

Legislative Council

Tuesday, the 2nd October, 1979

THE PRESIDENT (the Hon. Clive Griffiths): I took the Chair at 4.30 p.m., and read prayers.

THE LATE LORD LOUIS MOUNTBATTEN

Condolence: Acknowledgment

THE PRESIDENT (the Hon. Clive Griffiths): I have here a letter addressed to me from Vincent E. Hart, the Official Secretary to the Governor. It reads as follows—

As you are aware, the text of the resolution of the Legislative Council and the Legislative Assembly was passed to Her Majesty The Queen by His Excellency on 30th August 1979.

You will wish to know that His Excellency has now received the following reply from the Private Secretary to Her Majesty:

"Thank you for your letter of 30th August about Lord Mountbatten which I have laid before The Queen. I should be grateful if you would inform the President of the Legislative Council and the Speaker of the Legislative Assembly of Western Australia that their kind message of sympathy was much appreciated by The Queen. Lord Mountbatten was indeed a great man and his funeral in London yesterday was an historic occasion and a fitting tribute to one who had served the Commonwealth and indeed the whole free world so well."

BILLS (2): ASSENT

Message from the Governor received and read notifying assent to the following Bills—

1. Wildlife Conservation Act Amendment Bill.
2. Police Act Amendment Bill.

AUDITOR GENERAL'S REPORT

Tabling

THE PRESIDENT (the Hon. Clive Griffiths): I have received from the Auditor General a copy of his report for the year ended the 30th June, 1979. It will be laid on the Table of the House.

The report was tabled (see paper No. 339).

LEGISLATIVE REVIEW AND ADVISORY COMMITTEE

Report: Tabling

THE PRESIDENT (the Hon. Clive Griffiths): I have for tabling report No. 3 of 1979 of the Legislative Review and Advisory Committee on the amendments to the Education Act regulations.

The report was tabled (see paper No. 340).

QUESTIONS

Questions were taken at this stage.

EDUCATION ACT

Disallowance of Regulation: Motion

THE HON. R. HETHERINGTON (East Metropolitan) [4.52 p.m.]: I move—

That Regulation 134 relating to the conduct of teachers, made under the Education Act, 1928-1977, published in the *Government Gazette* on the 17th August, 1979, and laid on the Table of the House on Wednesday, the 22nd August, 1979, be and is hereby disallowed.

I am a little chary to move the disallowance of this regulation because I am never quite sure whether it still exists. The last time I moved that a regulation be disallowed the debate was adjourned and before I made my reply a new regulