the task force to submit its final report to me at the end of September.

NEERABUP GROUND WATER TREATMENT PLANT

Statement by Minister for Water Resources

DR HAMES (Yokine - Minister for Water Resources) [12.14 pm]: This morning we commissioned stage 1 of the new Neerabup ground water treatment plant which will provide a much needed boost in water supply to the metropolitan water scheme. This is part of a \$78m Water Corporation project to open up further ground water sources north of Perth, and is the first new water treatment plant to be built in 20 years. It is also one of a number of major water source projects planned to come on stream within the next four years which will restore a level of water supply security to Perth not seen for a long time.

Neerabup, combined with another scheme near Ellenbrook, will result in a 15 per cent increase in Perth's water supply in the next three years. The last 25 years have been warmer and drier and as our water supply, unlike other services, depends

solely on nature for its raw material, it is a highly vulnerable resource. On average, run-off to our dams has been only 60 per cent of historic levels. This seems to indicate a long-term change in rainfall patterns and we now have to acknowledge we are getting less water out of our hills dams. Based on low supplies, the decision was made to accelerate the new water sources program. This included Neerabup and other northern ground water schemes as well as the planned Harvey Dam and Stirling Dam pipeline to the south. The Harvey Dam project will result in the potable water in the Harris and Stirling Dams being used in the metropolitan system. This program is seen as the fastest and most cost-effective way of increasing our water supply.

The Water Corporation is not drought-proofing Perth because future water restrictions can never be ruled out. Dry weather conditions and Perth's growing population mean conserving our water supplies must become a way of life through means such as the permanent day-time sprinkler bans. We must not lose sight of the fact we live in a dry climate where water supply will always be an issue. We must never fall into the trap of taking our water supply for granted. The water sources program will ease the threat of more severe restrictions in future and it is a clear commitment by the Government to provide the metropolitan area, Mandurah and the goldfields with as secure a water supply as possible.

ST PATRICK'S DAY

Statement by Minister for Citizenship and Multicultural Interests

MR BOARD (Murdoch - Minister for Citizenship and Multicultural Interests) [12.17 pm]: I take this opportunity, on St Patrick's Day, to ask the House to recognise the contribution which people of Irish descent have made to the Western Australian community. As I am sure members are aware, it was an Irishman who found the first gold in Kalgoorlie and began a gold rush which was to change the face of Western Australia forever. When Paddy Hannan struck gold at the Golden Mile, the richest square mile of gold bearing ore in the world, I am sure he was unaware of the significance. Kalgoorlie now boasts the biggest operational single-cut mine on earth. Even more important is the effect that the gold rush population explosion had on the formation of Western Australia. It was the people of the eastern goldfields who were part of the driving force behind this State becoming a part of the Federation of Australia in 1901. The fabric of Western Australian history is littered with names such as Paddy Hannan and the Duracks.

I today acknowledge a modern-day Irish descendant who has done his heritage and his country proud. Joe O'Sullivan was awarded a medal in the Order of Australia for service to the community this year - it is a well-deserved honour. Mr O'Sullivan is the founder of the Australian Irish Heritage Association and implemented the establishment of the Centre for Irish Studies at Murdoch University. He is a strong believer in maintaining the Irish culture for the many Australians of Irish descent. The main reason Joe O'Sullivan moved his family to Australia in 1966 is that he saw it as "a very Irish kind of place". This is reason enough for us to celebrate St Patrick's Day today. Australia may have seemed very Irish to Mr O'Sullivan because more than 30 per cent of Western Australians alone claim Irish heritage. This heritage is obviously an important part of Australian culture if activities planned for today are any indication.

I was part of a parade in Fremantle last Sunday, 14 March, in honour of St Patrick's Day. Around 30 000 people attended and the parade went for almost an hour. Western Australians have inherited the Irish sense of fun and celebration. Irish people have endeared themselves to Australians and I believe it is because we have similar cultures. We both enjoy good humour and easy going attitudes, as well as having an innate sense of pride in our heritage. The strength of Irish pride is testament to the fact that such a small country, with a relatively small population, can have such a large effect on the world.

Western Australia boasts a strong relationship with Ireland. This year marks the twenty-first anniversary of the appointment of the Irish Consul-General, Mr Michael Nolan. In addition, we were recently visited by the President of Ireland, Professor Mary McAleese. This was the first time an Irish President had visited Australian shores and was a significant step in maintaining our Irish ties. I am sure that all members will join me in wishing everyone with Irish ancestry, as well as those who wish they had it, a very happy St Patrick's Day.

PRISONS AMENDMENT BILL

Second Reading

Resumed from 3 December 1998.

MR RIEBELING (Burrup) [12.20 pm]: This legislation is the cornerstone of the Government's push to privatise our prisons system. It is the vehicle which will create the first privatised prison in Western Australia. Members on this side of the House have expressed their opposition to the privatisation of our prisons system and will not support this legislation, either here or in the other place. There are a number of reasons for our rejection of the concept of privatised prisons. Primarily, a fundamental difference exists between the Government and the Opposition on the security of the prison population in Western Australia. We on this side of the House consider that the primary focus of our prisons system should, firstly, be to secure the prisoners in an appropriate manner and, secondly, to provide adequate rehabilitation programs for inmates to minimise the likelihood of their reoffending. The Government is embarking on a system which will put a private practitioner in charge of our prisons system, whose primary focus - make no mistake about this - will be to create a profit.

Mr Prince: By providing a service.

Mr RIEBELING: The bottom line will be to create a profit. That should not be the situation in our prisons system. The Government will be able to debate this matter long and hard in this House and the other place. The proposal for this privatised prison has a background of which this House should take note. Members should consider the circumstances that have led to this matter being debated in this House at this time. This appears to be part of the social dividend that was promised by this Government at the last election. It proudly boasted about its ability to manage and solve problems. In this area that was never attempted. Over the last five or six years we have seen absolutely no proof of the Government's ability to manage our prisons. The complete reverse is the case. The Opposition will deal with that today, stage by stage, to show that there has been a deliberate attempt to run down our prisons system, to such an extent that to get quick beds into our system the only option has been to go to a private prisons system. The minister in the other place has presided over one disaster after another, culminating in the announcement of this privatised prisons system.

For the past three or four years I have said that a deliberate running down has been taking place, because budget after budget has failed to acknowledge what the Court Government's statutory changes have been doing to our prison population. For year after year this Government has sat on its hands and failed to respond to the overcrowding position that its legislation has clearly created. On the law and order issue, on the one hand the Government proudly states that it is locking up people more often, for longer periods, and in greater numbers. On the other hand, the proper management of those prisons is ignored absolutely and deliberately to pave the way for the new prisons system.

The problems of overcrowding have for a number of years been relayed to the minister. Countless groups of people, including me, have told the minister that overcrowding will inevitably lead to major situations. Of course, we witnessed a major situation in December last year, on Christmas day, when a major riot took place at the major prison in this State. That can be attributed to the long-term problems created by overcrowding.

Mr Prince: I think you are wrong.

Mr RIEBELING: The minister might think that, but no-one else in the State thinks I am wrong.

Mr Prince: Anybody who knows anything about that particular event on Christmas day knows that you are wrong.

Mr RIEBELING: Therefore, overcrowding had nothing to do with it?

Mr Prince: Overcrowding was a minor part of the cause. It involved a small group of people who were overwhelmingly desperate to get hold of drugs.

Mr RIEBELING: The minister referred to a small group of people. Just after the riot, the minister said in an article that four or five people were involved. Within a day he said that about 150 people were involved.

Mr Prince: No, about 30 people were at the core of it, and about 150 people in total went along with it.

Mr RIEBELING: There was some discrepancy regarding what the minister said to the Press on the numbers of people involved. I turn to a report on riots in the British penal system. It was reported in January this year that a landmark report was brought down in 1991 by Lord Justice Woolf on the 1990 prison riots. Despite what the minister said about prison overcrowding having nothing to do with the riot, in that report -

Mr Prince: I did not say that.

Mr RIEBELING: I thought the minister said that. However, I will continue. According to that report, the 1990 riot by prisoners at Strangeways Prison in Manchester lasted some 24 hours, injured 194 staff and caused \$120m damage to buildings. At the time, the Strangeways Prison held 1 647 prisoners. Interestingly, that is 70 per cent over the design capacity of that prison.

Mr Prince: I think I am right in saying that the buildings in that prison are fairly old.

Mr RIEBELING: I think the minister is right.

Mr Prince: It is more the Fremantle than Casuarina style.

Mr RIEBELING: That may well be. However, the main problem focused upon was the overcrowding in that facility. As the minister would be aware, all the world experts on the proper management of prisons say that 80 per cent of the design capacity of a prison is the ideal occupancy rate for it to operate efficiently.

Mr Prince: About that, yes.

Mr RIEBELING: Yes. As to the Casuarina riot on Christmas day, the prison at that time held 525 prisoners. The original design capacity of that prison was 360. According to the article, that equates to a 46 per cent over-capacity for that prison.

Mr Prince: As against the ideal, and you would accept that there is not a prison anywhere that is not, under that definition, overcrowded. I am not talking about this State only; I am talking about Australia.

Mr RIEBELING: I am talking about only this State.

Mr Prince: I make the point that it is a western world phenomenon.

Mr RIEBELING: If the minister is saying that everyone knew that these problems would occur -

Mr Prince: No, I did not say that.

Mr RIEBELING: The minister indicated that it was a western world phenomenon and that I should know that the rest of the world's prisons are overpopulated because the western world is heading down this path. If that is the case, why has not the Ministry of Justice, through the minister, planned for the expansion of the prisoner numbers?

Mr Prince: We have. Here is the legislation to enable that to be done. As I said in January, I make no apology for this Government having first spent money on hospitals and schools, and on prisons now. If we had the resources that should have been available when we came into government, matters would have been attended to before. We make priority decisions.

Mr RIEBELING: The minister is saying that six years ago these sorts of things were our fault, and until now the Government has done nothing about prisons.

Mr Prince: I am saying that you wasted \$1.5m that could have been spent on many things, amongst which could have been prisons.

Mr RIEBELING: I do not know how other members in this place feel, but I am just about sick of that stupid argument being put up every time the incompetence of the Minister for Justice is raised. How the Minister for Police can suggest that the Minister for Justice has any credibility in the management of prisons is absolutely beyond me. He has walked away from proper management in the prison system. One of the interesting -

Mr Bloffwitch: Oh, no.

Mr Osborne: Don't change the subject.

Mr RIEBELING: Bill and Ben, the flowerpot men have lots to say, so in due course they will be able to tell us about the good management practices the Government has put in place, which involve great innovations, such as sea containers. That is a fantastic way to cock up prisons. What a fantastic way to reorganise the numbers in our prison system! The prisoners can double-bunk.

Ms MacTiernan: And top and tail.

Mr RIEBELING: The Minister for Justice gave an example of his management style by saying that double-bunking is the way to go. That goes against any principle known by all who have anything to do with prisoners. I do not suggest that any of the members opposite who are interjecting know anything about prisons, other than it is politically incorrect to spend any money on prisons and that rhetoric that is tough on prisoners is popular. They know absolutely nothing other than this: If the Government is perceived to be tough on prisoners, that will translate into an increase in its popularity. Popularity should not be built on negative changes to prisons. That does not mean we should not use proper management in the prisons. If we do not have that, we have riots. After that, we have deaths in prisons and then people start to say that this mob opposite does not know how to manage.

Mr Bloffwitch: I should get insulted by that.

Mr RIEBELING: I do not care how many people are insulted by what I am saying. In numerous articles in newspapers which have dealt with the riot, the Minister for Justice has been reported as saying that the situation got out of control. In my view that riot occurred mainly because of overcrowding in the prison population.

Mr Prince: I realise that is your view. The reports I received about that suggest that the overcrowding had very little to do with the riot. A group of people was hell-bent on getting hold of drugs, and others went along with them. As I have also said, I give full marks to the prison officers who brought it under control.

Mr RIEBELING: The Government has presided over the overcrowding of the prison system. I hope the minister is not denying the overcrowding has occurred during his time in government.

Mr Prince: I am not denying there is double-bunking. I am not sure of the situation when you were in government; however, I expect there was double-bunking as well.

Mr RIEBELING: About five minutes ago I thought the minister was blaming us for the whole problem.

Mr Prince: I said you blew \$1.5m that could have been used.

Mr RIEBELING: When this Government took over, the prison system was managed in a reasonable manner. If it had been maintained at that standard, not even improved, this riot would not have happened. The minister is hell-bent on making sure

the State has a private prison system. The more overcrowded it became, the more problems were created, and the more likely it was for the public to accept a private prison system. This minister has absolutely no claim to have managed the prison system. He has demonstrated an absolute failure in that regard. During the budget session a quite amusing line - this is in my view and that of most people who read it - was that the ministry actually budgeted for 55 escapes in that financial year. That is one of the only targets this Government has exceeded admirably. That figure was surpassed within six months. This system being run by the efficient Minister for Justice has allowed more than 55 people to walk out of prison in six months. So bad is the problem with people escaping that this Minister for Justice has devised a new term for escapes.

Mr Prince: No. He has not.

Mr RIEBELING: He calls them walkouts. They are not escapes. People are silly if they refer to them as escapes, because they are walkouts.

Mr Prince: That is the way they are described everywhere else in Australia. He has not devised it.

Mr RIEBELING: If a person is in custody and that person leaves that custody without permission, that is an escape. Whether prisoners crawl out, fly out, jump out, hop out or whatever, it is an escape.

Mr Prince: It is an escape from legal custody.

Mr RIEBELING: We are talking about escapes from legal custody. The Minister for Justice seems to think we should have categories of escapes: A tunnel escape could be called a tunnel escape; one effected by cutting the wire perimeter fence could be called a cutting-through-the-wire escape! Whatever we call it, one thing is obvious: The minister wants to divert attention away from his total incompetence when it comes to prison escapes.

Mr Prince: Surely you will accept there is a difference between an escape from somewhere like Casuarina, which has not happened, and one where a person walks out of Karnet.

Mr RIEBELING: It is infectious. Why cannot the minister bring himself to refer to a person who escapes from a minimum security prison?

Mr Prince: All right; a person who escapes from Karnet. These people have keys to their bedrooms and they walk out.

Mr RIEBELING: They escape.

Mr Prince: There is a difference.

Mr RIEBELING: Let us talk about the number of prisoners who escaped from the prison in Kalgoorlie who are deemed to be high risk.

Mr Prince: It is a medium security prison and they climbed over a wall.

Mr RIEBELING: No. They kicked down the wall.

Mr Prince: They kicked down an inside wall, and then climbed over another. About six or eight prisoners were involved.

Mr RIEBELING: The number of people who escaped, however we describe it, is an indictment on this minister. The only turnover figure that is almost as high as that for prisoner escapes is that for the chief executive officers in this department - four in five years.

Mr Prince: What conclusion do you draw from the prisoner in Kalgoorlie who, having climbed over the wall, climbed back in?

Mr RIEBELING: There is only one explanation: This Government has made conditions outside prison so bad, that he wanted to get back.

Mr Prince: That prisoner was a she, and she was cold.

Mr RIEBELING: She must have been incarcerated there when we were in government. She got out and found out what a disaster area it was outside, and wanted to get back in.

Mr Prince: That prisoner was cold, and the others were women as well.

Mr RIEBELING: Rather than putting up with the management of this State by this Government, many people would rather escape from it. I return to what we were saying about the privatised prison. The report on the British penal system by Lord Justice Woolf found that the major contributor to those riots was overcrowding. It was slightly worse percentage-wise than that which we have. It had 70 per cent overcrowding; we have 46 per cent. The disturbing thing in the statistics -

Mr Prince: Was that 70 per cent in Strangeways Prison, or across the British prison service in total. I am aware of the report, but not the prison.

Mr RIEBELING: It relates to that prison.

Mr Prince: The 46 per cent is across the whole of our prison service, or just Casuarina?

Mr RIEBELING: It is for Casuarina Prison. Casuarina Prison is not the only one that has been shown to be an absolute basket case in relation to numbers; the overcrowding figures in our women's prison system are in excess of those referred to by Lord Woolf. My understanding is that there is about 80 per cent overcrowding in the women's prison system. Some announcements have been made about what is intended by the ministry. I will come to a press release issued in March or April last year when this State was experiencing an excessive number of deaths in the prison system. There were 12 or 13 deaths in the past financial year. That record surpassed that of the more populous States of New South Wales and Victoria by a considerable amount. Therefore, not only was last year a bad year for us, but also we had the worst record in Australia with regard to deaths in custody. It is not correct to say that overcrowding causes deaths in custody, because studies indicate that while overcrowding does not pressure a person into killing himself, it leads to a management system that is not sufficient to prevent deaths in custody. If 10 people are required to share the same cell, that does not mean they will kill themselves, but it does increase the stresses -

Mr Prince: The situation is the opposite, because a prisoner who is at risk is often given a buddy, as a management technique to try to prevent that person from harming himself.

Mr RIEBELING: That may be so, but the pressures that are built up in a crowded prison often cause problems for people who have a fragile nature, for want of a better word, and who seek out other solutions.

Mr Prince: It is a complex issue, and overcrowding is not the only reason.

Mr RIEBELING: I did not say that. It is one of the issues that the Government has the ability to manage. It is about the only issue that the Government can definitely manage. The Government knows that if there are 1 000 prisoners, it will need 100 prison officers to supervise them and 500 cells to accommodate them. The Government knows the formulas for how people should be managed. The walk-outs from our prison system are a good example. The description of those people has changed, because apparently the police are no longer allowed to describe as dangerous people who walk out of a minimum security prison, but what happens in a prison system that is under pressure, as is our prison system, is that because the prison system can accommodate only a finite number of people who have been assessed as high security, people are forced out of that situation prematurely. That is one of the problems with these minimum security prisons, out of which people keep walking.

Mr Prince: When this happened in January, I was acting Attorney General, and I made that inquiry at that time and was told that at no stage had any person's security classification been changed because of the nature of the overcrowding, or whatever. Many of the people who walked out around Christmas time were very close to the end of their sentence and almost invariably walked out because of domestic matters.

Mr Marlborough: No. Classifications are now being changed because of the overcrowding policy. I will go into detail of where it is happening this very week, and will even name the institution in which it is happening.

Mr RIEBELING: It must happen. If more people are being put into one end than are supposed to be coming out at the other end, we will get a different mix.

Mr Prince: Not every person goes in as a high security prisoner.

Mr RIEBELING: They are under assessment for three months.

Mr Prince: It is usually between three and six weeks, and they then go in as a minimum or medium security prisoner. That happens often.

Mr RIEBELING: That may be right. What the public is annoyed about, and what I have no doubt the member for Peel is annoyed about, is when some violent thug is put into a minimum security prison and escapes. I do not care whether that person is only one day from the end of his sentence. If that person is a violent offender, he should not be in a minimum security prison, because the primary focus should be, firstly, to ensure that the person cannot walk out; and, secondly, that if the person does walk out, he will not be a danger to the public.

Mr Prince: I freely confess that this is a very difficult area, because I have seen umpteen examples of people who have been in minimum security for one year, or more, and who have a history of violent crime, and where the rehabilitation program is working and they are close to being released back into society, and then one month before they are due to be released, they walk. It is a very difficult area, and the only alternative is to hold the person in maximum security until the last day of his sentence and then release him, and that has been proved not to be the best way to try to ease people back into society with the probability that they will not reoffend.

Mr RIEBELING: I am outlining what the public is saying about the management of violent criminals. I put violent criminals in the special category of yobbo. We should not have to overly concern ourselves about early release dates and the like.

If we had a secure prison system that dealt only with violent criminals, I would be very happy. I do not see the need for non-violent criminals to be locked behind bars, razor wire and the like. They should be in another prison system altogether.

The SPEAKER: Order! I seem to have made this observation before. I remind the member for Burrup that this is the second reading stage. I know that he is pausing frequently and that the minister wants to get in a few extra facts, but it is happening too much. It is committee debate stuff. The minister will have a chance to reply. If a member goes beyond what is normal, it is up to me to bring it to his attention.

Mr RIEBELING: Thank you, Mr Speaker. With regard to who should be in our maximum and medium security prisons, the overcrowding has created a major problem for the authorities, because the appropriate amount of money has not been allocated to the system to allow for proper management of that system. One example that has been used frequently by the coalition and those who support a new way of looking at prisons and of doing things through the private system is the United States. One of my major problems with regard to this legislation and what has occurred in the United States and what I believe will occur here if this legislation goes through is that the clothing and textile industry will be operated predominantly out of prisons. The jeans industry in the United States is predominantly operated out of the prison system. Some people may say, "Jobs within the jeans-making industry are boring, and it is good that we will get rid of that", but the fact is that a number of people rely upon that type of work for their livelihood, and in my view it is wrong to use the prison system to give an advantage to a clothing manufacturer through the use of confined labour, and it should not be allowed. However, the minister will say that that is what the Government will be doing, because that is what he said in his second reading speech.

I turn now to a recent study of the American prison system by Abt Associates Inc, which comprises people like Dr MacDonald, Elizabeth Frontier, Malcolm Russell and Steven Crawford. A number of doctors are involved in this study. The minister may have read the report; I am not sure. The study is very appropriate to Western Australia's situation. It states at page iii that -

The most commonly reported reason for contracting with private management was not to reduce costs but to alleviate overcrowding in the public system and to acquire needed beds quickly.

That rings true to me. They find that the situation in Western Australia has occurred many times in the United States. About 150 private prisons are currently operating in the United States. The report also refers to -

. . . lower spending on prisoner health care and, perhaps, in other aspects of facility operations, including lower salaries for line staff in some jurisdictions. In some states, payments to contractors may be offset somewhat by accounting deductions or adjustments . . .

The actual costs of operations when a private operator takes over are difficult to determine because private practice uses accounting methods designed to achieve a certain result. It is not always easy to read the accounts of a private prison and to work out how much has been spent on, say, rehabilitation, how much should have been spent and so on. It is interesting to note that the report also states -

. . . one cannot conclude whether the performance of privately managed prisons is different from or similar to that of publicly operated ones.

This a group of highly professional people saying that the move to a private prison system in the United States was effectively an attempt to solve overcrowding and to get a cheap and quick result in relation to those two factors. What they described in July last year in relation to the United States system is exactly the situation occurring in Western Australia at present.

The Minister for Justice has stumbled from one crisis to another and in the entire time he has had this portfolio he has taken no responsibility for the actions over which he has presided. Under his jurisdiction the worst jail incident or riot occurred since the Fremantle riots 15 or 16 years ago. When that situation arose, the Minister for Justice was on holiday. I found it staggering that he did not cut short his annual holiday and come back to Western Australia to deal with the crisis in the prison system. It was a major problem. Instead, the minister handling this legislation on behalf of the Minister for Justice had to field questions relating to the problems. It is interesting that the chief executive officer of the department was nowhere to be seen at the time. That was probably smart, considering the frequent removal of CEOs from that department. People did not see the CEO during that prison crisis. Mr Jamieson from the department appeared on television on a daily basis talking about the riots. However, the chief, who no doubt values his hide, was nowhere to be seen and neither was the minister. To date, I do not know where he was during that crisis. He did not surface for some considerable time until the whole matter had blown over. That is the minister's style.

Approximately a year before that problems had arisen with the Payne-Byron fiasco. The CEO of the ministry resigned because in essence he could no longer work with the minister who he considered had instructed him to remove Mr Payne from his position within the ministry. Similarly, in that case the Minister for Justice went to ground again; he disappeared for weeks and refused to speak to anyone. He hid until the problem blew over.

I have been deeply involved in prison issues for the past two and a half years, and I still have a keen interest in making sure that the prisons in this State start to produce results. I am advised that the recidivist rate is still approximately 70 per cent, and that precious little has been done in relation to rehabilitation programs. I am not talking about the number of programs operating, but about the funding put into each program. The funds allocated to rehabilitation are just window dressing, and are not a real attempt to find a solution.

Other people have also expressed considerable concern about the management of the Ministry of Justice and the way it is run. I keep going back to the lack of management in this department for the simple reason that the Prisons Amendment Bill, which we are currently debating, is an absolute cop-out. The minister is indicating that it is all too difficult for the Government, and it will hand prisons to the private sector. The minister has presided over an absolute disaster for the past four years and he has either thrown up his hands and said the Government cannot cope, or that the Government has achieved what it deliberately set out to do in creating this chaos. I prefer to think that the minister is incompetent, but others suggest he is not incompetent but has known all along what his plan of attack will be.

One person who has disagreed with the minister is Hon David Malcolm who submitted a report to Parliament on issues relating to the sentencing legislation, which he considers is inappropriate. This legislation before us further increases the pressure on our prison system. No-one in this place has suggested that the management of our prisons has been good for the past four or five years, and now the chief judicial officer in this State has raised concerns about his area.

Also, there are growing concerns about the minister's views on the independence of persons who will look into the operation of a privately operated prison - if the legislation goes through. I hope I am quoting the minister correctly when indicating that he said independence does not create accountability. He would rather have an independent person working for him to look at how he operates, than a person who is truly independent, because a truly independent person looking at a private prison may make judgments that the minister does not like and that are not what he calls accountable.

The Minister for Justice has a new way of looking at the Ombudsman and other external forces which look into the operations of government instrumentalities. He has suggested that they should be public servants. If they were public servants he would be able to get rid of them if they made a recommendation with which he did not agree. I have huge problems with that sort of attitude. However, that has always been the minister's attitude, even though it does not benefit Western Australia in the long or short term.

Numerous other issues have concerned me in the past year. One issue relates to the minister's press release of 23 March 1998 announcing the construction of a 750-bed medium security prison. That announcement came from a minister who is famous for his mega-announcements. He likes to cram in as many announcements as possible into his press releases, so people do not look into what he is saying but skim over the content because of the number of announcements. In March last year the minister stated that the prison population was 2 140 and there was an urgent need for more prison beds. It is interesting that the WA prison system was designed to hold 2 160. My sources say the minister's figures on overcrowding in the prison system were incorrect, and the adult prison system was already 200 over its design limits.

The minister announced that the new prison would hold 750 beds. He also announced that 50 beds would be provided in the low to medium security prisons for adults at Karnet and Wooroloo, a further 150 beds at Casuarina, and another 50 beds at a minimum security prison for women. During the budget debate the minister representing the Minister for Justice conceded that no allocation had been made for at least 100 of those beds. The construction of a 750-bed prison was supposed to solve our prison problems until 2005. The figures the minister released in March 1998 indicated 2 140 prisoners in Western Australia, which has not been disputed. However, the figures for December 1997 showed there were 2 611 prisoners in our system at the time of the Fremantle Prison riot. It is almost one year after the minister made an announcement that the proposed new prison would service our needs until 2005. Yet within 10 months of the announcement we can fill up 70 per cent of the new prison although we are two and a half years away from any inmates being accommodated in a new prison. By the time the prison is built prisoner numbers will have exceeded its capacity. Precious little is being done other than we are seeing a knee-jerk reaction from the minister. How long is the construction phase for the new prison?

Mr Prince: Seventy-four weeks; just over one year.

Mr RIEBELING: Based on current trends, by the time the prison is built it will immediately be filled to capacity. An article in *The West Australian* indicates that the impact of government legislation has been to increase the prison population by 268 more than the Government's estimate. The Government's estimates of the prison population were out by 10 per cent. The minister cannot even estimate how his tough new policies would affect the prison population. He was 60 per cent out in his estimations. There are 460 prisoners in excess of the prison capacity at the moment. In excess of 50 per cent of that number are in prison as a result of legislative changes. The Government's estimates were out by at least 50 per cent; and it was 100 per cent out in the actual number of prisoners.

I am concerned about the impact of a private prison on the prison system in Western Australia. What will occur in 2003, when we will again be faced with overcrowding in our prisons? The minister has agreed with experts that the optimum

capacity of a prison is 80 per cent of its design capacity. I am glad that the minister, despite his obvious wish to be seen to be tougher on prisoners, has not said that the ship-container option is one that should be continued for any period of time.

Mr Prince: That accommodation is better than that which is enjoyed by people working in the mineral and mining industry.

Mr RIEBELING: What is the minister's point? The containers are probably better than the conditions that a submariner would enjoy.

Mr Prince: They are very good accommodation as a temporary exercise, much better than the dongas.

Mr RIEBELING: I want it on the record that this is a temporary exercise. It is hoped that when better planning is implemented those tin boxes will be removed and in their place we will have facilities that allow for the proper management of our prisons and proper rehabilitation programs. If that were to happen we might achieve a positive result.

A number of groups - the Deaths in Custody Watch Committee, Prison Advisory Support Services and others outside the prison system - have made public comment. Some do not agree with everything they say, but some of what they say must be heard. PASS is a group of ex-prisoners and as a result the authorities are sceptical about what they have to say. However, one thing that is irrefutable is the lack of properly funded rehabilitation programs. The Ministry of Justice's record in rehabilitation is appalling. I am not criticising the officers involved in those programs; given sufficient resources they would be effective. Many of these programs have succeeded in other parts of the world. However, if we implement an anger management program and provide only \$40 000 in funding, that program is designed to fail. If we want a proper rehabilitation program, we must fund it.

I can see no advantage in rehabilitation for private prisons. We can write contracts in various ways, but it is not in the private prisons' best financial interests to have effective rehabilitation. Those prisoners are their feedstock; they want them to come back again.

Mr Prince: If they manage the place well so that prisoners progress through and leave, they will get more. That is the source of the profit. You misunderstand.

Mr RIEBELING: I do not. Unlike the community, it is not in the private industry's interest to have effective rehabilitation programs. In Western Australia we will have a system in which private prisons will receive money for the holding of people in custody. When we get to the committee stage I will be very interested to find out about the rehabilitation programs.

Mr Bloffwitch interjected.

Mr RIEBELING: Perhaps instead of making snide comments under his breath the member for Geraldton will speak up so that I can hear them and engage in some debate.

Mr Bloffwitch: Given the length of this Bill, a 10-minute second reading contribution is more than enough.

Mr RIEBELING: The member for Geraldton looks at everything superficially. If he is happy with the current management of our prison system, he is on another planet.

Mr Bloffwitch interjected.

Mr RIEBELING: I will pass on to the people of Greenough the member's acceptance of the fact that prisoners have escaped.

Mr Bloffwitch: I will pass on your criticism of the performance of the superintendent at Greenough.

Mr RIEBELING: The member should also pass on the fact that he was not interested enough to consider the superintendent as efficient enough to run the new prison. The member is saying that the superintendent of Greenough is not competent enough to run the new prison.

Mr Bloffwitch: Who do you think is running it? The present superintendent. I have never heard such rot in all my life!

Mr RIEBELING: This might be a revelation to the member for Geraldton: We are debating legislation dealing with a private prison.

Mr Bloffwitch: In Greenough?

Mr RIEBELING: No.

Mr Bloffwitch: No, exactly.

The ACTING SPEAKER (Mrs Hodson-Thomas): The member for Geraldton will cease interjecting.

Mr RIEBELING: I do not mind the member's gibbering, as long as he understands that because he says something it is not necessarily true. He should research what the rest of the world is doing. The member should consider two issues: Firstly, the size of the prison. Most commentators say that a prison housing 750 inmates - the biggest this State has ever contemplated - cannot be managed effectively.

Mr Bloffwitch: What do you reckon New York City has? It has a prison housing 2 500 inmates and the member is suggesting that it is not managed effectively.

Mr RIEBELING: That is correct. The member should look at what private research says about the size of prisons. They all say that the optimum -

Mr Trenorden: Every one of them?

Mr RIEBELING: The reports that this Government releases do not. However, the vast majority of reports dealing with the optimum size of prisons agree that 450 inmates is the largest that should be considered.

Mr Prince: There is debate about the optimum size of prisons.

Mr Johnson: Who is behind these reports?

Mr RIEBELING: Primarily private industry proponents. After the minister responds I will be happy to read the reports. I hope the minister will be able to tell me about the changes in technology that have satisfied this Government that an establishment the size of the prison being contemplated can be run efficiently. No independent reviews support the Government's argument.

It is a pity that one of the major proponents of prison reform in this State has decided to support the construction of a mega-prison. It would be far better for the State to have two smaller prisons.

Mr Prince: Both privately operated?

Mr RIEBELING: Neither should be privately operated. The Labor Party will never agree to that. We can argue forever about whether profit should be the primary focus in running our prisons, but members on this side of the House will not support legislation designed to privatise our prison system. In fact, we will fight tooth and nail to prevent that. Despite the desire of members opposite to conclude this debate quickly and go to lunch, we will be here for weeks debating this legislation.

Mr Trenorden: So they cannot go to lunch for weeks!

Mr RIEBELING: I wish the minister could not; we could do without that. We will be in this place until the point we want to make is made, unless the minister wishes to guillotine the debate, which I do not think is likely to happen.

Mr Prince: You made your point adequately. You do not need to make it any more strongly than you have.

Mr RIEBELING: We will continue to make that point. I am sure other speakers in the debate will try to convince the minister that it is the incorrect way to go to ensure the proper management of our prison system.

MR BROWN (Bassendean) [1.22 pm]: I too make a number of observations of the Prisons Amendment Bill, in particular of the minister's second reading speech. I will comment on some of the things the minister said in that speech and I ask him to respond to my observations. In the first paragraph of his speech the minister said -

The Government is aiming to develop a prison system that is as advanced and effective as any in the world.

That is a laudable objective and I do not disagree with it. The minister has not indicated in his second reading speech where the current system falls short of that objective. I will refer in detail to other parts of the speech where high-sounding objectives have been mentioned that use nice words and embody nice notions of the way the management of the prison system is envisaged. However, there is no substance to what he has said.

I ask the minister to answer these questions in his reply: What are the current deficiencies as the minister sees them? How is it that our prison system is not as advanced and effective as any in the world? What changes need to be made? How will those changes be made by the use of a private contractor as opposed to the implementation of changes in government? Why does the Government not have the management skills to implement those changes? Why have no additional training programs been introduced so that the changes can be implemented? The questions go on and on. I hope the minister will add a bit of meat to the comments he made in the second reading speech by outlining what it is that must be changed; what it is that the Government is seeking to achieve; and how it will achieve it by using the proposed private contract arrangements. That is the first set of questions I pose and it will be interesting to hear the minister's response to them.

Mr Prince: I have already been ticked off once by Madam Acting Speaker, therefore I will wait and respond later.

Mr BROWN: I am happy to wait for his response but I will look at it very carefully to see whether my questions have been responded to. There is a trick used often in this place, as Madam Acting Speaker will be aware, along the line, "Don't worry, I will get to that point", and when one reads the speech one finds that the point was never reached. It is a convenient trick.

Mr Prince: By me?

Mr BROWN: I am saying it is a trick used by people in this place; I am not pointing at any member in particular. I will be listening carefully to the minister's words and if I am not in the House at the time because of other parliamentary commitments, I will read his words afterwards.

The other matter I raise also relates to the first paragraph of the minister's speech. On page 4859 of *Hansard* he said this -

One of the strategies that the Government is convinced must be adopted to achieve these outcomes is the introduction of contestability as a means of benchmarking and improving the performance of our public prisons.

He is talking there about contestability; that is, the belief that if a system of contestability is introduced it will drive innovation and change and make the system operate better. That is what the minister is saying by the use of those words. It raises an important question about the way in which the Government proposes to structure the contract. There is no detail in the minister's second reading speech of the way in which the Government proposes to structure the contract. By that I mean the minister refers in his speech to the issue of private sector participation in the design, construction, financing and management of prisons, each of which are separate and distinct issues. It is a matter of the way in which the contract is struck as to the degree of contestability that will in fact, as opposed to in theory, exist.

The minister can correct my next comment if it is wrong and I invite him to do so by way of interjection. I understand that when the contract is signed one private company will be given the opportunity to design, construct, finance and manage the prison; that is, it will take on all of those responsibilities.

Mr Prince: It certainly covers most of those things, if not all. It covers the design and management. Obviously somebody else may be the constructor. I am not sure about the financing off the top of my head.

Mr BROWN: That is a key issue of contestability. The minister referred in his second reading speech to the report written by Professor Harding - whom we all know in this State - of the Australian Institute of Criminology under the heading "Private Prisons in Australia: The Second Phase". It is an overview paper of the development of private prisons in Australia. It is important to understand what Professor Harding is saying in the report about the way contracts are structured. In his article on the point about the issue of contestability under the heading of "Contract Arrangements" he says -

The latter comment points up that there has been a switch from the management only contracts of the early days to *design, construct, finance and manage* contracts.

Victoria has led this move, which replicates the standard US approach to privatisation. The Victorian contracts are complex (Wilson 1997), but the key matter for present purposes is that the private contractors, or their financiers, have paid for and *own the prison structure itself*, with the contract requiring that the government repay capital and borrowing costs over a 20-year period. At the expiry of this period the private contractor continues to own the structure and has a further 20-year lease of land upon which it stands. No further use as a prison is guaranteed by either side, however. Linked to this in each case are the initial five-year management contracts with three-year renewal periods.

He then goes on to make this pertinent point -

Such an arrangement in practice gives the owner/operator a powerful position in bidding for the continuance of the initial contract. Whilst theoretically the same ownership arrangements could accommodate a change of operator, there would be commercial inhibitions and complexities. Loss of a management contract to a competitor - an important element in effective accountability - is thus unlikely. In reality, a change might only eventuate in the extreme circumstance of the government exercising its "step-in" rights following major malfeasance by the contractor.

So the issue of contestability that the minister and the Government are relying on very much depends on the way in which this contract is struck and the question as to whether the design, financing and construction are in a separate contract to management, because I can see nothing implicitly wrong in a prison being designed by the private sector. That has basically been the case, with them working with government architects, when the Government had some.

Mr Prince: It is perhaps more the case now than it was 10, 15 or 20 years ago.

Mr BROWN: The minister is probably right. Even the later prisons here involve private sector architects and so on.

Mr Prince: That has been the case for the past six or seven years.

Mr BROWN: Obviously there is nothing implicitly wrong in all of that. Likewise with the construction: Even when the Government had a construction work force, to my knowledge it did not basically construct these prisons. They were constructed by the private sector, normally with a major builder. There is nothing new about that. The question of finance depends on whether the Government wishes to use existing revenues or borrow. There is nothing new about either one of those. Governments have borrowed and used their own revenues for capital purposes. There is nothing strikingly different

about any of that. What is different in this instance is that we are talking about the management of the prisons; that is, the operation of the organisation after the prison is constructed. The distinction here is that the Government is proposing that the private section will operate and manage the prison.

As I interpret his paper, the point that Professor Harding made in his paper was this: If there are two entirely separate contracts - that is, one contract for design, construction and finance or parts of it or whatever on the one hand and a totally separate contract for the management of a prison on the other hand - it will get to the point where every five years the Government can call for tenders to manage the prison and there will be true contestability in the marketplace. A range of organisations could be involved in prison management by tendering for the job in the way that happens when school cleaning contracts come up. However, if the first part is rolled in - that is, the design, construction and finance or part of it - with the other part - that is, the management - there will not be contestability because of the difficulties that are then created in those contractual arrangements. What is not clear from the minister's second reading speech is the structure of those contractual arrangements and whether the structure is such that it permits in fact rather than in theory true competitiveness. I will invite the minister to outline that in his response and to provide the detail that we need.

Mr Prince: Okay.

Mr BROWN: That is to see whether we are talking about contestability.

The other issue that we do know about is that in any event there is no true contestability because, as a matter of the legislation and as a matter of policy, the Government will not allow the public sector to compete with the private sector. The Government corrals these projects and says that these are exclusively the province of the private sector and that government agencies and departments are not allowed to tender. In any event, there is no contestability in the normal sense because government is not a player in the game. If this Bill were to go through and these arrangements were to be put in place, in Western Australia there would be a situation in which, after five or 10 years, whatever the period of the initial contract, there would be two operators of prisons - a private operator and a public operator. The public operator will not be permitted to contest for the prison that is operated by the private sector. How the minister maintains that there is contestability in that scenario is beyond me. I would like the minister to explain exactly how that would happen and how he sees contestability being in the marketplace under those arrangements.

I will go to the minister's second reading speech and to the first paragraph to which I referred previously. The minister said -

One of the strategies that the Government is convinced must be adopted to achieve these outcomes is the introduction of contestability as a means of benchmarking and improving the performance of our public prisons.

This follows from the first set of questions I asked of the minister. In what areas today does the performance need to be improved?

Mr Prince: One could probably say in all areas. Performances can always be improved. It is after all a human system and so not perfect. If private prisons are contestable with the public prison service, that should lead on to an improvement. There would be something with which to compare them both and therefore they can be continuously improved.

Mr BROWN: I note the minister's comment on continuous improvement. To my knowledge, despite the problems in the Ministry of Justice at senior levels, continuous improvement has been going on.

Mr Prince: Yes, it has. I know that.

Mr BROWN: So there is nothing to suggest that because existing prisons happen to be in the public sector continuous improvement is not happening at present. Given that it is occurring and given that the minister, by his interjection, seems to suggest that he accepts that continuous improvement is occurring, I am not sure of the import of the words in the second reading speech. The minister referred to improving the performance of our public prisons.

Mr Prince: Yes.

Mr BROWN: He accepts that there have been continuous improvements.

Mr Prince: Yes, there have been.

Mr BROWN: And he accepts that in every area of work today, whether it is in prisons or wherever else, people are looking at continuous improvement.

Mr Prince: Yes, they are.

Mr BROWN: The minister accepts that that is happening in the prison service as well.

Mr Prince: Yes.

Mr BROWN: What is the import of the reference in the second reading speech to the improved performance of our public

prisons? I took it to mean more than that the minister was simply repeating what was happening. I took it that those words were used as an argument for moving down the path that the minister wishes to move down. That does not seem to be the case. Perhaps the point is too subtle.

Mr Prince: Perhaps the member could restate it. I am not sure what he is getting at.

Mr BROWN: We are in a period of continuous improvement in whatever occupation, industry or position we might be in. The minister accepts that that has been happening in the prison service.

Mr Prince: Yes, to some extent.

Mr BROWN: He qualifies that now; he did not qualify it a moment ago.

Mr Prince: I am aware it has been happening in a number of areas.

Mr BROWN: Given that the minister accepts that it is a fact of life and that it has been happening in the prison service, I do not understand the import of the words in the second reading speech about improving the performance of our public prisons, because that has been happening anyway.

Mr Prince: Yes, but an organisation that within itself has continuous improvement is always looking at itself and improving. That is fine; that is good. We are talking about an organisation that has little by way of outside organisation to which to refer, because there is no outside organisation. It is looking at itself all the time. That is fine; we have continuous improvement by that process. However, when something else is providing the same service but doing it in a different way we are able to establish benchmarks by contestability and we are able to get an improvement in both. It is the concept of competition. We have a public prison service and a private prison, both of which are seeking to achieve the same objective - that is, the safe custody of people who should be in jail, rehabilitation and so on - and they will be doing it differently in some respects and doing it the same in other respects. We wind up with an improvement in both by comparison as well as a continual improvement within each organisation.

Mr BROWN: As Professor Harding points out in his paper, that is true only to the extent that we can compare like with like.

Mr Prince: Yes.

Mr BROWN: The difficulty in comparing apples with pears is the same as that in comparing prisons with prisons. This prison will be of a different design.

Mr Prince: Yes.

Mr BROWN: It will obviously include all the techniques that everyone has learnt over the past 10 or 15 years since the previous prison was designed. It will be high- tech and it will have several labour-saving devices and so on that one would put into a prison in 2000 or 2001 which were not put into Casuarina Prison in 1986. It is like comparing a 1986 computer with the new pentium. If there were not efficiencies, I would be amazed, but they are not labour efficiencies. They are design efficiencies that relate to the technology that is used in design processes. If we compare one with the other to consider labour productivity and say that the productivity of one is less than the other, that might be true, but the design and the technology in the organisations is vastly different, and that makes the comparison illogical.

Mr Prince: I do not know whether it makes it illogical. It means that we must take into account the different generations in which the prisons were built and the different technologies that are incorporated in them.

Mr Trenorden: And their purposes.

Mr Prince: Yes, we must consider the purposes. It is not intended that the private prison, for example, will handle the State's most dangerous criminals who are in the high security unit at Casuarina. We cannot really make a comparison in that regard. The member is probably talking about medium-security prisoners, because they are the bulk of prisoners everywhere, and we must make allowances for differences in technology.

Mr BROWN: That is the difficulty in measuring. It is a bit like trying to measure the cost ratios of a maximum security prison with those of a minimum security prison. The cost ratios per prisoner are dramatically different.

Mr Prince: Yes, they are. That is the point I am trying to make. We must compare like with like and we must be able to develop the formula to do that.

Mr BROWN: Also there is the question of whether we are to use the same inputs in measuring. Professor Harding says in his paper that there are savings of 10 to 20 per cent between the public and the private sector. However, what he does not mention and what I hoped he would deal with is the difference between the income for ordinary hours worked by workers in one system compared with the income received for working the same number of hours in the other system. In the United States and the United Kingdom there is a disparity of earnings. Certainly that was the case in Queensland when I previously considered it. Public sector officers were on higher rates of pay and better employment conditions than workers engaged by contractors.

Mr Prince: Is that also the case in New South Wales, Victoria and South Australia?

Mr BROWN: I have not considered those areas, but certainly in Victoria the Government deregulated the labour market and people have come into private prisons with virtually no protections at all. I would be amazed if, for working the same number of hours on shifts and so on, the workers received anything like the same income that is paid to people doing a like job in the public sector. If we disregard wage rates and employment conditions payable to the staff, it is very easy; we simply say, "This is more efficient than that because", but what is the reason for that? Is it because of clever management or is it because people are paid less?

Mr Prince: I suspect that it will be a combination of many factors.

Mr BROWN: In many comparisons we find that people are paid less. As I said yesterday in another debate, that scenario in the United States has led to a race to the bottom; that is, one cannot pay less than a certain amount because that is the statutorily guaranteed amount. That is why over the past 20 years an increasing number of workers in the United States - I am talking about people among the bottom 20 to 30 per cent - have seen their rates go down or at best not move, whereas people on middle incomes have seen theirs move slightly, and people on high incomes have seen theirs move dramatically. People say, "That is just the operation of the market; that is bad luck; this is a new world, so get used to it", but there are people such as I who are a bit soft about those matters, who actually have compassion for others and who think about how other people will live in those circumstances. That is the concern I raised yesterday. When we debate it tomorrow and the next day I will still hold that concern. However, I will leave aside that philosophical issue, which is about our value systems and the way we see the world. We see it differently. In his second reading speech the minister referred to reform. What reform? He also referred to completion rates. I do not know what that means in costs and efficiencies. He also referred to minimum standards. Are they higher than the existing minimum stands? My time has expired so we will deal with them in Committee.

Mr Prince: If you give me the list of your queries I will seek advice.

MR MARLBOROUGH (Peel) [1.51 pm]: From the minister's reply to the member for Bassendean it is fairly obvious that the minister has no intention on behalf of this Government to measure any new privately run prison against any existing system.

The minister agreed that the present system of government-run prisons has improved on a regular basis. When asked, in the light of that, why he wants the running of prisons to change to the private sector he replied that, although things have improved in the state system there is no other system by which we can measure our system; we need to examine another system. When given the opportunity of describing another system he said that he agreed with the member for Bassendean that rather than just examining another system of prisons it is important to compare like with like. He then said that the new privately-run prison proposed at Wooroloo will not be like any of the prison systems we have at present. He said that it is not intended to be a maximum security prison such as that at Casuarina.

The minister's answers are like onions; if we peel away the outside layers we can see what this Government is really all about. Its policy to privatise prisons has nothing to do with efficiency or the better running of prisons. It has nothing to do with how we measure the outcomes of prisons. The minister does not want to begin to make a comparison; not even on outcomes. He may believe that prison management outcomes are determined by the dollars and cents required to look after a prisoner when in confinement. I think the bulk of society -

Mr Prince: I did not say that. That is one of the ways by which we can measure the first of the organisations. The yardstick for gauging the outcome of prisons we hope will be that anyone who comes out does not go back.

Mr MARLBOROUGH: I was hoping the minister would say that. I was about to say that most people would want to measure prisons in that way. They would not want to base the effectiveness of running prisons on dollars and cents. That is why, historically, governments in a democracy have seen it as their responsibility to ensure that people do not come out of prison and re-offend as part of an overall role of government to make it a better society.

It is quite clear from the private models set up overseas, and to some degree in Australia that, although they have been established over less time, none of the factors that really count in society for how we measure in the minister's words "whether prisoners go back" show any improvement at all. There is none whatsoever. The minister cannot turn to any report that can prove to this House or his colleagues that the establishment and running of a prison by the private sector will result in fewer prisoners returning to the system. A quantitative basis on which to make a decision to privatise prisons does not exist.

I have not looked at many reports on this matter, but I will be examining more over the coming weeks. As the minister knows, until recently Casuarina Prison was in the heart of my electorate. It has not moved; but as a result of the change to the electoral boundaries it is now fewer than 5 kilometres from my electorate. As a result of Casuarina Prison being built in my electorate in 1986 I have taken a keen interest in prison systems.

Nothing I have read so far provides a real measure against which a judgment should be made; that is, an improvement in the number of prisoners who stay out of the system. The minister has already admitted that ongoing cost efficiencies have occurred and are continuing in our present government-run prisons. When we peel away the layers of the onion we are simply left with the ideology of a conservative government that has been no different concerning the running of wharfs; the health system; State Government Print, which was demolished and taken over by the private sector; and rail. It has nothing to do with cost or community measurement - the important factors. It is a blind philosophy that the Government must divest itself of all its major responsibilities and turn them over to the private sector. The minister knows that even if this prison were to be -

Mr Prince: It is not a matter of divesting of responsibility; it is a matter of how the responsibility is discharged. Under your Government people would be employed directly. We say it can be done by employing the private sector to deliver the service.

Mr MARLBOROUGH: I say that the Government has no evidence to demonstrate that it can be done any more efficiently by the private sector than by the government sector. The same situation will occur with prisons as occurred with the recent change of decision regarding privatisation of Armadale hospital - the minister will end up with egg on his face. In two or three years' time, if this private prison is built, it will come back to haunt the minister.

Mr Court: The new Labor vision says it is okay to have competition in these areas.

Mr MARLBOROUGH: I am not suggesting that it does not. There are a number of areas within this system in which privatisation is in place. Everybody knows that. However, before the Premier entered the debate, the minister said that the measure by which society gauges the success of prison outcomes was the number of prisoners who return to the system after they are released. I agree. If that is the real measure, the costs and the efficiencies - the outcomes that the dollars and cents men want to tick - become secondary. I am suggesting that the Government sector has proved more than adequate - in fact it has a community responsibility to do so - at ensuring that those standards are set.

If we want to look at the Government's track record on the privatisation process in this State alone, we need look no further than Health. Within four or five years of privatising Health in this State, the Government has now decided to back away from the privatisation of Armadale-Kelmscott Memorial Hospital because it has before it reports which state that no benefits will be gained.

Mr Prince: What about Joondalup, Mandurah and Bunbury, where many services are being delivered by the private sector? That sticks in your craw!

Mr MARLBOROUGH: It is precisely because of the evidence that has come out of those hospitals, which the minister now wants to use as an example of how well and efficiently they have been running, that the Government has done a backflip on the privatisation of Armadale-Kelmscott Memorial Hospital.

Leave granted for the member to continue his speech at a later stage.

[Questions without notice taken.]

CHILD WELFARE AMENDMENT BILL

Committee

Resumed from 16 March. The Chairman of Committees (Mr Bloffwitch) in the Chair; Mrs Parker (Minister for Family and Children's Services) in charge of the Bill.

Clause 4: Part VIIIA inserted -

Progress was reported after the clause had been amended.

Ms ANWYL: I seek to return to a stage prior to the debate on the last amendment to the clause. Proposed section 120D(2) contains provision for a child's name to remain on the register until the child reaches the age of 18 years, when it will be automatically removed. Last night we discussed a provision whereby a convicted adult offender could apply to have his name removed from the register. The age of 18 years at which a child's name will be removed from the register is extraordinarily high, given that we were considering the situation of a child's name being included in the register without any reference to that child. Many young people in our society are independent long before they reach the age of 18 years. They are free to marry, have children and do all manner of other things. I would be interested to hear the minister's views on whether there could be a discretionary application of the provision. There should be a discretion in the application of the provision where a child's name could be removed prior to the child reaching 18 years.

Mrs PARKER: The age of 18 years appears in the legislation with no discretion available for the record of the child's name to be removed before that time to be consistent with the age quoted in the Child Welfare Act and the responsibility that remains with the department for the care of a child until he or she reaches the age of 18 years. For those reasons there is no discretion to remove the name of the child from the register before that time.

Ms ANWYL: It is clear from the statistics of the involvement of Family and Children's Services with young people under 18 years of age and my recollection of care and protection applications for 1998 that no 16 to 18 year olds were involved in the welfare process. There were very few 14 or 15 year olds. Sixteen years is effectively the age of children at which the department ceases to have very much to do with young people who may have welfare considerations. Can the minister explain the theory of using the 18 years of age limit when she must be aware that her department has very little to do with 16 and 17 year olds?

Mrs PARKER: We do not have applications made for care and protection orders for 17 year olds presently. However, as I have already stated, we do have a duty of care until a child reaches the age of 18 years; and we do have wards that remain the responsibility of the department until they are 18 years of age. For that reason, consistent with the age given in the Child Welfare Act, there is no discretion to remove the child's name from the register.

Mr NICHOLLS: I move -

Page 7, line 19 - To delete ", date of birth and address" and substitute "and date of birth".

I move this amendment because when I analysed the purpose that the register will play - that is, to collate the names of children who have been subjected to a substantiated child maltreatment allegation - I realised there is no reason why the address of the child should be recorded along with the details of the name and date of birth. The name, sex and date of birth form legitimate information to be recorded; however, I do not support the recording of the child's address. There are two major reasons for members to support the amendment. Firstly, there is a real possibility that children of a very young age will move to different addresses throughout their juvenile years. Secondly, if the purpose of the register is simply to collate information across the whole of government, there will be a clear reference to whichever agency was dealing with that child and, therefore, the information will be contained on file in the agency that has the information about the maltreatment and the primary responsibility for managing or delivering services to that child.

The other reason that the address should not be in the register is the level of concern in the community about potential information being derived from the register and not only the child being identified, but also the potential risk of the information being of reasonable currency to people who may wish to prey on or identify children who are susceptible to advances from adults who may wish to exploit them.

I urge the Chamber and the minister to accept this amendment and to delete the requirement for the address of the child to be contained on the register, thereby removing those potential concerns in the community and also legitimately removing the necessity of having that information recorded.

Mrs PARKER: The Government does not support the member for Mandurah's amendment for the reason that the name, the date of birth and the address are recorded to make sure that we are dealing with the same child. Although it has not occurred often, we have experience of other databases, in which just recently there was a match with the National Exchange of Police Information of two people who had the same first name, surname and date of birth. It is also important to realise that the approved people who have made such a registration already have that information about that child. It is not extra information for them. They must be dealing with the child. They know the name and the date of birth. That information is on their record at present. This will not be extra information that will be provided to them. The reason for having the name, sex, date of birth and the address of the child is to make absolutely sure that we are coordinating services for the same child and that an error is not made in that regard. It is very important to understand, as I have said, that the approved person already holds that information, otherwise the approved person could not be making the registration.

Mr NICHOLLS: Frankly, I find it unconvincing that the minister's argument is that we may have children with the same first and last names. Most children usually have a middle name as well which helps to further identify them. Another part of the argument on why addresses are not necessary is that the register is supposedly confidential. If the agencies are delivering services, the agencies already have the address. It is not as if the register will be telling the agencies to which child they will deliver services. I cannot believe an electronic database will be created which will not have generic reference numbers to link to the child who is the subject of a substantiated maltreatment allegation. If the only reason the address of the child is being put on the register is to ensure that there is no duplication if there are two children with the same name and the same birth date, I suggest to the minister that the computer generated generic number would be a far easier and safer way of determining whether the child is the right child given that the date the entry is made is also recorded, I assume. The minister is suggesting that there may be a child with the same name and same birth date, and with an allegation registered on the same day. I suggest that is extremely unlikely. In any event, if there were the same name for two children coming up, all that would need to be done would be to check the agencies which provide the information to determine which child is the one that is wanting to be followed up.

Mr CARPENTER: We support the member for Mandurah in his attempt to have this amendment carried. I take the point that he has made, that the full name, the sex and the date of birth is enough identifying information. I do not know how many circumstances there would be in the State of Western Australia in which different people would have the same full name, be of the same sex and have exactly the same date of birth. There would probably be very few, if any. I suspect there would

probably be none that would come to the attention of Family and Children's Services. Importantly, as we were discussing last night, we believe there are problems tied up with this legislation and the construction of this register. We brought these problems and concerns to the attention of the Parliament last night. I understand the position of the minister and the Government but I also understand the position of people who have a contrary view. They have a legitimate concern about the capacity of a child to be identified and sought out by people who may get access to information to which we are assured they will not get access. An address is a very specific piece of information which would help a person locate a child when the child would not want to be located. A name, age and date of birth would identify a child but would not locate it. To locate the child via an address, in the context of the concerns that have been raised, is unnecessarily inflammatory. I will give the minister an example about the sort of concerns that people have been raising. Yesterday we asked about the number of people who appeared on the register. The minister told us that 2 600 people were on the register and that only three complaints had been received in the three years since 1996. My electorate office yesterday had four separate people telephone to say that they had a child who had been sexually abused and to complain that their child was or would be on this register. That is in only one day. The reason that they telephoned my office was that this legislation is passing through the Parliament. One of the critical factors that they all cited is that if the address is on the register, people would be able to find them. I do not believe it is necessary to have an address to fulfil the requirements and the objectives of the legislation. I also believe that it would be possible for us all to accept the member for Mandurah's amendment without compromising the objectives of this legislation.

Mr BRIDGE: I have been listening for 10 minutes to the discussion; listening first to the member for Mandurah and then to the testimony of the member for Willagee. I find a tremendous logic in the arguments they have advanced in respect of their concerns about the child's address being part of the requirement of this legislation. There is a general view in our society now that the availability of information about people's whereabouts is of major concern. We talk often about the problems of the Internet and of the disclosures and what the information sources within that system are doing to our society, including young children. A lot of concern is expressed about the free accessibility of information that would otherwise not necessarily be important to members of our society. In this instance it would be a fairly worrying situation if we were to proceed to commit a child to the range of requirements contained in the legislation, amongst them the address requirement and the disclosure of the whereabouts of that child through that requirement.

There is great wrong in the process - it is dangerous. It is another example of being out of kilter with what is probably intended to be a good legislative exercise, but it is too dangerous in the context of what we understand to be certain conduct within society. Whenever we are able to contain or exclude the knowledge of those children from the potential for there to be someone interested in their whereabouts, that process should be enshrined in legislation. Until now I have not taken a direct interest in the legislation, but I know that there is much logic in what has been advanced. The minister must consider the amendment in the manner in which it has been moved. It would be responsible for the minister to understand that what is proposed is correct and that such a measure of protection must be part of the legislation.

Ms ANWYL: Before we refer to the 2 600 names that are already on the register, is it possible to clarify whether in each case there would have been substantiation after 1 July 1996, or would some relate to an earlier period?

Mrs Parker: I am advised that the substantiations were after July 1996.

Ms ANWYL: That helps to clarify the matter. People in the community have raised concerns with me which are similar to those raised with the member for Willagee. People were not sure whether their children's names were on the register, although I have conveyed to those people that I thought they would have been notified if their children's names were on the register.

Mrs Parker: That is right. I am advised by the acting manager that, as the legislation makes provision for the manager's discretion when there can be a deferral of notification about a name being on the register because it might not be in the best interests of the child - we will consider those clauses later - so far, of the 2 600 names on the register, there has been about a 1 per cent deferral rate. That deferral might be for a period; it does not mean that the notification was never made. Apart from those exceptions, when there might be a period when the notification is not made, in all cases the notification has been made. That is important in regard to the issue that the member for Willagee raised concerning the anxiety of people who now do not know whether their child's name is on the register. If the child's name is on the register, the notification has been made.

Mr Carpenter: To whom?

Mrs Parker: To the parents.

Mr Carpenter: You are saying only 1 per cent of the 2 600 parents have been notified?

Mrs Parker: No, only in respect of 1 per cent has the manager exercised the discretion, as is indicated in the legislation that he would have, when to notify the parent might not be in the best interests of the child. We will discuss those circumstances. It does not mean that notification is never made; it means that notification might be withheld for a period in the best interests of the child.

Ms ANWYL: In any event, in respect of 99 per cent of those 2 600 children, their custodial parents, guardians or whatever have been notified?

Mrs Parker: Yes.

Ms ANWYL: There is disquiet in the community about whether people are on the list. The minister's interjection has helped to clarify the matter. If people have not received a notice there is a strong likelihood that their child's name is not on the list. That leads to my concerns, having worked for many years as a family law practitioner. Child abuse is often linked to or exists with domestic violence. As Minister for Women's Interests the minister is aware of the levels of fear in which people can live when they fear violence from a partner or former partner. Individuals fear not just that their children might be abused again - although that perhaps is their strongest fear - but that if address information fell into the wrong hands there could also be further violence or the threat of violence from a partner or former partner. Strong safeguards are built into other legislation to protect the whereabouts of, most notably, women and children, although it can be men and children in such situations. If, albeit through approved persons, access to address information is made available to another person there could be serious ramifications. We know that women travel all around Australia to avoid abusive spouses and ex-spouses. I wonder why in such circumstances, given that addresses appear elsewhere in the department's files, they could not be removed in this case.

Mrs PARKER: I welcome the member for Kimberley to the debate. We must refer to the purpose of the register, which is to coordinate a response to children against whom harm has been substantiated. I would like to deal with community anxiety regarding information on the register. I regard that anxiety as seriously as other honourable members regard it. It is a critical issue, for the reasons that the member for Kalgoorlie mentioned. I can understand the concerns of people who have contacted the office of the member for Willagee. My great disappointment when the legislation was introduced last year was that irresponsible claims were made in the community about lists of children being provided "to just about any public servant". That caused great anxiety. Anxiety has not come from parents or guardians of children who are on the register who have been notified. We have had three complaints. Anxiety has been caused by irresponsible claims in the community. There is no list. It is not possible to create a list.

The member for Kalgoorlie referred to the danger of divulging an address to an approved person when someone would have reasons to be fearful of other people knowing that address. I reiterate that the approved person would not be given the address. The approved person would need to have the address in the first place before it would be confirmed by the manager that the agency was dealing with the same child. The information would not be given to the approved person. The approved person would need to have the information or address.

As to security and information falling into the wrong hands, I have already outlined at length the level of security with which such information is held. The name, date of birth and address are far more securely held in the register than in the agency file from which it came. If people are concerned about the security of information on the register, I assure them that it is far more secure on the register than in the agency from which it came.

Again, I refer to the original point. Unless there is a match of that information, no information will be given out. Unless there is a match of those details, we will not have confirmation that it is the same child. If there is no match, there is no correlation and the manager will not notify an approved person that another approved person has made a registration. Information will be given out only if all the approved persons, whether it is one person or two or three people, have the same information.

Mr Carpenter: Are you saying that if a person changes addresses there will no longer be a match?

Mrs PARKER: If there were a change of address, inquiries would have to be made to ensure we were talking about the same child. I would not want us to be mischievous over this point, but I think the member for Willagee understands the issue.

Mr CARPENTER: I understand, but I do not accept what the minister is saying. I said last night that a raft of difficulties would arise as we proceeded through this legislation. This is one of them. I have been trying to work out what is a register and what is a list. Is not a register of 2 600 names a list?

Mrs PARKER: Is the member referring to a so-called list that could be distributed? The register holds the names, and we know what is being recorded on the register. When the legislation was introduced to the Parliament last year irresponsible claims were made and reference was made in the media to a list of all the children that could somehow be downloaded "to just about any public servant". It will not be possible to download the information from the register to produce a list. There is no list.

Mr CARPENTER: I accept that it is not possible to download information from a stand-alone computer via another computer. However, what is the difference between having a register of information which includes all the identifying details, and a list of information which contains all that information? A register is simply another word for a list. If the information that constitutes the register can be produced in hard copy, for example, a list would be produced.

Mrs PARKER: From the register one can access only an individual case. The software will not allow the printing of a list. There is no list.

Mr PENDAL: I reiterate my comments of last night that to have a register containing fully identifying information is dangerous. Nothing I have heard in the meantime has altered my view. I cannot imagine how we could have a database that was not capable of being downloaded. I am not a computer expert, but I am computer literate. I use them daily. The amendment moved by the member for Mandurah is a minimalist approach, to use republican terms. I would like to see something far more comprehensive to protect the withdrawal of information that was to be stored or that it be stored in a way that was coded for the protection of the child in question. I understand that the member for Mandurah seeks to remove the address of a victim. It is the absolute minimum that victims can expect in protection provided by Parliament. I ask the Government to reconsider and change its mind because, for the life of me, I cannot understand how information could be on a computer that was not capable of being downloaded; nor can I understand why we would want to store information that could ultimately be to the detriment of a child victim. I intend to support the amendment moved by the member for Mandurah, albeit I do not think it goes far enough. However, as someone who has taken a genuine interest in the issue I believe this matter deserves to be supported.

Amendment put and a division taken with the following result -

Ayes (22)

Ms Anwyl	Dr Gallop	Mr McGowan	Mr Ripper
Mr Bridge	Mr Grill	Ms McHale	Mrs Roberts
Mr Brown	Mr Kobelke	Mr Nicholls	Mr Thomas
Mr Carpenter	Ms MacTiernan	Mr Pendal	Ms Warnock
Dr Constable	Mr Marlborough	Mr Riebeling	Mr Cunningham (<i>Teller</i>)
Dr Edwards	Mr McGinty		

Noes (25)

Mr Baker	Dr Hames	Mr McNee	Mr Trenorden
Mr Barnett	Mrs Hodson-Thomas	Mr Minson	Mr Tubby
Mr Barron-Sullivan	Mrs Holmes	Mr Omodei	Dr Turnbull
Mr Board	Mr Johnson	Mrs Parker	Mrs van de Klashorst
Mr Court	Mr Kierath	Mr Prince	Mr Wiese
Mr Day	Mr Masters	Mr Shave	Mr Osborne (<i>Teller</i>)
Mrs Edwardes			

Pair

Mr Graham

Mr Cowan

Amendment thus negatived.

Mr NICHOLLS: I move -

Page 7, line 22 - To delete "excluding" and substitute "including".

This part of the clause deals with information on future cases of substantiated maltreatment which will be recorded on the register. In the debate last night, I covered the substantial reasons why I believe we should include the name of the alleged offender on the register when a child maltreatment allegation has been sustained by an agency which has properly investigated it. I understand clearly the concerns the member for South Perth raised about his constituent. I understand clearly the stance of the minister who is adamant that she does not want to identify alleged offenders in cases where a child maltreatment allegation has been substantiated. However, I reiterate to this Chamber that if we are genuine about wanting to protect children who have been harmed or are at substantial risk of being harmed, we must identify the individuals who pose a risk to children in our society despite their not having been convicted by a court, despite their not necessarily having committed a crime in the sense of a criminal action and despite our possibly being unable to prove their guilt beyond reasonable doubt. It would be far better for us to record the names of individuals who are the alleged offenders in cases where child maltreatment allegations have been substantiated for no other reason than the name will never be recorded again because they will no longer be a risk to children in our community. That is the least that can happen. The converse is that multiple allegations may be made at separate times involving different children and those children may have been maltreated by the same offender. The allegations may be substantiated but the only thing we will do with this register is record the names of the children. The fact that one person is alleged to be the offender in different cases will not be recorded anywhere except in department or agency files spread around Western Australia. If we are dinkum about providing true protection and a better safety net, we must be realistic and accept the research which clearly demonstrates that it is probable that somebody who maltreats children will continue to do so. Not every offender does; it does not happen in 100 per cent of cases, but the probability is that somebody who maltreats children will continue that behaviour. If we record the names of

alleged offenders and one of those people is alleged to be responsible for further maltreatment, it will indicate a need for a closer investigation into the allegations. This legislation does not currently provide for any recording of the alleged offender. Therefore, in this State, we do not have the capacity to identify individuals who may have offended in multiple cases - we simply record the names of the victims. Frankly, if that is the attitude of members of this Chamber, we are seriously neglecting the protection of children in this State.

Mr CARPENTER: This amendment echoes the spirit of another amendment the member for Mandurah moved last night which was defeated. The Opposition said at the start of the committee stage that it believed the Bill was wrong in its focus on victims rather than offenders. However, as I said last night, the problem with the amendments the member for Mandurah has moved in an attempt to dramatically shift the focus to the offender or accused offender is the context in which it is happening and the context in which those amendments will come into the legislation which the Opposition believes is deficient. Apart from a suspicion, no criteria which would need to be met before a person's name appears on the register is outlined in this amendment. In principle the proposition the member for Mandurah is putting forward deserves proper debate. If the proposition were to be manifested in legislation, it should be in an Act of its own rather than entwined in legislation about something else. That is the problem we on this side face.

The member for South Perth raised some problems about balancing the right of an individual to natural justice against the right of a child to be protected from harm. These are complicated arguments and principles which must be debated in full. They cannot be met by an amendment of this nature. That is unfortunate because if we had a different Bill, the body of which dealt more specifically with offenders rather than with victims, we might be able to achieve something which would go some way to meeting the member for Mandurah's requirements. However, simply amending this legislation in the way the member for Mandurah proposes will cause problems, despite our accepting that there should be a greater focus on the offender rather than the victim.

Mr NICHOLLS: Last night we were talking about information already on the register. Having reflected on the responses from the Opposition and others in this Chamber I shall put in perspective what I am trying to do. This part of clause 4 states -

If an approved person in a reporting agency is satisfied, following an assessment or investigation carried out by that person or any other person, that a child has been maltreated or is at serious risk of maltreatments the approved person shall make a report to the manager containing the following information -

- (a) the name, sex, date of birth and address of the child;
- (b) details of the maltreatment or risk of maltreatment,

Currently it states -

excluding details that identify or are likely to identify a person as a person suspected of being responsible for the maltreatment or of posing the risk of maltreatment.

The definition of "maltreatment" in the Bill reads as follows -

"maltreatment" means -

- (a) an act or course of conduct that results, or is likely to result, in significant physical or psychological harm to a child;
- (b) without limiting paragraph (a), an assault (including a sexual assault) of a child; and
- (c) neglect of a child to an extent that results, or is likely to result, in significant physical or psychological harm to the child . . .

We are not talking about anyone who is the subject of a spurious allegation of abuse; we are not talking about vexatious allegations; we are talking about allegations that have been substantiated by an agency that is identified as a reporting agency and we are only talking about those people who are alleged or suspected. We use that word because we are not saying they are guilty, nor should we say they are guilty; they have not been found guilty in a court of law. We are saying that the name of the child who is deemed or suspected to be the victim of the maltreatment is recorded. We record every other piece of information, including the address, but we do not record the name or any identifying information about the person who is alleged to have caused the maltreatment. That is absolute nonsense! I do not understand how members of this House can legitimately talk about protecting children and having a register for better coordination of services to protect children at risk, yet still say that we cannot identify the alleged offender in any way. If members are serious and genuine about protecting the children, one of the most important ingredients in any type of register that collates information about children who are at risk of being maltreated or who have been maltreated is the person who is suspected of committing the maltreatment or is believed to have committed the maltreatment. Surely that is the most important piece of information. However, what do we do? We say no. The Government and the minister are adamant that we cannot record this information.

I return to the comment I made when I moved this amendment: If a number of children in separate allegations identify the same offender or alleged offender, does that not provide a very quick, effective and necessary part of a response mechanism that says that our child protection services should take an added interest in the allegation and that other agencies which may be better skilled in investigating should be called in to ensure that we do not allow children to continue to be harmed? It is nonsensical that we cannot allow ourselves to agree to identify the alleged offender because we believe it is an infringement of natural justice. The harm these people cause children is an infringement of natural justice. We, as a Parliament, are not doing anything to identify those people who may be within our community and who have not been criminally convicted, but who are a threat to children.

Mr CARPENTER: This Bill deals with the establishment of a register upon which will appear the names, addresses and so on of children who have been abused. That is the context of the debate that has taken place on this piece of legislation. The effect of the amendment moved by the member for Mandurah would be to introduce a completely different and significant principle into the law and into this piece of legislation. If we must go down that line, we should not do it by way of an amendment to this piece of legislation as it is passing through the committee stage of Parliament. The principles and the conflicts of interest involved in that step must be subject to a broad debate. The community has a right to expect some sort of input into a decision-making process which results in that outcome. As I explained to the Chamber, this development has been the subject of massive community debate, unrest and disquiet in Britain and the United States. That is the problem with the member's amendment; we cannot simply adopt something of this nature on the run, halfway through a Bill, which suddenly creates a register in Western Australia of people who might be suspected of child abuse.

Mr Nicholls: These people are identified as the alleged offenders in substantiated cases of maltreatment.

Mr CARPENTER: My reading of the legislation is that the maltreatment is substantiated, but the allegations and suspicions are not necessarily substantiated; they are not sustained. We could have a situation in which a young girl is brutally assaulted. There is no doubt that maltreatment has taken place, but there might be considerable doubt about who was the perpetrator. Five or six people might be suspected of being involved. Under the amendment suggested by the member, the names of all of those people would go on a register. The member goes too far in his amendment. The substance of the member's amendment should be the subject of a completely different piece of legislation, so it can be aired and discussed in the community and various arguments can be heard at length. We are in agreement with the basic principle of what the member is trying to achieve, which is that there should be more of a focus on the offenders in these circumstances. However, this legislation does not allow that. This legislation is faulty in any case. We are of the opinion, rightly or wrongly, that this register is probably not necessary and it is probably not a positive step.

Mrs Parker: Do you not support the coordination of services to these children which has been lacking in the past? Do you not support that as a benefit?

Mr CARPENTER: I have not heard the Minister for Family and Children's Services put up a coherent argument about how this register will advance that aim. She has not given us an argument. She invoked the name of the Wood royal commission and then admitted that this is not what the Wood royal commission recommended anyway. The minister knows that we support matters which we honestly believe will further the protection of children and provision of services to children; however, it is open to us and other people to believe that the register may not be the way to do it. The minister has not done any analysis whatsoever of the effectiveness of this register. She was asked early on in the debate whether she could tell us the results of the two and a half year trial. She said that no analysis had been done.

Mrs Parker: I said I could give you some anecdotal information.

Mr CARPENTER: The minister cannot provide us with any information. She has introduced a significant piece of legislation and cannot supply us with any information which states that, as a result of this trial, these are the aspects which have been achieved and these are the associated problems. The minister should have done that, but she has not.

Returning to the amendment moved by the member for Mandurah, it seeks a major shift in the law in Western Australia, on the run in the committee stage when we are debating legislation which deals with something else. For that reason, we cannot support it.

Mrs PARKER: The point was made during the debate yesterday as to why the Government does not support the inclusion of alleged offenders on the register and I do not intend to go over that again. However, I reiterate that I accept this legislation does not have a clear focus on offenders. I said that the Government strongly supports more effective means of tracking and keeping a database on offenders. That is why we have been very keen to support the Federal Government in its commitment to establish CrimTrac as a national crime information system. As part of that, there will also be the national paedophile database. We will very keenly support that. I anticipate that we will have bipartisan support from Western Australia for the Federal Government to do so.

I also stated that comments have been made, particularly by child protection groups in this State, which have repeatedly drawn attention to the fact that paedophiles move from State to State and if we are to have an effective database on them,

it would be best established nationally. This legislation does not attempt to deal with that issue. As I have said consistently, the purpose of the register is to coordinate service provision to children against whom harm has been established. We could talk about some case studies if the member for Willagee would like. I will not go into the whole debate with the member for Mandurah again. The Government does not support this amendment, as it did not support a similar amendment that was proposed last night.

Mr NICHOLLS: The minister referred to a list of paedophiles and to the fact that paedophiles move around the nation, and there is no doubt that that is an issue. Are paedophiles the only risk that children face, or are there other individuals in our community who cause children harm and who are not deemed to be paedophiles? Does the research indicate that people who harm or maltreat children are likely to continue to maltreat children if they are in a situation where they can continue that behaviour without being detected? How will the across-government agencies be able to identify people who are alleged to have offended in more than one case when those cases are likely to come through different agencies and there may be a time delay between the making of the various allegations?

Mrs PARKER: Paedophiles are clearly not the only offenders about whom we are concerned. Paedophiles comprise only a small proportion of the people who offend against children. The most significant number of people who offend against children are known to the child. While the national paedophile database will deal with that component, the Federal Government's commitment to establish CrimTrac will cover people who are not considered to be paedophiles but nevertheless have offended against children, and that information system will be available to all Australian Police Services and will match information from suspected criminals with unsolved crimes. That is an initiative by the Federal Government, and I support its commitment to that.

I do not have information with regard to whether these alleged offenders are likely to keep offending. I am advised that there is no consistent pattern. We need to remember that we are talking about a range of abuse - neglect, emotional abuse, physical abuse and sexual abuse - and it is difficult to make a generic statement with regard to that matter. With regard to how will the government agencies track offenders whose names keep popping up, this register will not make redundant any function of the Western Australia Police Service and of Family and Children's Services. Those agencies are responsible for investigating allegations of abuse, and they will continue to do so. This register does not have an investigative role. Its primary role is to coordinate the service delivery by the participating agencies to children who have suffered harm.

Mr NICHOLLS: The minister's understanding of paedophilia concurs with my understanding. A substantial number of people who have allegedly maltreated children cannot be described as paedophiles. I am surprised that the minister cannot comment on any research about whether alleged offenders become repeat offenders. How are agencies able to identify alleged offenders? The minister said the Police Service and Family and Children's Services will play a primary role and will scan their own databases. However, earlier in the debate, we identified a range of reporting agencies that can conduct their own investigations and decide whether an allegation is substantiated. How will these agencies know what other agencies have on their files about the same alleged offender? What percentage of the 2 600 children who are on the register have suffered from maltreatment that can be described as a criminal offence? My understanding is that a great number of the substantiated cases involve maltreatment that is not likely to be deemed a criminal offence but is still likely to be a risk to the child's safety or welfare.

Mrs PARKER: Last night I distributed the reciprocal child protection procedures that have been in place among participating government agencies since 1996. Those protocols ensure that agencies that have a direct or indirect responsibility to respond to allegations of child abuse report to one of two agencies: Family and Children's Services, and the Police Service. Different agencies may be in contact with the same person, who keeps popping up in different agencies, and under the protocols, those allegations must be passed to either Family and Children's Services or the Police Service.

Mr Nicholls: Only if they are substantiated.

Mrs PARKER: No. That is where the member is wrong. The allegations are placed on the register only when they are substantiated, but under the protocols, all of the participating agencies are required to report all allegations to either Family and Children's Services or the police. The member should look at that and it is perhaps where he has not understood the situation. These matters are not substantiated and then reported to Family and Children's Services; agencies are required to refer the allegation for follow-up and appropriate response by Family and Children's Services or the police, as is appropriate. That needs to be clarified. The principle of the member's amendment was not supported last night and I am concerned that we may be going over the same ground. He has foreshadowed an amendment referring to allegations of maltreatment, whereby an approved person who receives advice of allegations or maltreatment must within 72 hours of receiving such advice, notify the manager. That is a significant change.

Mr Carpenter: It is another amendment.

Mrs PARKER: That is right but the principle is the same. The member for Mandurah is dealing with a profound shift that challenges the principle of presumption of innocence. This debate needs to be held, but not in the context of this amendment. The member for Mandurah said it was a simple amendment; it may swap a single word, but it is not simple in

terms of outcome. It is a significant and profound amendment, as is the next one. The Government does not support the amendment.

Mr NICHOLLS: The minister said that these reporting agencies are bound by the protocols to report to Family and Children's Services or the police all allegations of abuse, the names of the child alleged to have been abused and the name of the person alleged to have been responsible for the abuse.

Mrs Parker: I am advised that a requirement in relation to the name of the alleged offender is not clearly stated in the protocols and if it is believed that a criminal act has been committed, it is referred to the police.

Mr NICHOLLS: What about if it is not believed that a criminal act has taken place?

Mrs Parker: The allegation regarding the child being at risk is referred to Family and Children's Services for investigation and determination of whether the child has been harmed.

Mr NICHOLLS: Are the names of the alleged offenders communicated to Family and Children's Services when it is not believed that a criminal offence has occurred but that a child has been maltreated?

Mrs Parker: Yes.

Mr NICHOLLS: Information is provided from agencies to a central agency - Family and Children's Services - on all allegations, not just substantiated maltreatment cases, detailing the child's name and the alleged offender's name. However, the Government is not prepared to put the name of the alleged offender on a register in cases that are substantiated. Even though the member for South Perth has vehemently objected on behalf of a constituent about a name being recorded on a file in Princess Margaret Hospital for Children, a process is in place whereby the names of all suspected offenders and victims go on a centralised file, and must be received and recorded, but the Government is not prepared to put those details on a central register. When people try to track and identify the services and whether there is any match for future allegations of maltreatment, it is fine for Family and Children's Services and the police to have these names on centralised files, but the Government is not prepared to put the names of the alleged offenders on a register. It makes a mockery of the natural justice theory the minister espoused last night, when saying that the names could not be registered because the people had not been found guilty. The names can be provided to other agencies, but not placed on a central register to protect children. I cannot accept that argument.

I understand the problems facing the minister but I hope she understands that this is fundamental to what I believe the register should do. The member for Willagee and the minister were right; I was flippant yesterday when I said it was a simple amendment. It is designed to dramatically change the way in which the register operates, so that it focuses on the alleged offender, as well as the victim. It is also designed to be a central database that contains information so that departments do not hoard information, that may or may not be picked up. The register is a safety net and protection for children who are identified as being at risk. They should be protected by this legislation and the register, but they are not currently.

Mr PENDAL: The minister can no doubt answer for herself and the Government. I will demonstrate to the member for Mandurah the difference between where he would draw the line and where I would draw the line. The argument is like the curate's egg; good in parts. There is no doubt, for example, that detectives within the Criminal Investigation Bureau hold in their notebooks and files the names of people who are of interest to their inquiries. The member for Mandurah is talking about formalising and upgrading that information that we would be naive to believe the police do not have in their notebooks and other files. By formalising it and placing it on a register, a conviction takes place by the department and, fortunately, the minister and her department do not believe it should occur. That would be the same if in the Police Department the information from the detectives' notebooks and files were upgraded and formally entered into a register. By doing that, the person whose name is entered is "convicted".

No-one has suggested that people charged with the responsibility of conducting an investigation, whether a fisheries inspector, a child protection officer, a policeman or any other officer of law, are not allowed to record for their own benefit something that may assist them. From that appreciative knowledge the officer may one day be able to add the missing part of the jigsaw and say to his or her superior that sufficient information has been collected over the years to charge a person. That is the difference between what the member for Mandurah wants and what everyone else is prepared to do. That is the difference between crossing the threshold and entering information on a register which, with the best will in the world, will be able to be accessed occasionally by unscrupulous people. That is life; it should not happen but it does and it will. We must maximise people's rights to the nth degree possible by not entering names on a register, simply because a person is a suspect. That is what I objected to last night about the police's treatment of the alleged serial killer at Claremont. That was a shocking piece of work not only on the part of some police but also on the part of some media. I hope it comes back to visit both of those groups in time immemorial.

We have a simply stated equation: A system of tribunals under our system of law that we call courts. We entrust to them the task of weighing up and sifting through the evidence and the counter arguments that are offered. When a court decides

that a person is guilty we throw everything - including the book - at that person, and we enter that person's name upon a register. The member for Mandurah has argued that we allow it in some cases but not here. The threshold must never be crossed and that is why I will not support what he seeks to do.

Progress reported.

MENTAL HEALTH SERVICES

Motion

MR MCGINTY (Fremantle) [4.25 pm]: I move -

That this House calls upon the Government to significantly increase funding for mental health community facilities and services in the forthcoming state budget. The House urges the Government to ensure adequate services are available in the community before announcing or proceeding with further closures of mental health facilities.

I move the motion because of the growing concern in the community that the rate of change in the move from deinstitutionalising mental health patients away from facilities which provide in-patient treatment for those people who suffer from mental health problems to placing them in a less institutionalised framework in the community has proceeded at such a pace that those community facilities which are necessary to support mental health patients who will no longer be accommodated in institutions are not available.

Last week members would have read an article in *The West Australian* about the impact of deinstitutionalisation and the Government's decision to close the Whitby Falls Hostel. The picture showed in graphic detail two men. One is a patient in the facility and the other a person for whom I have the utmost admiration - the welfare officer for the Maritime Union of Australia, Mr Hank Helman. Mr Helman regularly visits Mr Lemberg, a former member of his union who is now a resident of the Whitby Falls Hostel. Mr Lemberg has no family in Australia, so the union and, in particular, the welfare officer of the union, Mr Helman, are his family in Australia. Mr Lemberg has spent the past 15 years living at Whitby Falls Hostel where, in the fairly idyllic rural setting in which residents are part of the local community, he has a tranquil, healthy and safe life. Members would have been concerned to read Mr Lemberg's assessment of his future when he is moved out of the Whitby Falls Hostel. He believes that if he is taken out of that environment in which he is currently living and is thrown into the community with grog shops nearby he will not be alive in a few months' time.

Any members who have visited the Whitby Falls Hostel know that it is out of date and the buildings are in need of work. However, it is home for, in particular, older single men. It is a facility that works well for them and one in which, within the limits of their mental health problems, they can lead wholesome and fulfilling lives. We can contrast that with the option available to them in the community. Many of them are put out into the community into halfway houses and will find themselves literally dying underneath bridges in a homeless or semi-homeless state. I hope the case study in that very sensitively reported story in *The West Australian* brought home a clear message to those people who are responsible for policy making in this area. The big, old mental health institutions which are now so discredited - I am thinking here of the old Claremont mental hospital and the like - are the sorts of places that need to be made more humane. Many of the people who have been incarcerated in those facilities need to be housed in more accommodating facilities.

Two years ago I was happy to facilitate the passage of the new Mental Health Act in this State. For the first time the Act recognised that mental health patients in psychiatric hospitals had rights, one of which was the right to be treated as human beings. A significant change occurred in the philosophy of the treatment of mental health patients in Western Australia as a result of that legislation. I still believe that in substance it is good legislation. However, in practice it is a bit like the Government's commitment to privatisation in the health industry. The Government will go headlong at it because it thinks it is a good thing. Then, as with the Armadale-Kelmscott Memorial Hospital, it will suddenly realise that it is not so good. This occurred with the Joondalup Health Campus when the Auditor General advised it was not making the savings the Government thought it would and also with the privatisation of BreastScreen WA which was a silly idea in the first place. When the Government hits a brick wall, it suddenly starts to rethink its position. Very much the same sort of thing can be said about the process of deinstitutionalisation of mental health patients which has gained great momentum in recent times, but it is happening too fast and is not occurring in a way that is in the interests of the patients concerned. There can be no better example than that compelling story about the Whitby Falls Hostel. The fact that these decisions are being made on the run is perfectly apparent.

Mr Prince: They are not.

Mr MCGINTY: I am pleased that the member for Albany entered into the debate, because I will give him an example that affects him. An article appeared in *The West Australian* in March 1998 under the heading "Mental hostel to close" stating that a press release in the name of Mr Prince said that the psychiatric hostel will be closed by December next year. Therefore, a decision was made to close Whitby Falls Hostel when the member for Albany was the Minister for Health.

Mr Prince: Yes.

Mr McGINTY: The Health Department is saying something different 12 months later about the same facility.

Mr Prince: I do not know where you got that from because there was never any intention to close that part of the facility where people are currently held. There was always the expressed intention that the people who would be returned to the community - however long that took - from the rest of Whitby Falls, the extensive farm and all the rest of it, was a different exercise.

Mr McGINTY: The idea was that the accommodation for the mental health patients at Whitby Falls was to be closed as a place at which mental health patients would reside.

Mr Prince: Eventually, yes, when those who were there were able to be placed somewhere else, preferably back in the community. That was the advice I received at the time from the then and current head of the mental health division who is a professor of psychiatry. No decision was made on the run; it was made on the best medical scientific advice.

Mr McGINTY: My recollection of the position 12 months ago is as the member for Albany just described it when he was Minister for Health. I quote from *The West Australian* on 10 March -

Mental health division head George Lipton said yesterday though the residents were being encouraged to opt for accommodation in a modern, community-based facility, no decision had been made to close Whitby Falls.

"It's a furphy for everyone to say that we've decided to close it," Professor Lipton said.

He is now saying that it will not be closed.

Mr Prince: No. That is in fact always what has been said. It was never going to be closed as a mental institution. It was always sought to place those people somewhere in the community where they should be in the main where they would receive far better and less institutionalised care. I do not know how the report came to be written that way in *The West Australian*. However, that was what was intended with Whitby Falls - nothing else. You might recall that you ran a scare campaign about Westralian Sands and the Premier's brother which we laid to rest very quickly.

Mr McGINTY: I do not think the Government did.

Mr Prince: Yes, we did. We produced a geologist who had actually done the work who happens now to be the member for Vasse. You sank without a trace on that issue.

Mr McGINTY: I do not think so. However, go on.

Mr Prince: There was never any intention to shut the institution and kick out the people in it because many of them had been there before.

Mr McGINTY: I am not talking about people being kicked out. I said at the time that the member for Albany, under his name as Minister for Health, made a decision that the place would eventually be closed when everyone was relocated.

Mr Prince: That is right.

Mr McGINTY: Professor Lipton is saying that no decision has been made to close the place eventually.

Dr Turnbull: Are you talking about one little sentence?

Mr McGINTY: No; just be quiet.

The Health Department is all over the place on this issue. Professor Lipton is now saying something that is at odds with the advice he gave the Minister for Health last year. There is even conflict between what the Armadale-Kelmscott Health Service, which is responsible for Whitby Falls, is saying and what the head of the psychiatric services, Professor Lipton, is saying. A letter sent out by the Armadale-Kelmscott Health Service last month said that the hostel no longer met modern standards and segregated the men from the wider community.

Mr Prince: That is right.

Mr McGINTY: It also said that no resident would be moved until proper provisions are implemented for each resident's ongoing treatment and rehabilitation at new community-based facilities.

Mr Prince: That is right.

Mr McGINTY: Clearly that foreshadows the closure of this facility.

Mr Prince: That is right.

Mr McGINTY: That is what the member for Albany as the Minister for Health said last year but Professor Lipton seems to have had a change of heart because he is no longer saying that. He is now saying that there has been no decision made to close it.

Mr Prince: I cannot speak for Professor Lipton and I would not dream of trying.

Mr McGINTY: Very wise.

Mr Prince: However, a decision has never been made to close Whitby Falls Hostel by a certain date. However, a decision was made that it is not the appropriate way to deal with people with mental illness and that there are far better ways now of dealing with such people that perhaps were not available 40 years ago.

Mr McGINTY: A statement under the name of the member for Albany was sent to patients and staff which said that the psychiatric hostel will be closed by December next year. It is in his own name and the member for Albany cannot have it both ways.

Mr Prince: No, that is what the newspaper said was in my name.

Mr McGINTY: No, that is what was said in the circular that went out to the staff and residents of the hostel. All I am saying is there is a lack of clarity in the decision-making in the Health Department. They do not seem to know what to do. I say that because there are no available facilities in the community to accommodate approximately 35 residents from Whitby Falls Hostel. Nonetheless, the announcement was made that the facility would be closed.

Mr Prince: Yes.

Mr McGINTY: This motion calls upon the House today - and it is directed particularly at the Minister for Health - to stop making those types of announcements until such time as the community-based facilities are implemented to accommodate those people. There is fear and apprehension among mental health patients about their future at places like Whitby Falls - I use that as an example - and generally at these types of establishments. They believe that the existing government policy of not having in place community support facilities when a decision and an announcement is made about closure will cost them their lives and lead to a deterioration in the short term of the quality of their life before it kills them.

Mr Prince: Of course you will appreciate that that was never intended.

Mr McGINTY: I am not saying it was intended. I am saying that if the department had replacement facilities, it is one thing to go to people and say, "Here is a room, a bed and a house in the community waiting for you; would you like to move there?" To say, "We are going to take away what you have currently" without having anything adequate available in the community is not the proper way to do these things. The obsession with de-institutionalisation is having adverse effects on the community. It is something which is being driven by the health industry because it is now a mantra which everyone involved in the industry must believe in.

Mr Prince: It came from the Burdekin report.

Mr McGINTY: As I said, I had the misfortune of working one holiday when I was a student many years ago in the old Claremont mental hospital. Before more enlightened times, mental health patients were wheeled into a hosing-down room where their daily shower was a cold hose pointed at them in order to clean the faeces off their body. That was the sort of institutionalisation in those days that was being objected to. Obviously, the old days when the Dickensian tales we read and hear about in some of the great pieces of literature over time that occurred in the former women's asylum in Fremantle - now the Fremantle Arts Centre - have come to an end. The correct approach must be taken in the context of the new Mental Health Act. However, there is an obsession, at a time when we are not doing the right thing by community-based facilities and we do not have sufficient facilities in place, that is driving announcements and policy in the department, and driving them too hard. That is why the motion in its second part calls for the foot to be applied to the brake in order to slow down these announcements or decisions until such time as the level of facilities in the community is boosted up. In that way people will have a choice, particularly the families of mental health patients, about where their sons, daughters, husbands, wives or parents will be located. That is very important. Using Whitby Falls as an example, there are many people - not just the Maritime Union looking after their members, as was the story in last week's newspaper - who have loved ones and family members at Whitby Falls and want them to stay there. I can understand why that is the case and why they would want them to stay there because it is in their best interests to stay there and that it not be shut.

I will deal with one other tangential issue. The member for Albany, the former Minister for Health, thought he had blown me out of the water by the taking out of a mining licence on the land of the Whitby Falls facility. Last year we pointed out that there had been a mining licence taken out over the land on which the Whitby Falls Hostel was located.

Mr Prince: It was the farm.

Mr McGINTY: It was a licence over the farm. It was taken out a month before any decision was announced publicly that the facility would be shut.

Mr Prince: Exploration licences that preceded that were 12 or 15 years old.

Mr McGINTY: Sure, but the mining licence was taken out one month before the minister announced the closure. Do not tell me that he did not know that announcement of the closure was imminent.

Mr Prince: It had absolutely nothing to do with it.

Mr Day: Has any mining occurred?

Mr McGINTY: A mining licence has been taken out over the property. What did Mr Ken Court say in *The West Australian* last week?

Mr Riebeling: Not Ken Court!

Mr McGINTY: It is Ken Court, the Premier's brother. What did he say? It might be a case of bad reporting, but I put it to the minister that it is not accurate. The article states -

Ken Court, chairman of Westralian Sands and brother of Premier Richard Court, said yesterday the company had no interest in the property.

He only has a mining licence over the property - no interest!

Mr Prince: Yes.

Mr McGINTY: The minister reckons that he has no interest over the property?

Mr Prince: How much do you know about how the mining industry works?

Mr McGINTY: I ask the minister to tell me whether he has no interest over the property. Of course he has an interest over the property. As a lawyer, surely the minister is not going to suggest otherwise.

Mr Prince: You are not dealing with the legal definition of "interest".

Mr McGINTY: I am saying that he has an interest in that property and he was reported in the newspaper last week as saying that he had no interest in the property. That is a barefaced lie.

Mr Prince: It is not.

Mr McGINTY: It is. The minister would have to admit that.

Mr Barnett: No, it is not. He was saying that he is not interested in doing anything with the property.

Mr McGINTY: I do not think that he was. He was saying that he had no interest in the property. He took out a mining licence over the property in February last year. Why on earth did he take out a mining licence if he has no interest in doing anything with the property?

Mr Barnett: Read the quote. He has no interest in mining or developing the property.

Mr McGINTY: So he upgraded his exploration licence to a mining licence and then said publicly that he had no interest in it.

Mr Prince: Yes, because otherwise it would expire. The geologist who pegged the leases and obtained the exploration leases happens to be the member for Vasse. He went out of the Chamber the day the member for Fremantle raised the matter and he told the media, and the member for Fremantle's story disappeared without trace as a result of that, because he tried to manufacture something out of nothing, and he is doing it again.

Mr McGINTY: A month before the decision to close the facility was announced, the Premier's brother took out a mining licence over the land on which the psychiatric hostel was operating when no-one else knew that it was going to close. The minister does not mean to suggest that he did not know that the minister was about to announce that it was to close?

Mr Prince: Absolutely.

Mr McGINTY: Rubbish! Certain things in this life are coincidences; this ain't one of them.

Mr Prince: You are the conspiracy theorist. I am telling you that there isn't one.

Mr McGINTY: That is the end of that. The minister has blown me out of the water on that one. I might as well give up and go home.

Mr Prince interjected.

Mr McGINTY: Cut it out! The issue that is at stake now is that we have had identified -

Mr Prince: The member for Vasse can tell you just how wrong you are.

Mr McGINTY: Minister! The extent to which mental health facilities are not available in the community, which is the subject of the motion and which is illustrated by the Whitby Falls Hostel issue, is amply demonstrated in the submission to

the Government for funding for mental health community-based organisations. Such organisations are saying to the Government that sufficient services and facilities are not available in the community properly to cater for the needs of people who are being removed from their hostels and government organisations and being placed in the community and that it is occurring in such a way that inadequate services and facilities are available for those people.

The minister must accept the validity of the proposition being put forward by the Western Australian Association for Mental Health, which is the peak body for the non-government, non-profit-making community sector, and invest that money to make sure that, if it continues down the path of de-institutionalisation, the necessary facilities and supports are available in the community properly to look after those people who at places such as Whitby Falls Hostel are currently enjoying a good quality of life, given their circumstances and notwithstanding the nature of the facilities available there. The motion calls upon the Government to appreciate that needs have been identified in the community and that a big hole exists in the Government's mental health strategy in the provision of those services in the community and to take the opportunity in the budget to move to fill that hole to make sure that we have a comprehensive strategy and the provision of services for people with mental health problems.

Non-government, non-profit-making mental health organisations have conducted a series of consultations with stakeholders in community mental health facilities which have found that adults affected by mental illnesses are still experiencing difficulty in accessing services in the community and that that difficulty is having a negative impact on the health and wellbeing of those people. Firstly, they say also in their pre-budget submission to the Government that there is significant evidence of difficulties in accessing services for people affected by mental illness in Aboriginal and ethnic minority groups. Secondly, they note that in all phases of the life-cycle, including childhood, adolescence, youth, adulthood and old age, the same difficulty exists in accessing those services. The problem is particularly acute for people in rural and remote areas. There are gaps in services for people who experience a mental health emergency.

Recently, I was visited by a woman who had taken her mentally ill son to Royal Perth Hospital. She demanded that the hospital admit him as an in-patient. The hospital tried to turn him away. That, she said, is the common experience of people who suffer mental health emergencies. Public hospitals do not want to know them; there are not enough beds available properly to look after them. It happened to be an occasion when the former Minister for Transport was also visiting the accident and emergency department at Royal Perth Hospital. My constituent identified him, because he is fairly unmistakeable, and she then proceeded loudly to give him a piece of her mind. I advise the former Minister for Transport that there is no peace after politics when it comes to perceived shortcomings in the provision of mental health services. The exchange was of such a nature that my constituent was offered alternative accommodation if she left the accident and emergency department at that time. The minister might like to talk to the former Minister for Transport, Hon Eric Charlton, who has had first-hand experience of shortcomings in the provision of mental health services in Western Australia.

We have also seen gaps in mental health services that are provided particularly for people who have experienced past sexual abuse and also for those with co-morbidity problems. As we can see, the extent of the hole in the provision of services or the areas in which existing mental health services are regarded as deficient and as not meeting community needs is very significant. That is not simply my opinion, it is the view of non-profit-making, non-government organisations in the community which are at the coal face and which are delivering those services. The Government should heed what those organisations say and what they have said in their pre-budget submissions.

Even the mental health division of the Health Department has identified a need for increased rural and remote child, adolescent, youth, elderly, Aboriginal, trans-cultural, early-intervention and emergency mental health services. It strongly supports an upgrading of services in each of those areas. This deficiency is recognised not only by those people in the community on whom we rely in the non-government, voluntary sector to provide those services, but it is recognised also by the mental health division. The services and facilities that are needed are in the area of accommodation first and foremost.

I have relayed this story to the House before, but one of the saddest things that I have had to do in recent times was to talk to a parent in Derby whom I met last year on a visit to the Kimberley region and whose son was a mental health patient who was separated from his family because of the absence of accommodation and support facilities in the town. He was down here in Perth when he hanged himself. One of the first calls that his father made was to me, as he had spoken to me about it. He spoke also to the former Minister for Health, prior to his ceasing to be the Minister for Health, about the dire consequences that will flow from not providing sufficient accommodation in the community and in remote country towns in particular. I put Derby in that category. I do not want to have to deal with more parents whose children have psychiatric problems and kill themselves because the Government is not providing enough community facilities to enable those people to see through the crises in their lives and to enable them to get on and lead as normal a life as they can. It is not something which is in any sense pleasant or which we would need to do if the Government met its responsibilities in this area. When both the mental health division and the community are saying the same thing, that not enough community support facilities are located in areas such as accommodation, it is time we took notice and injected funds into those community-based facilities in the forthcoming budget.

One of the other areas identified in the pre-budget report was the provision for carers. We are looking at the training for

care providers as well as support and respite facilities. A family which 24 hours a day, 7 days a week, is dealing with a family member with mental health problems needs to be able to access respite facilities. This is a very important matter and we do not currently have adequate respite facilities.

Disability, support, employment, recreation and self-help were the other areas identified. The minister has a copy of the report entitled "Mental Health in the Community 1999-2000 Discussion Paper" from the WA Association for Mental Health which is its pre-budget submission to the State Government of Western Australia. I urge the Government that if we are to see an end to the tragic stories such as that concerning the family in Derby and the fiasco surrounding the proposed closure of the Whitby Falls Hostel and other facilities, the Government must accept that a black hole exists in the provision of mental services in the community and must redress that shortcoming by making adequate provision for this area in its budget.

MS ANWYL (Kalgoorlie) [4.31 pm]: I second the motion and will make some comments about adolescent mental health. As the member for Fremantle has correctly stated, segments of our community in Western Australia tend to have greater problems than others accessing existing mental health services. There is an even greater risk of adolescents not receiving any assistance if they live in rural and remote areas. Much debate has taken place about the provision of extra services for people living in rural and remote areas. In some cases, limited reforms have been made to the facilities available in rural areas. One such reform that springs to mind which is close to me is the Esperance District Hospital which now has a psychiatric unit. Concerns have been expressed about its staffing levels, but at least a facility has been established recently within the Esperance District Hospital which can deal with people suffering from psychiatric problems so they are not required to travel about 900 kilometres to Perth.

No psychiatric facility is located at the Kalgoorlie Regional Hospital. For years, certainly since I have been the member for Kalgoorlie, there has been talk about a facility being provided. However, until such time as the existing mental health unit in Kalgoorlie-Boulder is assisted by the establishment of a psychiatric unit at the Kalgoorlie Regional Hospital, this area will experience major problems with mental health issues especially in relation to adolescents. Members might ask why I refer particularly to adolescents, but one has only to look at the age demographics in the area and the answer becomes very clear. Compared with the state average, Kalgoorlie-Boulder has a much higher percentage of young people and, therefore, it follows that there is a higher propensity for young people to seek mental health assistance. If members look at some of the statistics, such as those for male suicides, they will note that we are heavily over-represented when compared with the figures for the whole of the State.

The member for Fremantle spoke of the contact he had with a grieving parent from Derby, and I too have had contact with that parent. I know the Minister for Health will have come into contact with that gentleman because he is a member of one of the minister's advisory committees which relates to mental health services generally.

Accommodation is a problem not only in the city but also in rural areas. In my electorate some excellent accommodation has been developed for people suffering mental illness, mainly due to the very good work done by the mental health action group. However, there is still a long way to go and we need to provide emergency accommodation and proper services in Kalgoorlie-Boulder so that people do not have to be flown to Graylands Hospital for admission.

Earlier today during question time, the Minister for Youth said he would like to hear from opposition members about the suicide prevention strategies they need in their regional areas or city electorates. Although the Office of Youth Affairs has now stated - it was good to hear the minister say this - that it will take a coordinating role in suicide prevention for young people, the reality is that many needs exist in areas far beyond Kalgoorlie-Boulder and the Kimberley, which were the two places for which pilot programs have been announced and for which tenders are yet to be awarded. It could be several months before the programs are operating. It was interesting to hear the Minister for Youth Affairs say today that the Office of Youth Affairs will take a coordinating role in the area of youth suicide. I guess the Minister for Health will be left with the specialised area of the over-25 years of age mental health group. I hope he will comment on the types of suicide prevention strategies available within the Health Department for those under 25 years of age as well for those over 25 years of age, especially for those in rural and remote areas.

I shall explain why the issue of youth suicide is of such concern, especially in rural and remote areas, by looking at some statistics. Very persuasive figures are available from the nationally-run Kids Help Line, which is a team phone-in facility. Children aged from five to 18 years phone in for assistance with all sorts of problems. That organisation is based in Brisbane, but services the whole of Australia, and figures for Western Australia can be isolated. It is a federally-funded program which receives about 25 000 calls per week. The tragedy is that of those 25 000 calls, the agency is resourced sufficiently to be able to answer only about half. We know that each week approximately 12 500 unanswered phone calls are made to this organisation, so the statistics that are available relate only to those which are answered. Between 1991 and 1997 an increase of 38 per cent occurred in suicide-related phone calls to the Kids Help Line. Apart from the increase in suicide-related calls, the other cause for concern is that of the calls received, about 27 per cent were from young women or girls. The figures for completed suicides indicate that males are very heavily over-represented - they represent more than 70 per cent of suicides - but the suicide-related calls that Kids Help Line receives are predominantly from young women. That indicates there is an unmet demand by young men who have suicidal thoughts for access to this sort of facility. They

certainly do not contact Kids Help Line and the data suggests that they are not likely to seek help elsewhere. I am aware that the Australian Medical Association has been doing some longitudinal research of young people's access to general practitioners across Western Australia. Young people are certainly under-represented in visits to general practitioners. Members might say that young people generally have fewer health problems than older people, which is correct. However, when young people visit their general practitioners, they tend to stay for an extremely short time as compared with the time spent by the general population when visiting general practitioners. Whenever I visit my general practitioner I do not stay for very long. I sometimes wonder how long these young people spend with their GPs. It must be a very short time.

Returning to the Kids Help Line statistics, we know that young men and boys are not accessing some of the available services. It is worth considering the hours when the greatest number of suicide-related calls are received. Most males tend to contact the help line with suicide-related calls between 9.00 pm and 6.00 am. Those calls have been graded. The most severe calls are those when there has obviously been a past attempt at suicide or a strong wish to self-harm. More than 52 per cent of those calls are received between 6.00 pm and 3.00 am. Dealing with the whole issue of crisis intervention and so forth, that underlines the problem of providing services outside the traditional Monday to Friday working hours. With respect to the concept of treating people in their homes, monitoring medication and so on, rather than having them institutionalised, it is after-hours care which provides the greatest challenge to mental health generally, particularly in those rural and remote areas where the staffing is not adequate for there to be an after-hours emergency service or indeed regular contact out of hours.

As to these Kids Help Line figures, the age groups were broken into two. The first of those age groups is the 10 to 14-year-olds. Of those 10 to 14-year-olds who made suicide-related calls, some 27 per cent identified that they had been the recipients of some form of child abuse. Of that 27 per cent, half complained of sexual abuse; 29 per cent related to physical abuse; and there was some emotional abuse. In the 15 to 18-year-old age group, some 18 per cent again identified that a major factor in their suicide-related thoughts was the incidence of some form of child abuse. Therefore, 18 per cent of that 15 to 18-year-old age group said that their suicide-related thoughts were influenced by the fact that they had been abused as children. Of that 18 per cent, about half complained of sexual abuse, and 33 per cent referred to physical abuse within the home. Those are powerful statistics on the strong need to provide adequate child protection intervention, counselling services, or whatever other strategy might be employed. An article written by Julie Clark and Wendy Reid on that Kids Help Line data states -

The most striking information the data presents has been the confirmation of the impact of physical and sexual abuse in contributing to the suicidal feelings and behaviour of young people.

Many people working in the clinical area speak about that factor, and it is confirmed in the statistics.

Another factor that is not often discussed but about which there is clear research - time prevents me from going into the detail of all the research - is that young homosexual men are, on the statistics, about 14 times more likely than their heterosexual counterparts to carry out some self-harming behaviour. A wealth of research demonstrates this fact, some of it from MacDonald and Cooper in Western Australia. Recent international and Australian studies have shown that young men who have come from homes with a strong religious background have an increased propensity for self-harming behaviour or completed suicide.

I hope that the minister will address the issue of adolescent mental health. There is grave concern in Perth about the lack of facilities available, especially accommodation facilities for young people who are experiencing difficulties. There is a great deal of evidence of dual diagnosis of both psychiatric and substance abuse problems. Accommodation for the group of young people who are suffering from substance abuse problems is particularly difficult to obtain in this State because many emergency accommodation services will not accept those young people. In remote and rural areas, the feeling is that the Health Department should take on a major role in suicide prevention. The minister made an announcement with respect to the Kimberley. However, the statistics demonstrate that youth suicide is a problem in many areas other than the Kimberley.

MR DAY (Darling Range - Minister for Health) [4.46 pm]: I thank members opposite who have made a contribution to this debate. The issues that have been raised are important and have been taken very seriously by the Government, particularly over the past three or four years. There are two main aspects to the matters which have been raised: Firstly, the need for the provision of adequate community-based mental health services; and, secondly, the need for adequate hospital-based mental health facilities, particularly while further community-based facilities are being established.

Following the election in 1993, and during 1994 and 1995, there was a recognition by the Government that the facilities and services which were provided to mental health patients in this State at that time were substantially deficient. From memory, a task force was established when the member for Riverton was the Minister for Health. A great deal of work was done by that task force and significant recommendations were made which have been put into effect. As I said, the deficiencies which existed have been recognised. On the other hand, I entirely agree that there is always more that can be done in this area. The Government is not letting up on what needs to be done at this stage.

In Western Australia in the past couple of months a significant debate has taken place on the move towards the greater use of community-based facilities and whether they are adequate to provide for the number of patients who might previously have been treated in a hospital-based facility. A similar intense debate has been occurring in Britain over the past few months. In that country, there has been to some extent a rethinking of the strategy of moving more people out into the community than has traditionally been the case. However, the difference between Western Australia and Britain is that the moves which were made in Britain towards community-based care, closing down in-patient facilities and reducing the number of beds were far more extensive than that which has occurred in Western Australia. The reality is that we need to have an adequate level of services provided in both areas. We have moved more towards a balanced situation in Western Australia, albeit there is always more that can be done.

In 1996-97 the Government commenced a substantial reform process within the mental health services area. The mental health division of the Health Department was established, and since that time we have seen an increase in the recurrent budget for mental health services in this State. It has increased to \$20m a year. We now spend about \$160m a year on psychiatric services. In addition, a five-year capital works program will be finished in 2000-01. The majority of the additional funds supplied by the Government have been used to develop and expand the range of community services available for people with mental disorders. This includes a range of social support and clinical services. I heard what the members for Fremantle and Kalgoorlie said and agree with their general sentiments in that we need to pay significantly more attention to the need for those services. However, a lot has been done and I draw to the attention of the House the establishment of rooming-in centres in country centres including Broome, Esperance, Geraldton and Albany. I am pleased that there are plans to establish rooming-in centres in additional country areas including Kununurra, Derby, Carnarvon, Port Hedland and Kalgoorlie. I am aware that the member for Kalgoorlie has called for the provision of adequate accommodation in Kalgoorlie. The Government recognises that there is a deficiency in the provision of mental health accommodation in Kalgoorlie which will be addressed by the establishment of a rooming-in centre. I cannot say when that will occur but it is being planned.

In addition to the establishment of the rooming-in centres, a significant vision of acute services has been established in centres such as Albany and, from the beginning of this week, Bunbury. Towards the end of last year, 10 adult acute psychiatric beds were established in Albany. People can now be treated closer to where they live and no longer need to be transferred to Perth for accommodation at Graylands. On Monday of this week, the Government opened 15 beds in the mental health unit in Bunbury as part of the new South West Health Campus which is another significant development. When I was in Bunbury on Monday, I saw patients being transferred from Graylands for treatment closer to where they live. This is the first time this service has been provided in Bunbury. In-patient facilities are not the only services being provided, there are also extensive day treatment facilities and services for patients. They come in to visit and receive a greater range of rehabilitative and other services than has been available in Bunbury in the past. We have also established 15 in-patient beds in Joondalup. These were transferred from Graylands towards the end of last year and an additional five beds are being purchased from the Joondalup health facility to accommodate and treat patients closer to their homes in the northern suburbs. The devolution of services from Graylands is a welcome development for people, particularly those in the southern part of the State. The rooming-in centres mean that people from the northern part of the State are transferred to Perth less frequently than in the past.

Western Australia's record of providing increases in resources for the treatment of patients with a mental illness is very good. I have given the House some examples of the devolution of services which has occurred right around the State, but it is also a good story in statistical and financial terms. On Monday of this week, the Fifth National Mental Health Report 1997 was published. It relates to 1996-97. Its release was delayed for reasons entirely beyond the control of the State Government. The Western Australian story told in the report is very good. From 1992-93 to 1996-97, gross expenditure on mental health services in Western Australia increased by about \$33m to approximately \$140m. That is an increase of almost 31 per cent. Since that period, there has been an additional increase of approximately \$20m and we are now spending about \$120 million a year. Funding on a per capita basis has increased from \$63 to \$78. Western Australia is the highest spending jurisdiction in Australia in terms of per capita expenditure. We are 14 per cent above the national average of \$68 a head. In addition, the report indicated that Western Australia has the highest per capita spending on in-patient services of \$50, which is 30 per cent above the national average.

Those figures contradict the impression created within the motion moved by the Opposition that the Government has not done enough to provide for in-patient services in this State or that it is reversing the previous situation and closing beds at an unacceptable rate. The statistics bear out a different situation. Western Australia had 24 acute and 16 non-acute public psychiatric beds per 100 000 head of population which is above the Australian average of 20 and 14 respectively. From 1994-93 through to 1996-97, expenditure on community-based mental health services increased from \$16 to \$28 per capita.

These may seem like fairly dry statistics but they bear out the fact that this State Government has treated the need to expand mental health services in the community very seriously and we have seen a substantial increase in funding - it almost doubled in that period. In addition, there has been an increase in the community-based work force of 123 per cent. The report shows that the funding provided to non-government organisations in this State increased by about 180 per cent in that five-year

period. Western Australia is now the second highest State in per capita allocation to non-government organisations. There is no doubt that the Government has made a major commitment to providing adequate mental health services in this State.

Reference was made to the discussion paper which has been put together by the WA Association for Mental Health. I believe that association is very valuable and makes an important contribution to discussions about mental health services in Western Australia. It receives some government funding to assist its operations but that is money well spent on behalf of the taxpayers of Western Australia. The people I have met from this organisation have impressed me. They do their job in a sincere and well-argued way. Their paper is of a high standard. It is well put together and contains some cogent arguments. I want to draw the attention of the House to a positive comment about the Government's record. It states -

The mental health reform process of the past few years has resulted in a considerable improvement in many areas of the mental health services field - however there is still a long way to go.

I agree with that. There is always a lot more that can be done in the health services arena in this State. I have concluded on many occasions since becoming Minister for Health that the Government could probably double its funding for health, including mental health, and people would still say that more needs to be done or there is more the Government could do. Nevertheless, we must recognise what has been done. This area has been treated extremely seriously by the Government, which has certainly put its money where its mouth is.

The discussion paper puts a number of arguments and makes various recommendations about additional matters that should be addressed by the Government in the forthcoming budget. Those matters are being examined. It is too early to say what will be the outcome of the forthcoming budget, and it is no secret that the Health budget, like every other part of the overall state budget in Western Australia, is under a great deal of pressure, as the Premier and Treasurer has explained, to a large extent because of the fall in commodity prices and the substantial reduction in royalties which the State is receiving, which has a flow-on effect in putting pressure on a range of areas which provide state government services. Health is one area that has been treated very seriously by the Government. It can be seen from the announcement by the Premier one week ago of the injection of an additional \$70m into the Health budget for this year that we take very seriously the need to provide adequate services and ensure that they are expanded wherever possible. We are considering seriously the recommendations that have been made by the Association for Mental Health and will see what can be done within the constraints of the forthcoming budget.

A range of other initiatives have been put in place. For example, the new mental health legislation which was proclaimed in 1997 has led to a range of changes with regard to how mental health patients are treated, and how they are admitted to Graylands Hospital if that is ultimately needed. That legislation places strong emphasis on providing a greater number of community-based services than we have had in the past, and on ensuring that the rights of patients who may be affected by the Mental Health Act are protected. Mental health patients now have greater power to appeal against decisions that may affect them. Funding has been provided to establish the Mental Health Review Board, and also to establish the Mental Health Law Centre so that patients who are subject to the provisions of the Mental Health Act can receive independent advice which is funded by the State to ensure that their rights are protected adequately.

Four metropolitan and six rural mental health regions have been established as the planning centres for the future development of integrated mental health services in Western Australia. Another example of the increase in community-based facilities is the two child and adolescent mental health services which were opened towards the end of last year, one in the Armadale health service area based in Kelmscott, and the other in the Kalamunda health service area based in High Wycombe. The opening of those two services is yet another example of the devolution of services from the central Perth metropolitan area. Those two services are linked with the mental health components of the Bentley Health Service and will provide far better services to children and adolescents in the eastern and south eastern parts of the metropolitan area.

Reference has been made to the need not to reduce the number of acute beds which are provided within this State until further community-based facilities have been provided. With the exception of the transfer of beds which is occurring between Graylands Hospital and Bunbury, and which incidentally will not occur until June of this year, even though the Bunbury facility was opened this week, there are no plans to reduce the number of in-patient beds in the foreseeable future. We agree entirely that community-based services must be established adequately. A lot of work is being done at the moment to ensure that the foundations which have been established over the past few years are built on properly and that the services which will continue to be provided in places like Graylands and those which are being established in the community are integrated adequately.

Mr McGinty: I thought that in addition to the transfer of beds from Graylands to Joondalup and Bunbury, there would be a reduction in the number of beds at Graylands. What is involved there?

Mr DAY: With the exception of the transfer which has occurred to Joondalup and the transfer which is in the process of occurring to Bunbury, I am not aware of any plans to further reduce the number of beds at Graylands in the foreseeable future. We agree that we need to ensure that adequate community-based services are provided.

Mr McGinty: I have heard criticism from a number of psychiatrists and I have seen articles in the Press over the past month or two about the shortage of acute in-patient psychiatric beds. The situation in the country appears to be under control, but in the city, there are never enough acute beds for psychiatric patients. It seems strange that when there was excess capacity at Graylands, that facility was not reopened or used, nor was the closure deferred, to ensure that enough beds were available to meet the need that the psychiatrists had identified.

Mr DAY: We now have about 30 more acute in-patient beds than we had three years ago, so there has been an increase. There are no plans to further reduce the number of beds at Graylands. Planning is under way to establish a 25-bed, \$4.5m acute adult treatment facility at Swan Districts Hospital over the next couple of years. In addition, 25 acute beds will be provided at the site of Armadale-Kelmscott Memorial Hospital. Therefore, services are being provided in the more peripheral parts of the metropolitan area, which is very much needed.

Mr McGinty: Will that involve a transfer of beds from Graylands or will it be additional beds?

Mr DAY: We will need to consider that at the time. There are no plans to further reduce the number of beds in the foreseeable future. When those beds at Swan Districts Hospital and Armadale are opened, we will obviously have to assess the needs at a place like Graylands, because I expect there will then be a lesser need for those beds at Graylands. No decision has been made about that matter, and we are two or three years away from that.

Mr McGinty: This impacts only partly on the psychiatric care question, but there has been some debate in the past 24 to 48 hours about the cost of the aborted privatisation of Armadale hospital and whether the external costs were \$1.7m or \$3.2m. Can the minister clarify that matter?

Mr DAY: The costs of the redevelopment process at Armadale-Kelmscott Memorial Hospital are not \$3.2m. I think the member for Fremantle came to that conclusion from reading the answer to a question from the member for Armadale and adding up all of the figures which are quoted in that answer. The first part of the answer referred to the total consultants' costs, which I think were in the order of \$1.7m. The other parts of the question referred to more specific costs. Those specific costs were part of the overall consultants' fees. The figures cannot simply be added up. The latter figures are components of the overall total amount.

There has been a substantial increase in the provision of community-based facilities and also of in-patient facilities close to where people live in various parts of the State. We have not finished yet, and more work is being done to increase the number and range of facilities which are provided. Reference has been made to Whitby Falls Hostel. On Friday of last week, I had the opportunity of visiting Whitby Falls Hostel for the first time, and it did not take me long to come to the conclusion that the standard of accommodation facilities at that hostel is not adequate. Much more could be done to better provide for the residents, and that issue is currently being considered. A detailed assessment process is under way to determine the best possible way to provide for them. Some of the residents have been there for a long time, others have been there for a much shorter period and there is no expectation that they will stay there in the long term. No decision has been made to close the accommodation facilities. However, we must look for the best possible way to provide for these people. As I said, the Government believes that they could be better provided for in a more modern facility that integrates them with the community more so than at present. One of the options is to redevelop the facilities at Whitby Falls. That option is being considered, but no final decision has been made. We must go through a thorough process to better provide facilities for the current residents. As far as the farming activities are concerned, we must recognise that very few residents are involved. Could we use the funds involved in running the farm more productively to better provide mental health facilities for residents and potential residents? That process is ongoing but no decision has been made.

The member for Kalgoorlie also referred in some detail to the question of youth suicide in Western Australia. The Government recognises that is a very important issue to the community. It is very difficult to deal with, but the Government is doing everything it can to improve this State's record in that regard. The Youth Suicide Advisory Committee, which was established in 1989, is chaired by Dr Hugh Cook and the membership includes a number of very dedicated and committed people who are making a very valuable contribution to ensuring we have strategies in place in this State to reduce the incidence of youth suicide. That committee produced the Aboriginal youth suicide policy that I released towards the end of last year. There was no big fanfare about that for very good reason. However, this issue is taken very seriously by all agencies involved.

It is evident that in preventing suicides in Western Australia, particularly youth suicides, we will be successful only with a coordinated approach across government. Many agencies have a role to play. Obviously, the Health Department, the Mental Health Division, the Department of Aboriginal Affairs, various Aboriginal medical organisations, the Education Department, Family and Children's Services, the Police Service, the Ministry of Justice and others are involved. The primary purpose of the policy approach is to ensure that we have coordination across government and to implement strategies more effectively than we have in the past. A lot of good work is being done by the committee.

The member for Kalgoorlie raised a number of other detailed issues. I do not have the answers to all the matters she has raised, but I will seek further information for her.

I have demonstrated that the Government is taking this issue very seriously. Much has been done in the past three to four years. The allocation to the area has been increased substantially, particularly for the provision of community-based services. That is borne out by the figures published this week, which show that Western Australia is a leader in providing community-based mental health services and facilities in Australia.

Amendment to Motion

Mr DAY: With that in mind, I move -

To delete all words after "House" and insert -

acknowledges the significant increase in funding which the Government has allocated to mental health services and facilities comprising those which are community based and hospital based.

DR TURNBULL (Collie) [5.15 pm]: I endorse the amendment moved by the Minister for Health stating that mental health services of Western Australia are a top priority for this Government. I will make a wide range of statements, particularly related to mental health and partly related to the areas I represent.

One of the most important government policy decisions was to make the issue of mental health a top priority. The Government made this commitment at the beginning of 1997 by implementing a three-year program in which it virtually doubled the amount of money available for mental health. The reform package covered all areas of mental health. The most important aspect of both the mental health reform package and the health program for Western Australia is the principle that the service should be delivered to the people who need it as near as possible to their community. This has caused a revolution in health services in Western Australia. It is a revolution which many other countries would like to experience but which very few are.

As members know, the two major mental health residential facilities in Western Australia have always been Graylands and Heathcote. Of course, Heathcote has been sold and the patients have been moved to other facilities and institutions. However, Graylands, which is the remainder of the old Claremont Mental Hospital, is still a very centralised service. It is virtually the only place that will take mental health patients from the country. Sometimes they are accepted by the service at Fremantle, but that is very difficult to arrange. Getting patients into Graylands is extremely difficult and if they are accepted they will not be kept for very long. They are very rapidly discharged back into the community, which cannot provide sufficient facilities and support.

I am very pleased to endorse this Government's actions in decentralising mental health services, particularly those services that are required by those who must spend time in a residential institution for an acute episode or recurrent episodes as a result of long-term chronic illnesses. True movement is now happening. Many people in Western Australia do not realise that action has now been taken to address this problem, which has been a topic of discussion for so long. This action has been happening over the past six years, since this Government came to power. It has been particularly progressive in the past three years with a very strong commitment of funds to the program.

I commend very highly the former Minister for Health, Hon Keith Wilson, who was a chair of one of the committees that was established very soon after this Government came to office. Its brief was to determine what programs should be implemented. This concept of targeting mental health and allocating a very large amount - almost double the amount the former Government spent on mental health - into that program to boost it shows the Government's very strong commitment to this area.

My family has a very long tradition of being aware of mental illness, how very deprived the area has been and how those suffering have been the forgotten people. One of my father's cousins was the victim of measles when he was three years old. He spent nearly 30 years of his life in the old Claremont mental hospital. In the 1950s my aunt and my father spent a lot of time working on the committees that were trying to make some progress in developing a better mental health system in Western Australia. In the past, mental health has been one of those issues which most Governments have been prepared to ignore and not take very much notice of until they absolutely had to. For example, the shocking conditions at Claremont shamed a number of Governments into taking action. I want to assure you, Madam Acting Speaker, that this is the first really big move.

In America 20 years ago a huge move was made to empty people out of mental health institutions. That move was followed throughout the world. Society is now reaping the whirlwind of problems that have come from emptying out the old mental health institutionalised residences, where, for many reasons, schizophrenics in particular and people with all types of very severe mental health problems were looked after. The main reason, of course, was that they were a huge problem to society. We now know that many of those people either sleep in cardboard boxes on the streets or fill up our jails. That is one of society's tragedies and one of the problems we must address. I hope, Madam Acting Speaker, that when we come to this issue of what we do with the number of people who are jailed at the moment, we will pay attention to the fact that many of the people in our jails are in great need of mental health assistance. I would estimate that one-half to two-thirds of all the people in jail for drug-related problems should really be receiving services in a mental health institution. Maybe it should

be one where they are compulsorily confined for a certain length of time while they have their problems addressed fully before they can come out.

I have digressed and I shall return to the fact that when these people are not in mental health institutions they must have access to support services. That is why our Government with this new major push to decentralise services and open up the acute services in Joondalup, Swan District, Armadale, Bunbury and Sir Charles Gairdner Hospital, with units at Albany, Esperance and Kalgoorlie, has found the right way to manage mental health. This puts people back in their own communities where they can access these necessary services. The tragedy of people who are not institutionalised and are not being looked after in an acute service being back in the community is that they may have no backup. We must have the whole system in place. We must have the acute service, the backup and the visiting mental health nursing specialist who can be called in if need be. Only today my electorate officer rang me and said that someone had come into my office and said such and such. I said, "You know what that means. The person is beginning to waiver slightly from her mental health management system. The best thing to do is to contact her mental health nurse, ask her when she last visited and suggest she visit again in the very near future."

That is the type of support that every suburb needs. The metropolitan health area needs it, as do places like Armadale and Rockingham and other suburbs which have been deprived of many of these services in the past. Particularly, we who live in the country need it. We are fortunate in the south west that the budget has been improved. When the visiting mental health nurse system started four years ago for the area north of Bunbury, including the Wellington health district, we had one nurse. She had to assist in after-care visits in all those areas. She was worked almost to a mental breakdown herself and had to take stress leave. We now have funding for two nurses to cover that area and they are coping much better. That is the way it must be done.

It is the same for people who leave residential institutions such as Whitby Falls Hostel that has been mentioned today. Of course, a place like Whitby Falls Hostel cannot be shut down until appropriate alternative arrangements are made for the people who reside there. The same situation exists at Geegeelup Village Hostel in Bunbury where people have been institutionalised for a very long time. I thought that some of them would not be able to live out in the community. I felt that they had been in Geegeelup Village Hostel for so long that they would not be able to adapt to moving out. I was one of those who spoke very strongly for keeping some of the residential places at Geegeelup Village Hostel. I now know some of the people who have moved into supported accommodation units. They are working and functioning very well. Fortunately there are still a certain number of sheltered workshops. I do not think that the big move about eight or 10 years ago to do away with sheltered workshops was the right thing to do. They have evolved and now have better business and workplace management, which has turned them into something far more equivalent to the ordinary workplace. Indeed, a few people have moved out from sheltered workshops into ordinary workplaces.

It is very important that our Government's policy of providing assistance and support within people's own communities is continued. The most wonderful young man works in what used to be Charlie Carter's and is now Newmart. He packs everybody's shopping for them. He puts it in the bags and says hello. He has very low intelligence, but a very pleasant personality and presentation. With the aid of supported accommodation payments he is able to live in a little unit. The same thing has occurred with a wonderful young woman who now works in a hospital. Although she is only a .5 full-time equivalent, she has been able to get a package to assist her to live in her own little unit. She does that beautifully and wonderfully with the support of the community.

These moves towards changing the residential units are very important. I know the turmoil which occurred when, under the former Government, people were moved out of Heathcote Hospital. It was terribly difficult for them to deal with the residential accommodation that they might move into, and the system was not properly structured when they moved out of Heathcote so many difficulties arose. It is a difficult way to manage mental health problems and there will always be people who harp, carp and carry on and criticise and complain when they think that they have found an example that they can raise in the Parliament. I can assure members that in 85 per cent of the cases those involved are very pleased with the outcome.

To digress slightly, unfortunately in this world 5 per cent of people will always whinge and complain and raise issues. Unfortunately, 10 per cent of people are often genuinely experiencing hardship because the system has been unable to deal with them properly. That is most unfortunate. Local members of Parliament are there to help raise the issues and help them cope within the system. I can assure members that the vast majority of people who have any connection with mental health problems in my area in particular and in many other country areas are extremely pleased with the new moves and the relocation of acute and long-stay beds to outside the metropolitan area. Some country areas have not yet received these services. An enormous amount of work must be done to help either mobile teams, visiting teams or a specialised person who might be classified only a 0.5 or 0.4 in an area to deliver a service. We have much more work to do to tailor how we will manage this.

I could go on talking about this extremely important aspect of society and how tragically, from time to time, someone ends up in prison as a result of the impact of certain activities on society. As my time is running out I have great pleasure in seconding this amendment to the motion moved by the Minister for Health.

MR MCGINTY (Fremantle) [5.31 pm]: Unfortunately the amendment proposed by the Minister for Health and seconded by the member for Collie is an attempt to avoid the subject matter raised by this motion. As has been amply demonstrated to the House, and seemingly acknowledged by both the Minister for Health and the member for Collie, we have a gaping hole in the services provided to mental health patients who are in the community. We heard from the member for Collie an adequate description of the diabolical effects on the community as a result of the slavish adherence to the mantra of deinstitutionalising mental patients. The closure of the mental health facility at Whitby Falls is an acknowledgment of the consequences for families and residents of pursuing that policy without regard to the interests of the people who are there. We saw the instance last week in the newspaper of someone who predicted his own death if he were moved from that facility. That was amply demonstrated as a consequence of the decision of the former Minister for Health to close that facility.

The Government seems to be at sea on this issue. George Lipton, the head of psychiatric services in the Health Department, is saying the opposite to what the minister said 12 months ago about the closure of the facility. I hope that in the near future we will see acceptance of the motion moved by me tonight. We must ensure that facilities that do not exist are provided in the community to properly cater for these people, who have been moved from what are termed institutions, although that is not an appropriate description for an establishment such as Whitby Falls. Its architecture may not be state of the art, but it provides a great setting for many people suffering mental health problems.

The case illustrated in the media last week and other cases that have been brought to attention over time amply illustrate that matter. It is not good enough for the Government to brush it aside and give itself a pat on the back for having increased funding to what has been demonstrated to be the biggest hole in its mental health program. If the Government is to use its numbers to force through this amendment that says nothing - it does not address the issue of whether it should proceed with further announced closures of mental health facilities before there are adequate facilities in the community - we should further amend the motion in order to take back something closer to the original motion which I believe has been acknowledged as a shortcoming in addressing mental health problems to date.

Amendment on the Amendment

Mr MCGINTY: Accordingly, I move -

To add to the amendment the words -

but urges the State Government to increase funding for mental health community facilities and services to ensure high level community services before any further closures of mental health facilities are contemplated.

If the Government votes against this amendment it will be saying that it does not want to increase funding to mental health facilities, notwithstanding the minister's acknowledgment that this is an area in which more can be done and notwithstanding the quality of the submission put to the Government by the peak council of the community mental health organisations. If the Government wishes to vote against this further amendment it will be endorsing the further ad hoc announcement of closures of mental health facilities without the provision of adequate services in the community as a prerequisite to those closures.

Amendment (that the words proposed by the Minister for Health be deleted) put and passed.

The ACTING SPEAKER (Mrs Holmes): The question is that the words proposed by the Minister for Health be inserted, to which the member for Fremantle has proposed to add certain words.

Point of Order

Mr MCGINTY: Are we voting on my amendment or the minister's?

The ACTING SPEAKER: We are dealing with the amendment of the member for Fremantle on the amendment moved by the Minister.

Debate Resumed

Amendment on the amendment put and a division called for.

Bells rung and the House divided.

Mr DAY: Could you clarify, Madam Acting Speaker: I thought we had voted on the words proposed to be inserted by the member for Fremantle.

The ACTING SPEAKER: The House has voted on the deletion of words from the motion, and a division has been called on the amendment on the amendment by the member for Fremantle.

The division resulted as follows -

Ayes (18)

Ms Anwyl
Mr Brown
Mr Carpenter
Dr Edwards
Dr Gallop

Mr Grill
Mr Kobelke
Ms MacTiernan
Mr Marlborough
Mr McGinty

Mr McGowan
Ms McHale
Mr Riebeling
Mr Ripper

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

Noes (27)

Mr Baker
Mr Barnett
Mr Barron-Sullivan
Mr Bloffwitch
Mr Board
Mr Court
Mr Day

Mrs Edwardes
Dr Hames
Mrs Hodson-Thomas
Mr Johnson
Mr Kierath
Mr Masters
Mr McNee

Mr Minson
Mr Nicholls
Mr Omodei
Mrs Parker
Mr Pendal
Mr Prince
Mr Shave

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

Pair

Mr Graham

Mr Cowan

Amendment on the amendment thus negatived.

Amendment (that the words proposed by the Minister for Health be inserted) put and passed.

Question (motion, as amended) put and passed.

ACCELERATED DEPRECIATION CONCESSIONS*Motion*

MR GRILL (Eyre) [5.50 pm]: I move -

That given the crucial importance of accelerated depreciation concessions for the funding of a number of very important resource projects in Western Australia, this Parliament calls upon the Government to make urgent representations to the Commonwealth Government to give a clear and early indication that the suggestion, in the Ralph report on taxation reform, to dispense with such concessions be firmly rejected.

I am very hopeful that this motion will receive very strong bipartisan support. On its face, it sounds quite esoteric. Taxation matters often are esoteric; however, in this motion we are talking about something that is basic to industry in Western Australia, to our economy and to the welfare of most of the people who live in this fair State. It is rather ironic that someone like John Ralph, through the Ralph Committee on Fringe Benefits Tax Reform, has come down with a recommendation that would abolish depreciation concessions. He has a history in the mining industry and well knows that such concessions have been used for a long period to support these capital-intensive industries. The recommendation in the second report of the Ralph committee was concomitant with the suggestion that the taxation level for companies be reduced from the current 36¢ in the dollar to 30¢ in the dollar. I do not want people to think those on this side of House would not support a reduction of that nature in company tax; we probably will. However, we oppose in the strongest of terms any suggestion that depreciation allowances be done away with. That would be absolutely catastrophic to the economy of this State.

Let there be no mistake about this: In the main, to bolster the economy, this State depends on the resource sector which is capital intensive, and has always been. These days we raise some of the money within our own borders; that is, the Australian borders. One upon a time in the early days of the goldfields, it came from London. Some projects that have got off the ground in this State are whoppers. They are big by the standards of this State, and by Australian and international standards. An outstanding example is the Woodside North West Shelf development which would never have got off the ground without accelerated depreciation concessions. It was highly capital intensive. Up to the present, it has involved, in round terms, about \$14m. It is an investment we believe is entirely worthwhile.

For the depreciation concessions to be put in place, it is necessary for a project to lease plant and equipment, and most mining and resource development projects in Western Australia have huge amounts of plant and equipment that will be depreciated, either on a straight-line basis or on a diminished-value basis. The basis of accelerated depreciation has a premium of approximately 50 per cent. It is easy to see why resource development projects in Western Australia and those supporting them would strongly wish to see these concessions remain in place. They are crucial to the financing of these projects. In this day and age, a project of any sizeable dimension will not get off the ground in Western Australia unless international bankers, in the main, and national bankers, to some degree, come to the conclusion that it is worth financing. The banks and the finance houses have the last say on the development of new projects right around Australia.

The figures for capital investment from Western Australia over the past decade show that we have either led the other States in terms of new capital investment or have come second to Queensland. That has been the general picture. On occasion New South Wales has got up, but in terms of new capital investment, it has been a race between Queensland on the one hand and Western Australia on the other. These facts are not always understood and appreciated in the eastern States. We wonder whether the Ralph committee may have overlooked that fact.

At present in Western Australia, a range of projects are either in the planning stage or are awaiting a change in market conditions before they get off the ground. People in the Department of Resources Development have said - sometimes I believe they have been a bit too bullish - that about \$30b-worth of projects are waiting for the green light. If we analyse it, that is probably not far from the truth.

Mr Barnett: That is not fair. I have never said that. That is the sort of figure if every project going under some sort of assessment were to come to some sort of fruition. That includes everything everyone has talked about. Realistically that will never happen.

Mr GRILL: I do not want to get into an argument with the minister because I think ultimately he will support this motion.

Mr Barnett: I say that because in the mid-1990s I made a comment that we would see between \$12b and \$15b of resource development take place. People, including some of the member's colleagues, although not the member, scorned that. That was easily exceeded.

Mr GRILL: I recollect newspaper articles - I have the cuttings - that reported members of the Department of Resources Development saying that \$30b-worth of projects were in the wings.

Mr Barnett: I think they said there were \$30b-worth of projects out there, including four or five steel-making projects. Clearly not all of them will happen. We can identify that scale of potential investment, but to say it is all likely is another matter. I do not think the Parliament has ever said that and I do not think that is likely.

Mr GRILL: Let us not quibble about a few words or about who said them.

Mr Barnett: It is just your impression.

Mr GRILL: That is the impression that has been given to the public at large.

Mr Barnett: No; it has not.

Mr GRILL: The value of the projects that might get off the ground or those that people have said will get off the ground add up to a fairly significant figure. They include two new trains for the North West Shelf project, worth in rough terms another \$7b; the Gorgon project which in rough terms is said to be worth \$9b. I do not think an exact figure has been placed on a petrochemical plant, but it would run into millions of dollars.

Mr Barnett: About \$4m all up.

Mr GRILL: The North West Shelf liquid gas project is worth another \$1m perhaps.

Mr Barnett: Yes, between \$600 000 to \$1m.

Mr GRILL: Then there are the iron ore projects, the processing projects - I think we are about to be upstaged by a member who is wearing a bright green shirt who has just come into the Chamber!

Mr Barnett: I think you could almost take a point of order on it!

Mr GRILL: As I was saying, there is also the mineralogy project in the north west of the State; the AUSI Steel hot briquetted iron project; the Kingstream steelworks project which is said to be worth in excess of \$1b; and the Mt Gibson project which is worth somewhere in the same vicinity of \$1b or so, and the expansion of the Worsley and the Alcoa plants which has taken place. That is not an exclusive list, but if we put all of that money together, it is a pretty large amount. When we analyse the situation as at today, we cannot say with any certainty that those projects will get off the ground; nor, in the event that they will get off the ground, when they will get off the ground. That is a big change from the situation two years ago when people were saying, quite foolishly, that these projects were goers and would get off the ground by 2000. We have had other bad news, of course. The Beenup project, one of the biggest mineral sands projects in the world, has been closed due to technical problems. We hear a recurring rumour that the BHP hot briquetted iron plant will be put under care and maintenance. I do not want to add to that rumour, and I hope it is not correct, but it is a recurring theme in the media.

Mr Barnett: No. It is about to be formally opened. I am sure you will be invited.

Mr GRILL: That would be very nice.

Many of the problems stem from uncertainty within the market. The Japanese economy has stumbled, the South East Asian economy has gone through turmoil, and some of the South American countries have also started to falter. Resource stocks

and prices have reacted accordingly and are very low indeed. In the past day or two, quite rich and longstanding mining operations in Kambalda have been put under care and maintenance and are effectively closed for the time being, with no date set for their reopening and no certainty that they will ever reopen. Goldmines in the north of my electorate in the Yandal belt have been closed and put under care and maintenance. There is a prospect that they will re-open, and I trust that they will in the near future, but nonetheless a question marks remains over them.

Things are not going well. Some of the problems stem from the taxation environment. Other problems stem from overseas competition. We sometimes think that because this State has wonderful resources, they are not subject to competition from overseas. However, they certainly are. In the area of liquefied natural gas, where we have seen some of the biggest projects in Australia get off the ground, we are under intense competition. Indonesia has six existing LNG trains, and midway through last year, a 2.95 million tonnes per annum plant came on stream. By about December of this year, a similar extension to the capacity of LNG plants in Indonesia will also come on stream. The Algerian LNG trains were refurbished only recently and have a capacity of nine million tonnes per annum. In Nigeria, 5.8 million tonnes per annum of new capacity will come on stream this year. In Trinidad, a three million tonnes per annum plant is under construction. In Qatar, Oman and Abu Dhabi, four projects will come on stream shortly, with a capacity of 16.4 million tonnes per annum and the potential to increase that to about 20.6 million tonnes per annum. That adds up to about 40 million tonnes, and when we consider that the market for liquefied natural gas is restricted basically to Japan and Korea, and one or two other markets, we start to worry a bit.

I said at a conference midway through last year that there was a question mark over some of the projects that we are contemplating in this State. The progenitors of those projects tended to shrug that off, and I can understand why, but the truth is that there was a question mark because the market had gone soft, and until Japan and Korea get back into stride, we will not see an expansion of the market for LNG. It is uncertain whether, and when, these projects will come on stream; and if they do not come on stream, this State will miss out on huge investment packages. We produce about seven million tonnes per annum of LNG from the North West Shelf. The proposal was that the North West Shelf partners jack that up to about 14 million tonnes per annum and that a new project at Gorgon come on stream which would produce about 6.6 million tonnes per annum. There is a question mark as to whether those projects will get off the ground in the near future.

I heard a paper presented at a conference last year from Dr Peter Brain, who mentioned some of these figures and was adamant - I think a bit before his time - that these projects would not have a window of opportunity until 2006 or 2008. If that were true, it would be a devastating blow, and I do not want to believe that it is true, but Dr Peter Brain does have some reputation in this arena, and we need to face the prospect that he may be correct.

We also have problems with the current tax regime. I am talking not about the proposal put forward by the Ralph committee but about the current tax regime. For a long time now, the North West Shelf partners have been saying that the current regime is not as gentle with them as they would like it to be. Certainly by international standards, it is not the most attractive taxation regime in the world. That has been borne out by recent research in the United States and taken up in Australia by PricewaterhouseCoopers, which indicated that of the nine major resource countries in the world, Australia has the third least attractive tax regime. They say that the only countries among that top nine that have less attractive regimes are Canada and the United States. They say also that without accelerated depreciation allowances, Australia would have easily the worst taxation environment in the world for new project development. The PricewaterhouseCoopers report states that the bottom three in the Colorado study are already more than 50 per cent less competitive than Chile, and that if Australia were to slip further down the list, it would make it significantly harder for the resource sector to compete for funds for future growth. It states also that in the worst-case scenario, with no preferential treatment, competitiveness would drop by 30 per cent. That is a massive figure. If our competitiveness were to drop by that amount, there would be absolutely no future for development within Australia. Therefore, it is essential that the suggestion put by the Ralph committee in the discussion paper be refuted and knocked on the head as soon as possible.

Recently, I talked to John Akehurst, the Managing Director of Woodside Petroleum Limited. He emphasised the following things: It takes between 10 and 15 years to move from the first discovery to plateau production. The companies do not get their money back until they are 10 to 15 years into the project. This report emphasises that ultimately price is the big factor, and that the Japanese, Koreans and others are very sensitive about price. In the past year or two, especially in the petroleum field, prices have come down dramatically. People such as Brian Fleay and other conservationists say this country is running out of gas and oil. Although we seem to have refuted those views in relation to most other commodities, there seems to be a view that in an international sense we shall run out of oil and gas. If that is the case, I do not know why the price continues to go down. I do not know why there continues to be surplus gas on the world market.

Mr Nicholls: It is a question of supply and demand.

Mr GRILL: It comes down to supply and demand, and it seems that oil and gas are just like most other commodities. With the rapid rate of technology, more and more of these resources are being found.

Mr Nicholls: The OECD countries have broken their own cartel and are producing more than the quotas they have established.

Mr GRILL: They certainly have. John Akehurst from Woodside has said that it has massive reserves. Woodside has 150 trillion standard cubic feet in either reserves or resources, and that is only the stuff they find in one day. If they explored other areas, they would find more and more gas. If its use continues at the current rate, there will be a supply for the next 150 years from the North West Shelf of Western Australia in the Timor Sea. There are massive amounts of gas. WA will not sell that unless this country has the right taxation environment. Currently Australia does not have that environment, and if the Ralph committee report is picked up and run with, the environment will be worse.

I know that many small companies around Australia, especially in the eastern States, would probably swap a 30 per cent company taxation regime against the removal of the accelerated depreciation allowance, but those companies do not depend on large capital injections of money. Also, they are able to get by with meagre amounts of money being invested in them, especially in plant and equipment. In Western Australia most of the small industries in any event are dependent on the bigger companies, where capital injections of large sums of money are absolutely essential.

The return on money invested within the petroleum sector in the recent past and the not so recent past has not been good. The target return is between 10 and 12 per cent, but the real return has fallen much lower. If this State has an unattractive taxation regime, people will not invest even with the expectation of a 10 to 12 per cent return. Companies such as Broken Hill Proprietary Co Ltd, which are already leery about investing new capital in the country, will not be around, and overseas companies that have already invested in Australia will maximise their return from current investments and take their newer investment to places where the taxation environment is more attractive. Chile is already 50 per cent more attractive as an investment target than, say, Western Australia or Australia. What then will be the situation if accelerated depreciation allowances are taken away? Australia will not only be ninth out of nine, according to PricewaterhouseCooper, but also it will be way behind No 8.

I believe it is essential for this House to agree that the Commonwealth Government must be lobbied effectively and quickly. We cannot wait another six months or another year or two, when legislation on taxation might finally be amended and when the debate is finished. While there is any suggestion at all that the accelerated depreciation allowance is to be removed, there will be no incentive for investment in Australia in these large resource projects. I have mentioned already that some faltering has occurred in the resources sector in Western Australia in the past few days. In my electorate mines have closed at Kambalda, and the people who have invested in their houses and the lifestyle in that area must look elsewhere for their future. People in the gold industry are in a similar situation. We cannot wait, in the way the minister suggested yesterday. I support the minister but we cannot wait until September this year when he chairs and addresses the Australian and New Zealand minerals and energy council in Kalgoorlie.

Mr Barnett: I never suggested that; I said it would be a good initiative at the conference.

Mr GRILL: It is certainly one of two initiatives suggested by the minister. It is wonderful that the Minister for Resources Development is holding the conference in Kalgoorlie and I applaud him for that, but September is a long time away. We cannot have this hanging over our heads. The minister also indicated that the Department of Resources Development is preparing information on this subject, and I hope it will be presented to the Commonwealth Government. It needs to be done sooner rather than later, and in the event that the minister takes that paper forward, I hope this Parliament will be behind that suggestion and that the threat of removal of that concession will itself be removed in a short time. I am hopeful that there will be bipartisan support for this motion and that the Government will go to Canberra and present a very strong case for the retention of this important concession.

MR RIEBELING (Burrup) [6.18 pm]: I formally second the motion. I am concerned about the viability of major developments in Western Australia because my electorate is supposed to be the home of the biggest of those developments. It is the home of what has been the biggest single development in Western Australia's history. Woodside Petroleum Ltd has expended several times more than has been spent on any other major development. However, some would argue that had the iron ore industry been developed at the same time as Woodside, its worth would have been about \$14b.

The problem is not what has happened previously. As the member for Eyre said, the Government is continually trying to attract new investments to the Pilbara region, and I hope the minister will provide an update on eight projects that have been discussed. The problem is not so much in relation to the big companies. Their going to the Pilbara will depend on the market, whether they can obtain a market for their product, whether it is economically viable, and those types of factors. I understand that at the moment, because of the economic downturn in the Asian region, many of these projects are not viable in the current climate.

One of the omissions by the Government with regard to the viability of these projects is advice to small business on what is happening. As I have said before, small business gears up in response to what ministers say is likely to happen in the area. It might only be a small earthmoving contractor buying an excavator and getting rid of a back hoe. The excavator might cost about \$600 000, and the back hoe might be worth about \$100 000.

There is a limit to the number of backyard pools that can be excavated to keep excavating machinery operating. The debts must be serviced by the smaller industries. In the past three months in Karratha - the supposed site of the boom - the price

of housing has dropped by 20 per cent. That was the result of the announcement that the liquids enhancement project would not go ahead. No-one thought that would happen; that was the bread and butter project for the area. It was a small project compared with the Mineralogy Pty Ltd project and the Gorgon gas field, but between 400 and 600 construction workers would have been employed during the life of that project. That was one of the projects that the area had been promised. Irrespective of whether the residents were reading too much into the minister's statement, they were of the view that they had been promised \$30b worth of projects. The Minister for Resources Development told the member for Eyre that was an unfair interpretation of what occurred, yet we read announcements about the petrochemical plant, the methanol plant, the Robe River Iron Associates pelletising plant, which is announced every couple of years, Aussie Steel, Mineralogy Pty Ltd, Gorgon, Hismelt Corporation Pty Ltd and Woodside's expansion project. The cancellation of Woodside's expansion project has hurt small business confidence in the area far more than the other developments. In many ways, the other developments were a bonus. It would have been fantastic if they had gone ahead. The whole area would have supported the projects. My area is probably the most pro-development area in Western Australia. We do not turn investors away. They are welcome at almost any cost. The pity is that Woodside is starting to wind back its ability to go into new ventures. That was demonstrated in the liquids enhancement project. Everyone in my area understands that because commodity prices are so low, companies would probably make more money leaving the resource in the ground than increasing their capacity to mine.

One of the areas that companies like Woodside and their joint venture partners would have pinned their hopes on to attract investors would have been accelerated depreciation, which provides a quicker return on investment. Some investors say that now is the time to position companies such as Woodside and Gorgon into a market to take advantage of increased demand when the Asian economy drives itself out of recession, which we all hope will occur. I have noticed in some articles recently that there appears to be a renewed interest in sharing facilities. Gorgon and Woodside may look at sharing their existing facilities to extract the resources they have.

I am sick of the Premier blaming native title for any problem that occurs in the bush. I will go through these projects one by one and I hope the minister will tell me whether there are native title problems with any of these major projects. If there are we should tackle those problems. Mineralogy Pty Ltd has no problem with native title. The site has been identified and is already located on a mining lease.

Mr Masters: What commodity does Mineralogy mine?

Mr RIEBELING: It produces steel. It mines the Fortescue deposit, which it turns into a slurry, pumps it to Herrison Cove where it will be processed into steel products similar to that done by the Broken Hill Proprietary Co Ltd. The product might be completely different in appearance and in the way it is processed, but that is it in essence. I do not think there is a huge chance of that project going ahead, although it is in the list of nine projects the Government announced for the Pilbara. Every time development projects are mentioned, that project is included in the \$30b. It is still on the books, although I doubt anyone in government thinks it will go ahead. Recently Mr Clive Palmer of Mineralogy Pty Ltd announced on the radio that he had signed a deal with a South African steel production company to produce billions of dollars worth of steel. The time frame he spoke of meant that production of that plant would have to start now, yet there is no sign of that. Mr Palmer did not mention any problem with native title when he made his announcement. I hope the minister will go through the projects and advise whether native title is inhibiting any of the major projects that have been announced several times.

The methanol plant is no longer a viable project and has been mothballed by BHP. BHP's withdrawal from that project had nothing to do with native title. In fact, BHP's announcement was interesting because it said that there were no problems in negotiations with Aboriginal groups. That had nothing to do with the fact that the project did not go ahead.

Mr Barnett: That is not entirely true, because the BHP site was the lay down area for the North West Shelf project, which was free of native title claims. There was limited choice on the Burrup Peninsula. We found a site that eliminated the native title issue, but we can do that only once or twice before we run out of sites.

Mr RIEBELING: I appreciate that. However, which of these projects has native title problems? We do not want to be surprised by the Premier's saying that this project fell over as a result of the Keating Government's legislation. It amazes me that we have the Howard Government's solution to native title in place, yet the Labor Government is continually blamed for the problems. The system now operating is the 10-point plan.

Mr Barnett: That is not a reasonable comment.

Mr RIEBELING: So it is still Keating's.

Mr Barnett: It was Howard's attempt to remove some of the worst features of the Keating legislation. We are still stuck with the Keating Bill.

Mr RIEBELING: The legislation was passed and it appeared to have Howard's imprimatur.

I understand there are no native title problems with the Woodside project because it is on the crushing site. The Gorgon project is similar to Woodside's in that native title negotiations have been conducted, but there are no real problems.

The only person I have heard speak with any authority on the petrochemical project announced last March is the Minister for Resources Development. I do not know whether it is still on the drawing board. The minister indicated that six companies were jostling for the right to set up that project. I do not know where it will be located, but I hope that if it comes to fruition it will be somewhere in the Pilbara. If it is in the Pilbara it must be near deepwater access and there are limited sites.

Mr Barnett: It will be on the Burrup Peninsula.

Mr RIEBELING: If there are native title problems, I hope the minister will tell the House about them so that they can be tackled.

The Hismelt project will not involve a great number of native title problems because I understand the site will be near the wharf. Of all the developments that have been announced, that was the least likely to be achieved in the short term. However, it appears to be the one that will happen sooner rather than later. Hamersley is on track to start production in five or six years.

I have some concerns about the Kingstream Resources project and whether it is moving ahead, but it is not in my electorate so I will not pursue that issue. My electorate is looking for good news from the minister. I have never seen it as depressed as it is currently. Everyone is talking about problems in the area. No doubt the members of the Liberal Party to whom the minister speaks on a regular basis are telling him the same things about the Karratha region. I hope that as a result of this debate not only will the minister support the amendment but that we will be able to tell small business that all is not doom and gloom. I hope we can provide realistic time frames toward which business can start working with some confidence.

I do not know whether it is an indication of lack of confidence, but the price of housing in the area has fallen by 20 per cent. That information came from real estate agents who spoke to me about their concerns. I said that I would mention that fact.

Mr Barnett: It also follows a period of fairly strong growth in property prices.

Mr RIEBELING: They peaked about 18 months ago, but they have been falling steadily over the past year. In the past three months there has been a dramatic drop and there are no purchasers in the market. That is the extent of the slump.

I hope the minister accepts my queries in the spirit in which they were put. Small business in my electorate is very interested in establishing where we are going in the Pilbara and the time frames involved.

MR BARNETT (Cottesloe - Minister for Resources Development) [6.33 pm]: The Government agrees with much of what the member for Eyre said about accelerated depreciation allowances, although I do propose to make a minor amendment to the motion.

Depreciation is simply a way of allowing a reduction in tax on a year-to-year basis over the life of an asset. If one depreciates an asset in equal amounts over its life, that seems neutral and fair. In a tax sense, if an asset lasts 20 years, one effectively deducts its cost over that time.

Accelerated depreciation allows one to deduct more in the early years. That obviously has an impact on expensive, large, capital-intensive assets that have a long lifespan. Accelerated depreciation and the investment allowance used in the 1970s were designed to encourage people to invest in risky, high capital, long-life assets. It is an important feature of our tax system - perhaps not a purist feature - designed to encourage investment in capital-intensive export-oriented industries. They are a dominant part of this State's economy and a major feature of the mining and petroleum sectors.

A change in overall corporate tax and reduced company tax from 36 per cent to 30 per cent, the removal of accelerated depreciation and some form of straight line depreciation is not ideal because it does not affect industry equally. The winners will be those businesses that do not have large capital projects and long-life investments; that is, service industries such as finance, professional services, education, health and so on. The capital-intensive sectors such as the mining and resource industries will be the losers.

Preliminary analysis indicates that while that cross-sector effect is very clear - services win and mining and petroleum lose - the States are also affected. Some States win and some lose. The losing States are Western Australia and Queensland because of their mining industry, and Victoria because of its relative concentration in manufacturing. The winning States are New South Wales with its strong emphasis on service industries, and Tasmania because of its tourism focus; and South Australia, I am not sure why, but South Australia comes out as a net winner. More work is being done on that analysis.

Mr Grill: What was the last State that you mentioned?

Mr BARNETT: The analysis showed some gains in South Australia but they were relatively minor. Essentially Queensland and Western Australia lose as the mining States; Victoria loses as the State with heavy investment in manufacturing; and the rest of Australia tends to gain. Overall there seems to be a negative result for Australia and a very strong negative result for Western Australia. The preliminary analysis on individual projects that I have looked at indicates that the effect tends to be on projects that have life spans of 10 to 12 years and beyond. The effect does not show up so much in relatively short

life projects. However, for a project of 12 years and beyond, the effect comes through very strongly. Therefore, the larger the capital and the longer the life of the project, the greater the negative impact of what the Ralph committee has suggested is one way to go. Therefore, I agree with that.

There are also other aspects, apart from the direct financial impact. Many of those are lead projects in the sense that they provide the basic infrastructure that allows a further multiplier effect for new industry to grow. They often have the greatest flow of long-term employment with the social benefits that come with it. They tend to be underestimated in any such analysis. I agree that both our industries and the State stand to lose greatly if the tax system is changed in such a way that it will remove accelerated depreciation concessions. There may be scope to look at the structure and we would entertain that in a sensible way. However, the simple choice to reduce the company tax rate and in exchange get rid of the accelerated depreciation concession would damage industry in this State and damage this State. Therefore, the Government is strongly opposed to that.

The Department of Resources Development has been conducting a general analysis and an analysis on specific projects. In other words, it is modelling hypothetical liquefied natural gas, base metals and steel projects. We will have prepared not only the general arguments but also detailed impacts on what it would mean for typical hypothetical projects in different sectors.

Mr Grill: Is the DRD doing that?

Mr BARNETT: The DRD is doing that work.

Mr Grill: How far along is it?

Mr BARNETT: It is reasonably well advanced; in fact, it has done some preliminary modelling now on three of those stereotypes, LNG, steel and base metals. When that work is prepared, I will be happy to make it available to the member for Eyre.

Mr Grill: Will you organise a briefing?

Mr BARNETT: Yes, if the member wishes it. I have only seen some draft work that has been done in the past couple of weeks or so. However, we are doing it and will prepare a detailed position.

I have expressed my views publicly on the issue, as have the Premier and the Opposition. It is good that there is a bipartisan approach to this issue. The mining industry, as the member knows, is also doing a lot of analysis and work. Therefore, no doubt a great many submissions will be prepared both from the Government and the resources industry arguing the case against changing accelerated depreciation. We will all send in our submissions to the Federal Government. However, in reality, the public debate will have the impact. Perhaps it will not be widely reported but there will be public debate and I welcome that. I will run the issue publicly rather than simply rely on nicely presented submissions that are posted off and join other submissions on someone's desk.

I referred to the Australia and New Zealand Minerals and Energy Council meeting in Kalgoorlie in September. The issue will have a prime position on the agenda and I am hopeful that there will be at least a resolution of all mining and energy ministers along that line. I accept the member's point that we should not let the issue wait until then, and we will not. It can easily create uncertainty and a reason for a company to further hesitate, sit on the fence and just defer. I accept that point and I do not think there is much point going on about it; however, when that submission is prepared I will make it available to the Opposition.

I will now respond to some of the general comments that have been made about the mining industry. It is true that the public representation of what is occurring in mining has made this a dreadful start to the calendar year. We are very disappointed about the closure of Beenup. Again, in a sense, it reflects the environmental standards that apply in this State. This is not a developing nation, it is a first world economic environment with first world environmental standards. Although BHP prefers to describe its problems as technical - and they are technical in that sense - it could not achieve full capacity in production without creating a potentially serious environmental issue. Therefore, the standard existed and it was effectively recognised. There have also been the Kambalda announcements and BHP has significantly reduced its work force in the iron ore industry.

To some extent an element of contagion is occurring. When companies hear bad economic news flowing around, there is an incentive for them to get in there too and announce it. In a sense they can get away with it and there is an element of that occurring now. I am not impressed with that. There is a responsibility on all employers in the industry, certainly the mining industry, to manage their work force and obligations to the community in a smoother way. I know that half a mine cannot be closed so there are these lumpy effects. However, it is reasonable to say that the mining industry sometimes tends to ramp up too quickly in good times and has catastrophic closures when things turn a bit tight.

Mr Grill: We agree entirely.

Mr BARNETT: Yes. They need to take a longer term perspective on employment practices.

However, I would like to put some of the changes in perspective. In 1991, mining and petroleum production in this State was worth \$12.1b; in 1997-98 it was \$17.8b and it is probably running in the range of \$19b to \$20b currently. Therefore, the industry has grown in excess of 50 per cent in the past decade. The levels of mining investment at \$2b in the early 1990s have risen up and remained at a level of about \$4b through the mid-1990s, and last year ran at an extraordinary figure of \$5.8b. Clearly, \$5.8b worth of investment, compared with \$2b in 1992-93, cannot be sustained. Therefore, to some extent, when people talk about mining investment dropping away, it is dropping off a totally unsustainable peak. A number of major projects have come to the conclusion of their construction: The hot briquetted iron plant in Port Hedland, \$2.4b; the Murrin Murrin project, \$1b; \$200m at Cawse; \$200m at Bulong; and the Western Power project, \$600m or thereabouts. All of those projects went through peak construction activity in 1998. That is what is being partly reflected. However, there is a gap, and no doubt 1999 will have a gap because of the completion of projects and the delay in the start-up of new projects. I would not want the community to be of the view that nothing is happening in the mining industry. For example, there are projects that are still in their construction phase, perhaps not all huge projects. For example, the Onslow salt project, which is worth about \$80m, is moving up to peak construction activity. The Worsley expansion project, which is worth around \$700m to \$800m, is starting to build up and over the latter part of this year will reach peak construction with 700 or 800 more people on site. The Alcoa project is worth about \$250m and will be part of a \$1b progressive expansion. There are other potential projects around the State. Nevertheless, it is a quieter period compared with the past three or four years.

It is always dangerous to speculate exactly when a project will occur but I will comment on some of the other future projects around the State and the issues that may affect them. I will start first with the Kimberley. The Ord River expansion project is certainly one that is affected by native title issues; it is the most vexing issue on that project. However, we are painstakingly, inch by inch, getting there and there is still a long way to go. If that project moves into construction in 2001, it will represent about \$400m to \$500m worth of canal and land developments and of course all the on-farm development that will go with it plus associated roads, bridges, port upgrades and the like. Again, that will be an enormous economic boost for the Kimberley, as will the production that flows from it.

Also, there may be new investment in power generation capacity in the west Kimberley region. There have been reductions in employment in the iron ore industry in the Pilbara. Again, we must put that into perspective. In 1990, the iron ore industry in this State produced 100 million tonnes; in 1998 it produced 152 million tonnes; therefore, there has been a 50 per cent expansion in production. The State iron ore industry now accounts for 15 per cent of world production and has easily surpassed Brazil and is way out in front as the leading iron ore exporter group. It has dropped back by about 10 per cent this year but I do not think that drop-back in production will be long term. It will occur through this year and then I would expect iron ore sales to start to recover.

I do not think there is any doubt that over the period from now to perhaps around 2010 or so that iron ore production in the State will rise to around 200 million tonnes. That is the level at which it should probably plateau off. It should not be allowed to grow forever. All of the major iron ore projects have expansions. The Yandicoogina project of Hamersley Iron has just finished construction and is about to be formally opened. BHP has mining area C and some other deposits. I am optimistic about Robe River and the West Angelas project which looks like going ahead with its own dedicated rail system. That will represent about \$1b and will be an enormous boost to the Pilbara region. I do not wish to raise false hopes but I think that project is looking promising. The crunch time for the decision on that is approaching.

As for iron ore processing, we should not lose sight of the fact that BHP's project is now coming into the commissioning stage and it will come into production. There is no doubt that it is coming into production in a difficult market. In the order of \$A100 has come off the product price. There is also no doubt that the share of world steel production that requires direct reduced iron-grade feedstock continues to rise; indeed, it is almost rising more quickly during a recessed market as some of the non-electric arc furnace plants close down. That plant will be there. It might take a few years but I suspect that in about five years the people who made the decision in BHP to build that plant will look like heroes. It will prove to be a great decision by BHP. Those people will suffer for a while and there will be a few years of really tough marketing, but by about 2003 or 2004 they will be heroes. I do not want to put pressure on BHP but I would not be at all surprised to see an electric arc furnace steelworks put on the back of that DRI plant.

Mr Riebeling: Are you getting negative feedback with the problems that plant had relative to other projects in the Pilbara?

Mr BARNETT: Its cost blowout has been a problem. Some would say that the plant is over-designed or over-engineered. There may be some validity in that. I do not think that a similar plant would cost as much again. Despite that, I think it will prove to be a good investment. It does give BHP iron ore of various grades and qualities, DRI and steel from its other operations and, I hope, steel from the Pilbara.

As for the other DRI plants that were mentioned by both members opposite, I believe that by 2005 one other DRI-cum-steel plant will be operating in this State. I will not go beyond that. Whether it is a Pilbara one or one in the mid-west, I do not know, but I think one other will be up, and it is a reasonable objective. Certainly the Government is striving to achieve one other major iron ore processing steel plant.

As for the offshore liquefied natural gas business, that is a huge game in town. There is absolutely no doubt that prior to the Asian economic problems, because of some of the disagreements between the various players in the two joint ventures, we lost a market in Korea. It was not attributable to government, the Commonwealth or the State but it was attributable to the two consortia. I am somewhat annoyed about that and the industry is somewhat annoyed at me because I am annoyed. However, I think that is the reality. I will not argue for an element of socialism from this side of the House, but one of the characteristics of other LNG projects is that they involve, almost without exception, a 50 per cent government interest. Therefore, there is a slightly different approach to some of the decision making that takes place. It is not always honourable but it is there. We pride ourselves on having an industry that is private enterprise but the private enterprise players need to get their act together. They did not have it together before the Asian economic problems and they still do not have it together now, and I feel that is unreasonable.

Mr Riebeling: Are there hints that they may get it together?

Mr BARNETT: I think there is an attempt to get it together but a whole lot of policy issues come out of that. I hope that we do not have a situation of Australian projects falling over each other in the market place. We lost an opportunity. We should have had a project under construction.

I will stop shortly because we want to finish this debate but I feel there will be a strong market. There is certainly a lot of competition with LNG, but the Australian LNG from the North West Shelf project is seen as the best performer internationally in every regard. We do not have the political instability or a lot of the risks that are attached to some of the other nations.

I will move a small amendment to the motion. The purpose of the amendment is to change the emphasis. The Opposition in its motion is calling on the Government to do things. The Government has started to do things, and so the thrust of the amendment is to support the Government in what it is doing. I accept there is bipartisan support.

Amendment to Motion

Mr BARNETT: I move -

To delete all words after "Parliament" in line 2 of the motion, with a view to inserting the following words -

supports the Government in making urgent representations to the Commonwealth Government to give a clear and early indication that the suggestion, in the Ralph report on taxation reform, to dispense with such concessions be strongly rejected.

MR BLOFFWITCH (Geraldton) [6.55 pm]: I second the amendment. I am horrified at the thought of the depreciation allowances being taken away from business. They are probably one of the greatest incentives for small businesses to buy equipment and invest in future plant. I remember when fuel tanks had 100 per cent depreciation in the first year. More fuel tanks went in the ground that year than any other year. That was when people paid parity prices. The world was scared that it would run out of oil. It turned out to be totally wrong. That is the sort of effect that a depreciation can have. The same applies in the hotel industry to freezers and the plant and equipment that hoteliers buy. To say that a 6 per cent trade-off in income tax would in any way compensate us in the small business world for the depreciation, which for me adds up to about \$60 000 or \$70 000 a year with my capital equipment, is an absolute joke. I certainly support the amendment.

MR GRILL (Eyre) [6.56 pm]: The Opposition feels that the amendment is not necessary and certainly not essential. However, in the sense that we started out in an endeavour to have a bipartisan approach, we are prepared to accept and support the general objective.

MR MASTERS (Vasse) [6.57 pm]: I support the amendment to the motion. My background in the mineral sands industry included a time in the 1980s when the Bob Hawke-Paul Keating Government brought in accelerated depreciation for new projects that were costing more than \$50m. I commended that Government for that action. The result today is that Westralian Sands Ltd is now the world's leading producer of synthetic rutile, using a process that was developed and put into production in Western Australia.

Because time is short, the message I really want to state is that in the mining industry as a whole, eventually Western Australia's mineral deposits and energy resources will run out. That may be in 10 or 100 years from now. If we encourage technological advancement by way of downstream processing, when the mines and mineral deposits run out we will have the technology to process other countries' raw materials thereby getting away from the "Quarry-Australia" mentality which I fear has been controlling the resources sector of this country, certainly in the 1950s and 1960s and to a lesser extent in recent years. Accelerated depreciation is an absolutely critical incentive when one looks at the very long-term future of the Australian resources industry.

Amendment put and passed.

Motion, as amended, put and passed.

ADJOURNMENT OF THE HOUSE

MR BARNETT (Cottesloe - Leader of the House) [6.59 pm] - I move -

That the House do now adjourn.

In moving this motion I just remind members that we are sitting at 9.00 am tomorrow for grievances.

Question put and passed.

House adjourned at 7.00 pm

QUESTIONS ON NOTICE

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

AUSTRALIA NEW ZEALAND FOOD STANDARDS COUNCIL, CONSULTATION

1931. Dr CONSTABLE to the Minister for Health:

What liaison and consultation has occurred and is being undertaken by the Australia New Zealand Food Standards Council (ANZFS) with relevant international authorities and research institutions such as -

- (a) the World Health Organisation; and
- (b) Rowett Research Institute (Aberdeen, Scotland)?

Mr DAY replied:

- (a) I am advised that the World Health Organisation has not undertaken any recent specific work on the safety of foods produced using biotechnology.
- (b) The studies from the Rowett Research Institute have not been published. The Australia New Zealand Food Authority takes into consideration all information in the public domain when assessing the safety of foods and developing standards for foods.

POWER OUTAGES

1951. Mr THOMAS to the Minister for Energy:

- (1) How many power outages have been experienced in the following suburbs during the six months from July to December 1998 -
 - (a) Greenmount;
 - (b) Darlington;
 - (c) Glen Forrest;
 - (d) Hovea;
 - (e) Parkerville;
 - (f) Mundaring;
 - (g) Stoneville;
 - (h) Mount Helena;
 - (i) Chidlow;
 - (j) Sawyers Valley; and
 - (k) Gidgegannup?
- (2) How does the number of power outages compare with other suburbs in the Perth metropolitan area?
- (3) Does the Minister consider the rate of outages in these suburbs to be satisfactory?

Mr BARNETT replied:

- (1) This data is not easily or readily obtainable due to the manner in which Western Power records fault data. Faults are recorded against high voltage feeder lines which supply electricity to these areas and to individual customer's residences. Each feeder line may pass through several suburbs and every suburb may also have several feeder lines passing through it making it difficult to quantify faults within each suburb.
- (2) Comparisons between individual suburbs cannot be made due to the manner in which fault data is recorded as explained in the answer to question one.
- (3) No. I am advised that Western Power is concerned with the number of faults being experienced in the Hills areas and is currently implementing a number of initiatives to address the reliability of the electricity supply in these areas. These include the development of the 1999/2000-maintenance plan, which will give priority to the high voltage feeder lines that service the Hills areas. A new program has also been developed which will result in approximately \$2 million being spent on vegetation management in the Hills areas. This is designed to bring under control and then to maintain vegetation away from overhead powerlines. One contract has been let with work having commenced in the affected areas. A further two contracts are in the process of being let with the final contract now under development. Trees are one of the major causes of faults in the Hills areas and this program

will assist in reducing faults caused by trees. In addition, fault limiting protective devices are being installed which will reduce outages to localised areas thereby reducing the number of customers affected during fault situations.

GOVERNMENT CONTRACTS

2061. Mr BROWN to the Minister for Planning; Employment and Training; Heritage:

- (1) How many contracts (other than employment contracts and contracts for less than \$50,000) did each department under the Minister's control enter into in the months of -
 - (a) November 1998; and
 - (b) December 1998?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract is been awarded to?
- (4) What is the nature of the work or services required by the contract?
- (5) What is the completion date of the contract requirements?
- (6) Was each contract awarded to the lowest tender?
- (7) If not, why not?

Mr KIERATH replied:

I am not prepared to devote the considerable resources which would be required to provide the information sought. However, if the member has a specific question I will endeavour to provide the information.

GOVERNMENT CONTRACTS

2072. Mr BROWN to the Minister representing the Minister for the Arts:

- (1) How many contracts (other than employment contracts and contracts for less than \$50,000) did each department under the Minister's control enter into in the months of -
 - (a) November 1998; and
 - (b) December 1998?
- (2) What was the amount of each contract?
- (3) What is the name of each person/entity with whom the contract is been awarded to?
- (4) What is the nature of the work or services required by the contract?
- (5) What is the completion date of the contract requirements?
- (6) Was each contract awarded to the lowest tender?
- (7) If not, why not?

Mrs EDWARDES replied:

The Minister for the Arts has provided the following response:

- (1) The Ministry for Culture & the Arts did not enter into any contracts (other than employment contracts for less than \$50,000) for the months of November and December 1998.
- (2)-(7) Not applicable.

CUMMING, DAVID AND JANEANNE

2082. Dr EDWARDS to the Minister for Planning:

- (1) When will the Minister answer correspondence from David and Janeanne Cumming dated 28 June 1997?
- (2) What action has been taken as a result of this correspondence?

Mr KIERATH replied:

(1)-(2) I have already done so, and herewith table a copy of my response. [See paper No 793.]

CAMPING ON CROWN LAND

2131. Mr BROWN to the Minister for Lands:

- (1) Will the Minister/Department of Land Administration give individuals the right to camp on Crown Land if they apply in the appropriate way?
- (2) If not, why not?
- (3) Does the Minister/Department of Land Administration have a policy of not giving anyone approval to camp on Crown Land?
- (4) Has the Minister/Department of Land Administration given tour operators the right to camp on Crown Land?
- (5) If so, where?
- (6) If not, why not?
- (7) Will the Minister explain what is the difference between approval being given to tour operators and individuals to camp on Crown Land?

Mr SHAVE replied:

- (1) No. The Department of Land Administration (DOLA) advises that current policy is that approval is not given when such an approval is sought.
- (2) DOLA is not resourced to manage camping on Crown land, and the Department's experience over the years is that unmanaged camping creates problems.
- (3) Yes. For reasons outlined in the answer to Question 2, DOLA requires all parties to camp in designated, managed camping grounds. Section 267 of the Land Administration Act 1997 makes it an offence to reside on Crown land.
- (4) No. In certain circumstances, when DOLA becomes aware of an illegal occupation, there may be negotiation about a reasonable date for removal of any infrastructure which may be on the site. However, this is not an approval to camp on Crown land.
- (5) Not applicable.
- (6) Refer (2).
- (7) See (3) and (4).

BUILDING INDUSTRY, TRAINING LEVY

2159. Mr KOBELKE to the Minister for Employment and Training:

- (1) Does the Minister support a statutory levy on the Building and Construction Industry for the purpose of funding training for this industry?
- (2) If not, why not?

Mr KIERATH replied:

- (1)-(2) The Australian Training Guarantee Act which preceded the State Building and Construction Industry Training Fund and Levy Collection Act 1990 is no longer operative and only two other States have similar legislation. Following the Statutory Review of the BCITF Act, the Government considered the options in the Review Report of repealing the Act or amending the legislation. Subsequently the Building and Construction Industry Training Fund and Levy Collection Amendment Act was passed to rectify deficiencies identified in the Review. The Government still has reservations about the impact of the training levy on consumers.

APPRENTICESHIPS AND TRAINEESHIPS

2171. Mr KOBELKE to the Minister for Employment and Training:

- (1) In the 1998 calendar year how many people -

- (a) entered into an apprenticeship;
- (b) entered into a traineeship;
- (c) completed an apprenticeship;
- (d) completed a traineeship;
- (e) had their apprenticeship cancelled; and
- (f) had their apprenticeship suspended?

(2) What are the answers to the above questions for each of the calendar years 1997, 1996, 1995, 1994 and 1993?

Mr KIERATH replied:

(1)-(2)

APPRENTICESHIP STATISTICS - YEARS 1995 - 1998

Year	Commencements	Cancellations	Suspensions	Completions
1993	4,553	1,133	228	3,406
1994	5,107	1,522	276	2,645
1995	4,473	1,419	383	2,315
1996	4,624	1,375	426	2,523
1997	4,472	1,205	628	2,818
1998	4,290	1,358	624	2,848

TRAINEESHIP STATISTICS - YEARS 1995 - 1998

Year	Commencements	Cancellations	Suspensions	Completions
1993	1,398	407	Not applicable	629
1994	1,369	420	Not applicable	893
1995	1,884	428	Not applicable	736
1996	3,728	687	Not applicable	786
1997	6,021	1,836	Not applicable	1,855
1998	7,234	2,985	Not applicable	2,448

BUILDING AND CONSTRUCTION INDUSTRY TRAINING BOARD, MEMBERSHIP

2172. Mr KOBELKE to the Minister for Employment and Training:

- (1) Who are the current members of the Building and Construction Industry Training Board?
- (2) What was the appointment date for each of these members?
- (3) As of what date will the current appointment of each of these members expire?

Mr KIERATH replied:

- (1) Current Membership
 Ms Marli Wallace
 Mr Kim Young
 Mr Colin Saunders
 Mr Michael Sabatino
 Mr Bernie Ryan
 Mr Barry O'Brien
 Mr Harvey McLeod
 Mr John Dastlik
 Mr David Oliver
- (2) The date of appointment for each member was 16 January 1998.
- (3) The term of appointment for each member expired on 31 December 1998. However the BCITF Act makes provision that a member shall continue in office until the member's successor comes into office, notwithstanding that the term for which the member was appointed has expired. Exceptions are where a member resigns or is removed from office.

STATE TRAINING BOARD, MEMBERSHIP

2174. Mr KOBELKE to the Minister for Employment and Training:

- (1) Who are the current members of the State Training Board?
- (2) For each of these members, what was the date on which they were appointed?
- (3) On what date will the membership of current board members expire?

Mr KIERATH replied:

(1) Current Membership	(2) Appointment Date	(3) Expiry Date
Mr Harry Sorensen	11 November 1996	31 December 1999
Ms Diana Forsyth	11 November 1996	31 December 1999
Mr Michael Kidd	22 December 1997	31 December 1999
Dr Brian Hewitt	21 December 1998	31 December 2000
Ms Jenni Ballantyne	21 December 1998	31 December 2000
Ms Mareena Purslowe	21 December 1998	31 December 2000
Mr Tony Dunn	21 December 1998	31 December 2000

GOVERNMENT DEPARTMENTS AND AGENCIES, ANNUAL REPORTS

2302. Mr RIEBELING to the Minister for Health:

- (1) Is the Minister aware that the public agencies under his responsibility must include in their Annual Reports a statement detailing expenditure incurred in relation to payment to advertising agencies, market research, polling, direct mail and media advertising under Section 175ZE of the Electoral Act 1907?
- (2) If yes, will the Minister explain why the statement on Section 175ZE of the Electoral Act 1907 in the Annual Report of the Metropolitan Health Service Board (1997-98) did not provide the detail required?
- (3) What steps is the Minister taking to ensure this requirement will be met in the next Annual Report?

Mr DAY replied:

- (1) Yes.
- (2) This was the first annual report of the Metropolitan Health Service Board and collating the information needed at the level of detail specified, from what was previously twelve separate entities, proved difficult.
- (3) The Metropolitan Health Service Board has established an Annual Report Working Party to progress preparation of the 1998/99 report and the detail required under Section 175ZE of the Electoral Act will be reported, including comparative amounts for the previous years.

WASTE DUMP, PILBARA

2310. Mr GRAHAM to the Minister for Resources Development:

- (1) Does the Government have any plans to allow the establishment of a waste dump of any kind in the Pilbara Region of the State?
- (2) If the answer to (1) is no, what is the purpose of the Rippon Hills Road?
- (3) If the answer to (1) is yes -
 - (a) where will such a dump be located;
 - (b) who will operate such a dump; and
 - (c) what materials will be disposed of in such a dump?

Mr BARNETT replied:

- (1) No.
- (2) To service remote mining, aboriginal and pastoral needs.
- (3) Not applicable.

LAND, MT CLAREMONT

2335. Dr EDWARDS to the Minister for Lands:

- (1) On what dates has the Government taken legal advice on the removal of the trust declared by the City of Perth in December 1961 concerning land in Mt Claremont?
- (2) Who provided the advice on each occasion?
- (3) Has the advice changed during this time?
- (4) If so, when?

Mr SHAVE replied:

- (1) DOLA advises it received legal advice on the removal of the trust on 6 August 1997 and 11 March 1998.
- (2) Advice was provided by an internal Legal Officer and the Crown Solicitor's Office.
- (3) No.
- (4) Not applicable.

QUESTIONS WITHOUT NOTICE

GOLD ROYALTY

628. Dr GALLOP to the Premier:

Given the continuing fall in the price of gold and the devastating effect this is having on investment and employment, will the Government consider suspending its recently introduced gold royalty?

Mr COURT replied:

If the Leader of the Opposition understood the details of how that gold royalty is being implemented, he would know that we have deliberately phased in the implementation of that gold royalty and have said that the second phase will not come in if the price of gold is below \$A450. We have excluded the small producers, and we have deliberately put in place a cut-off mechanism whereby if the price of gold is below that figure, the royalty will not cut in. I cannot think of anything fairer than that.

Many comments have been made about the cut backs that are occurring in exploration, some of which are to do with low commodity prices and some of which are to do with the difficulty of getting access to land. I believe that any large company that is making a large cut back in its exploration activity is taking a very short-sighted approach. It makes sense for companies to have consistency in their exploration budgets, through the ups and downs of a minerals cycle. The fact of the matter is that the smaller companies - the junior explorers - are experiencing difficulty in raising funds for exploration in Australia. That concerns me, because they are raising funds for exploration in other countries. The Opposition cannot go running around saying that there are problems in the minerals sector and with exploration, etc, when it has steadfastly refused at every turn to try to get some workability into the native title legislation so that people can have reasonable access to land for exploration and mining activities. I hope that the Opposition will see reason so that we can get on with lifting the level of exploration activity in this State.

JOB LOSSES, REGIONAL COMMUNITIES

629. Dr GALLOP to the Premier:

I ask a supplementary question. Will the Premier reconsider his insensitive rejection yesterday of our call for urgent government action to assist regional communities devastated by job losses?

Mr COURT replied:

I made it clear yesterday that we have seen the development of a number of new major mining ventures in the goldfields region. Huge investment has taken place, particularly in a new generation of nickel projects in that area, where literally billions of dollars has been spent -

Dr Gallop: Start talking about people. You have lost sight of people. You do not know what they are!

Mr COURT: I am talking about people.

Several members interjected.

The SPEAKER: Order! We are waiting until we can get people to stop interjecting like that.

Mr COURT: The Leader of the Opposition wants to talk about people. When billions of dollars is invested in new mining ventures, a lot of people are employed. With regard to the question yesterday about what is being done to assist, we have fortunately had that investment, because of the good policies of the coalition that have encouraged that investment, with things like the deregulation of the energy markets, which has put competitively-priced gas right through the heart of that goldfields region. A number of mines would be closed today, because of low commodity prices, were it not for the competitive advantage that they have had due to the lower gas prices. We have had the policies which have delivered the investment and the jobs, and all I can say on this special day today is that good policies from the Labor Party are as rare as a four-leaf clover.

YOUTH SUICIDE PREVENTION PROGRAMS

630. Mr BLOFFWITCH to the Minister for Youth:

I noticed in *The West Australian* of Saturday, 13 March, an advertisement calling for tenders to provide consultancy services for the development, delivery and evaluation of community and peer support programs in Broome-Derby and Kalgoorlie-Boulder to promote life enhancing skills and prevent self harm in young people. In light of the Opposition's raising this issue, which is of great concern to all the community, can the minister advise the House what youth suicide prevention programs the minister is involved in coordinating?

Mr BOARD replied:

I thank the member for Geraldton for raising this question today. Suicide in our community is probably the most sensitive and difficult issue that our community needs to face, and when it affects young people throughout the State, it leaves us all bewildered. The Opposition raised this issue yesterday, quite properly, because some youth suicides have occurred in remote areas, particularly of Aboriginal young people in the Derby region, and I recently met with the shire president in Derby with regard to that issue.

A whole-of-government response is being taken to this problem, particularly through the Ministers for Health, Aboriginal Affairs, Family and Children's Services and Education. The Office of Youth Affairs has taken a coordinating role with regard to this area, and that is right and proper, because the Office of Youth Affairs was set up to coordinate activities across government agencies for young people. This issue is being raised by young people around the State. Recently, the Office of Youth Affairs put \$250 000 into five peer support community programs: Three in the metropolitan region; and two in the country region - one for the Kalgoorlie-Boulder region, and one for the Kimberley region.

Ms Anwyl: Have the tenders been awarded?

Mr BOARD: No. They will be advertised in the next couple of weeks. The metropolitan tenders have been advertised. The Youth Charities Trust successfully tendered to run the program in the Midland-Armadale region, the Rockingham-Kwinana region and the Wanneroo-Ocean Reef-Sorrento-Carine-Warwick region. In addition, I have approved the introduction of three youth development officers - one in the Kalgoorlie-Boulder region, one in the south west, and one in the Kimberley region - to help coordinate activities on the ground. While the Office of Youth Affairs is taking an immediate and important response, all government agencies are playing a role, and we need to coordinate that role to ensure that we get maximum involvement from the community and can deal effectively with this sensitive and difficult issue. Through the youth grants program, a great many additional resources have been provided to community groups and other programs which applied for grants to enable communities to play a role in this area. It is recognised that it is a whole-of-government responsibility and one in which the community will be involved. I hope members opposite recognise that the Government is making an important and adequate response to this matter and if they feel it can take part in other additional activities, I would like to hear from them.

MINERAL INDUSTRY, FUTURE INVESTMENT

631. Dr GALLOP to the Minister for Resources Development:

I refer to the comments by the Minister for Resources Development reported in *The West Australian* today that the minerals industry faced a tough start to 1999 but would pick up later this year, and ask -

- (1) On what basis does the minister make that prediction?
- (2) What is his prognosis for future minerals exploration?
- (3) Does he agree with the Minister for Mines that Western Australia remains one of the world's paramount places for mining investment and exploration, even in the midst of global economic unrest?

Mr BARNETT replied:

(1)-(3) It bemuses me that as soon as there is a shift in commodity markets, people are quick to imply criticism of the resources industry. It does not take long.

Dr Gallop: Who is criticising?

Mr BARNETT: By implication the Leader of the Opposition is criticising, because I can imagine what the next question will be.

Ms MacTiernan: Tell us how good it is.

Mr BARNETT: I am about to do that. In the early 1990s the resources industry in this State was producing about \$12b a year and it is now a \$20b industry. Its investment in the early 1990s was about \$2b and last year it was more than \$5b. There have been some good years with extraordinary growth. We are experiencing some delayed impact of the Asian economic crisis with soft commodity prices, and at the same time stock levels internationally are low. There are already some tentative signs - I do not want to put too much on them - of a strengthening of commodity prices, to some extent in oil and nickel, but it is patchy and early. There is no doubt that the Asian economic crisis went through the bottom some time last year. Western Australia always feels the effect later. As this year unfolds, progressively, people will see a strengthening of commodity prices, and I suspect - the Opposition will hate this - some renewed confidence will appear and decisions will be made. It is a flat spot but there are a number of very significant projects.

One of the problems in this State throughout the decades - I have been guilty of it - is that people focus on the new projects. People lose sight of the fact that Western Australia has a diversified resources industry which moved in the 1990s into value adding, and there are 300 commercial mining and oil operations in this State today. Of those, 99 per cent are operating well and a small number are in trouble, but this is the strength of WA's economy. The temptation and the weakness, at which the Labor Party excels, is that every time there is a commodity downturn, members opposite go into their diversify-the-economy speech. It fails every time. WA needs to build on its economic strength, which is the mining and petroleum sector, add strength to it, build a supply and resource industry, and add value to that industry. This economy will then continue to be extraordinarily strong. Members opposite should not throw in the white towel, as they did in the 1980s.

MINING INDUSTRY, TUTORIAL FOR PREMIER

632. Dr GALLOP to the Minister for Resources Development:

I ask a supplementary question. Will the minister provide a tutorial for the Premier on this subject, given the negative comments he has been making about the future of the resources industry?

NATIVE FORESTS, EVIDENCE OF PLANT AND ANIMAL EXTINCTION

633. Mr OSBORNE to the Minister for the Environment:

- (1) Given that Western Australia's native forests have been logged for more than 150 years and are subject to regular prescribed burning, is there any evidence that any forest dwelling plant or animal species is extinct?
- (2) In addition, what is the evidence that the Boranup forest, which is now part of the Leeuwin-Naturaliste National Park, originated from clear-felling?

Mrs EDWARDES replied:

Those two questions give an outline and are an example of the misinformation -

Dr Gallop: The minister gave a disgraceful performance at the front of Parliament today. She did not tell those people what their future is.

Mr Barnett: I bet you did.

Dr Gallop: At least we told the truth.

Mrs EDWARDES: As a result of the Regional Forest Agreement, the Government will provide a balance between conservation outcomes and protection of jobs for the workers and the towns. The Labor Party turned its back on nearly 3 000 workers and between 6 000 and 7 000 people in the towns.

Several members interjected.

The SPEAKER: Order! I have continued to allow a lot of discretion with regard to interjections, particularly from the person who asked the question. The member for Armadale has not asked a question yet, but she has interjected a lot.

Mrs Roberts: That will change.

The SPEAKER: It depends on whether the member gets the nod and that may depend on the interjections she makes!

Mrs EDWARDES: No forest dwelling species are extinct as a consequence of logging or prescribed burning. I will table a scientific paper by Armstrong and Abbott, which clearly documents the extinction of 26 species in the Swan coastal plain, and 43 species in the wheatbelt, but records that the only species that has become extinct within the forested area of the south west is Leeuwin's Rail, a swamp-dwelling bird, which is also extinct outside the state forest. It occurred only in wetlands, which are not subject to logging, and extinction occurred before prescribed burning was introduced.

I will table a further three documents which provide important evidence on the nature of the logging that took place in Boranup. Boranup forest was part of the area leased to Maurice Coleman Davies in 1882. I will outline some comments by J. Ednie-Brown, Conservator of Forests, which refer to an area having been denuded or cleared of its original mature crop. A working plan for the Boranup state forest, which was prepared in 1976, refers to the clear-felling of any trees which were utilisable at the time. In 1987, a survey was conducted of the silvicultural status of karri in Boranup block, which was then still part of state forest 45. It referred to the vast bulk of the forest showing even-aged composition and size classes that could only result from the original clear-felling. This is an example of the misinformation invading this whole debate that has been presented as fact during the current debate -

Dr Gallop: You did not tell those people anything. Zero.

Mrs EDWARDES: The Leader of the Opposition turned his back on 3 000 people. If logging in old-growth forest is stopped, the Labor Party will have turned its back on 3 000 people.

[See papers Nos 795-798.]

FINANCE BROKERS SUPERVISORY BOARD, INDEPENDENT REVIEW

634. Ms MacTIERNAN to the Minister for Fair Trading:

I refer to the minister's claim yesterday that there was insufficient evidence to determine a prima facie case against Blackburne and Dixon with respect to a pooled mortgage investment scheme in Parmelia, and ask -

- (1) Is the minister aware that the complainants' solicitors have written to the Finance Brokers Supervisory Board pointing out numerous breaches of the Finance Brokers Control Act and code of conduct that have occurred in respect of this investment scheme?
- (2) Does the minister accept that these complaints against Blackburne and Dixon are extremely serious and that investor losses in this scheme alone exceed \$300 000?
- (3) Will the minister now commission an independent review of the board's inadequate investigation of this matter?

Mr SHAVE replied:

I thank the member for some notice of this question.

- (1) I am advised of a letter dated 25 February 1999 from a solicitor. That letter contained a number of allegations and sought direction from the Finance Brokers Supervisory Board on how and when inquiries are made, including a direction on whether the entire matter should be referred by the board to the police.

At the request of the solicitor, the matter was placed before the Finance Brokers Supervisory Board. At the board's meeting on 10 March 1999, it was determined that the solicitor has two options on how the matter proceeds. One option is for the matter to be referred to the board's inspector for investigation; the second option is for the solicitor or his client to make application to the board personally under section 82 of the Finance Brokers Control Act.

In addition, the board advised the solicitor that either he or his client can refer the matter immediately to the police if they believe there are reasons to do so. A letter has today been sent to the solicitor informing him of these options and seeking direction from the solicitor. The ministry has advised that it would be an inappropriate course of action for the board to refer a matter to the police without first conducting an inquiry to establish the reasons.

- (2) Any complaint, if proven, is a serious matter.
- (3) I do not believe there is sufficient reason to commission an independent review.

STATE FINANCES, SUBSIDIES FROM WESTERN AUSTRALIA

635. Mr BARRON-SULLIVAN to the Premier:

Will the Premier elaborate on the fact that the annual subsidy paid by Western Australia to the other States and Territories has grown from \$1.9b in 1995-96 to \$2.5b in 1996-97?

Mr COURT replied:

I thank the member for some notice of this question. I will table a graph for the information of members which shows a trend that is occurring.

[See paper No 799.]

Mr COURT: The latest figures are for 1995-96 to 1996-97. The flow of moneys from Western Australia to Canberra has increased quite dramatically, but the benefits are not flowing back to the State. I will explain briefly the methodology that determines that flow of money. The Treasury analysis compares the revenues the Commonwealth derives from each State, including income tax, company tax, sales tax, excise and petroleum royalties with all expenditures the Commonwealth makes on each State including grants to the State and local governments, pensions, Medicare benefits, unemployment benefits and the salaries of commonwealth employees. The analysis is a true measure of what is earned in the State, goes across to Canberra and then comes back.

The subsidy that Western Australia is providing to Canberra is growing. When one considers that New South Wales contributes \$1.3b and Western Australia \$2.5b, one can see that the success of the resources and export industries in WA is generating huge wealth for this nation, not just for Canberra. In that way Western Australia provides major subsidies to States like South Australia, Tasmania and the like. The most significant reason for the growth in this subsidy is the very high company tax revenues that come from this State. Most of that comes through successes in the resources sector, through fuel excise collections and relatively low personal benefit payments received by Western Australians. Those include pensions, unemployment benefits - we have had relatively low unemployment - and Medicare benefits. It is fascinating to see the tremendous strength of the Western Australian economy and how that is misunderstood by many of our decision makers in Melbourne, Sydney and Canberra. If this trend continues, there will be a growing number of disgruntled people, including me.

Mr Kobelke: Are you commenting on whether the centralisation of taxation is good or bad?

Mr COURT: It is good that the Western Australian economy has been performing strongly. However, I do not like the way the cake is distributed by the Commonwealth Grants Commission. It does not properly take into account a lot of the pressures on the State Government to provide services and infrastructure. I will make this point clear to the Prime Minister at the Premiers Conference in three weeks' time. The Prime Minister must consider the significance of the Western Australian economy to the national economy. When Western Australia asks for support in a number of areas, it must be remembered that although it might not have the voting numbers, it has the economic performance.

I urge members opposite to consider the trend that is occurring. All Western Australians should be proud that we are making a contribution to the nation, and it adds to the argument for why we should get a better deal.

COMMERCIAL TENANCY (RETAIL SHOPS) AGREEMENTS AMENDMENT BILL

636. Mr BROWN to the Minister for Fair Trading:

The Commercial Tenancy (Retail Shops) Agreements Amendment Bill 1997 was passed by the Parliament last year. That Bill prohibits ratchet clauses being included in leases signed after the implementation of the Bill.

- (1) Can the minister confirm that leases signed before the implementation of the amendment Bill may contain ratchet clauses?
- (2) Is the minister aware that a number of small business retailers are being pressured to sign leases before the new Bill is implemented and before ratchet clauses are outlawed?
- (3) Apart from the provisions relating to the financial year, will the Government implement other provisions of the Bill without delay in order to protect the interests of small business retailers who are being pressured to sign such leases; and if not, why not?

Mr SHAVE replied:

- (1) The Government made it clear during debate on the Bill that agreements signed prior to the legislation would include ratchet clauses. At that time the Government made it clear that it would not make the legislation retrospective, so I can confirm the member's comments.
- (2) To the best of my knowledge I have not received any letters from any small business proprietors complaining about that.

Mr Riebeling: Have you opened your mail this week?

Mr SHAVE: Yes.

Ms MacTiernan: Do you talk to your department?

Mr SHAVE: Yes, I do.

Ms MacTiernan: Your officers have not told you anything about this?

Mr SHAVE: The department has not raised that issue.

Ms MacTiernan: The minister has his finger on the pulse yet again.

Mr SHAVE: The member for Armadale asked me a question and I am answering her.

The SPEAKER: Order! Perhaps the minister could answer the question asked by member for Bassendean.

Mr SHAVE: Yes.

- (3) It was always the Government's intention that the legislation would apply from the date of the proclamation of the Act. In fairness to the member for Bassendean, if he has a proposition to put to me, I will look at it.

NATIVE FOREST TIMBER YIELD, REDUCTION CALLS

637. Mr MASTERS to the Minister for Local Government:

I refer to the fact that the anti-logging environmental movement is proposing major reductions in timber yield from our native forests which would result in major job losses in many south west communities. Have any local government authorities in the south west expressed their concern to the minister about the economic consequences of this unjustified and unnecessary locking up of our forests?

Mr OMODEI replied:

At the forest rally today outside Parliament House I saw the worst example of political opportunism that I have seen in 10 years as a member of Parliament. We saw a Rhodes scholar, the member for Victoria Park, trying to target a new block of voters in Western Australia to the exclusion of those good working men and women who have voted for the Labor Party for umpteen decades. My claim can be borne out if the Leader of the Opposition would talk to the leaders of the Australian Workers Union and the Construction, Forestry, Mining and Energy Union, who were at the rally today.

Dr Gallop: I talk to them all the time.

Mr OMODEI: The Leader of the Opposition should talk to them again, because his days are numbered. The rally today was a response to last week's rally at which conservationists and people from all walks of life rallied at Parliament House. Today we saw another group of people from all walks of life - people who are involved with or directly employed in the timber industry, forestry workers employed by the Department of Conservation and Land Management and small mills, small businessmen, and mums and dads from across Western Australia, not just Perth. They were here in greater numbers than the people at last week's rally. They travelled from places like Northcliffe, Walpole, Nannup and the far-flung corners of Western Australia. The message was very clear.

Mr Ripper: Were there any local government representatives?

Mr OMODEI: There were many concerned local government representatives. I remind the Leader of the Opposition how his memory fades. In 1987 the Labor Government introduced the forest management plan and the timber strategy, which created a sustainable timber industry in this State. The Liberal Party and the National Party supported that initiative. How things change! We now have a political leader who could have stood on the steps of Parliament House today and said that he supported the RFA process, but he chose not to do so for political reasons.

Dr Gallop: That would not be the truth. We have criticised it in this Parliament.

Mr OMODEI: The leader is pitching for the green vote. Under Minister Hodge we had a 680 000 cubic metre jarrah forest cut. Under the ex-Minister for Health - the member for Fremantle - we had a 550 000 cubic metre cut. Now they want to stop logging for political reasons. The leader should have a good look at himself in the mirror. The current cut in the jarrah forest - the main timber in contention - is down to 340 000 cubic metres. Under the RFA and the new management plan that will come into effect in 2003, it will be even less.

In response to the question, the local government authorities in my electorate are very concerned about the impact of the RFA and the politicisation of this debate. We need some commonsense and rational thought and a sustainable timber industry, and members opposite should think about that.

The SPEAKER: I am glad the Minister for Local Government eventually got to the local government issue.

HIP OR KNEE REPLACEMENT SURGERY

638. Mr McGINTY to the Premier:

- (1) Does the Premier stand by his much-vaunted promise of last August that every person waiting for hip or knee replacement surgery would be treated within 12 months?
- (2) Assuming that he will not admit that this is already a broken promise, why has Mr John Peberdy, who has already been waiting 18 months for hip replacement surgery, been told that the waiting time for his orthopaedic surgery is three years and that he will not have his operation before August this year?
- (3) Will the Premier reassure the general public that he has a strategy in place that will spend the money allocated to reduce waiting lists and give people like Mr Peberdy the operation that he was promised?

Mr COURT replied:

- (1) This question would be more appropriately asked of the Health minister. This Government made a commitment that it would allocate the funds to reduce the waiting lists, and this year it has allocated \$35m specifically to address that issue.
- (2) We had some delays in orthopaedic surgery, and I was involved in meetings with the Minister for Health and the orthopaedic surgeons to resolve some of the outstanding issues.
- (3) I cannot provide information about a particular case. As the Minister for Health interjected, we have a central waiting list group. I suggest that if the member were to make the inquiry formally, he would receive a response.

SCHOOL VACATION SWIMMING CLASSES

639. Mr BAKER to the Minister for Education:

I refer to the Labor Party's ongoing campaign of misinformation and ill-informed criticism of the Ministry of Education's proposal to transfer the management of school vacation swimming classes to the Royal Lifesaving Society of Australia (WA Branch) Inc. Will the Minister confirm that -

- (1) the so-called "private contractor" is, in fact, a charitable and not-for-profit community organisation incorporated under the Associations Incorporation Act 1987, just like the Red Cross, Rotary and the Returned Servicemen's League; and
- (2) it is also a registered charity under the Charitable Collections Act 1946, just like Lifeline, the St John of God Hospital and the Salvation Army's Red Shield Appeal?

Mr BARNETT replied:

- (1)-(2) I thank the member for the question, and the detail he provided answers it. The Labor Party has been a constant critic of the management of Vacswim involving both the Education Department and the Royal Lifesaving Association. It again displays short-term shallow politics. That association is about 100 years old and, as members can glean from the question, is it registered as an association under the Associations Incorporation Act and as a charitable organisation. We are talking about a not-for-profit, charitable association with a mission to prevent loss of life and injury in the community with emphasis on aquatic environments. What is the Labor Party on about? This is a not-for-profit association registered as a charity that specialises in water safety and has done for 100 years. The program will remain the property of the Education Department; it is not being privatised, despite what members opposite say. We will see an expanding program. What does the Labor Party have against timber workers, saving lives and the Royal Lifesaving Association? Members opposite have lost the plot!

ACCOMMODATION FUNDING

640. Mr CARPENTER to the Minister for Disability Services:

I refer to the minister's answer and supplementary information provided in response to my question without notice last week about accommodation funding and ask -

- (1) Will the minister confirm that only eight of the 145 applicants were granted out-of-home accommodation support - in other words, got what they wanted?
- (2) If not, will the minister say how many people who applied for the out-of-home accommodation option were refused?
- (3) Will the minister confirm that his Government is not keeping up with the demand for accommodation support funding in the disabilities area?

- (4) Does the minister agree that there is a crisis in accommodation and support services for people with disabilities in Western Australia?

Mr OMODEI replied:

- (1)-(4) I provided the member with some supplementary information to the answer that I gave previously. The member still does not understand what accommodation support funding means: It means more than accommodation; it is a combination of services. As the member knows, because he has constituents who apply for this funding, an application is lodged for a set amount for accommodation. When the application goes before the Disability Services Commission, it is assessed, the applicant is interviewed, a case management study is undertaken and a support package is offered. In many cases, what is requested is not what is needed, and the member knows that. As I mentioned in my previous response, the package involves a combination of services and is tailored to individual needs. In certain circumstances there is maximum access to existing family support and respite, DSC funding and matching people to incomplete group options and new groupings. The member understands the situation with group homes and matching people to accommodation. Of course, home and community care packages and other programs are available.

Mr Carpenter interjected.

Mr OMODEI: I provided that support information. I am saying that not all of those people need a straight accommodation package; they might need a combination of services. I am prepared to arrange a briefing for the member so that he understands the situation.

If I wanted to, I could detail the Labor Government's performance. I could demonstrate to this Parliament what an abysmal effort it made for people with disabilities in this State. I will do that if the member wishes because I have the information at my fingertips. I will not take this lying down; it is a very serious issue. This Government has done more for people with disabilities in this State in the past five years than the Labor Party did in the decade it was in government.

Mr Carpenter: Have you had a briefing?

Mr OMODEI: If the member for Willagee wants a briefing, I can give him one.

Mr Carpenter: I have had a briefing, which is why I asked the question.

Mr OMODEI: I will tell members what we are doing. On 9 April I will be going to Canberra. There is a \$300m unmet demand for a range of services for people with disabilities. We signed a commonwealth-state disability agreement last year which made great strides forward. This State led all of the States. I have a telephone link-up with all of the ministers in all of the States so that we get our lines right when we talk to the Commonwealth Government. We have a strategy that did not even exist when the Labor Party was in government. We did not even have a Disability Services Commission, let alone a minister responsible for this area.

Mr Ripper: I was the first Minister for Disability Services in this State. What are you talking about?

Mr OMODEI: I repeat: We did not even have a minister.

Mr Ripper: We had a bureau of disability services.

Mr OMODEI: I will tell the member for Willagee if he wants to find out about our current business plan and where we are going with our second business plan. Last night I had discussions with Treasury officials about the second business plan. Members opposite should not tell me about what I must do about people with disabilities. We are doing the best we possibly can for them.

Dr Gallop: How is the Regional Forest Agreement going in the back rooms of the Liberal Party?

Mr Barnett: A damned sight better than the Labor Party, I suggest.

Mr OMODEI: We are talking about people with disabilities, which is an important issue.

The SPEAKER: Order! Perhaps the minister could wind up his answer.

Mr OMODEI: Nowadays the issue is about accommodation and support funding and that is what we are providing for people with disabilities in this State.
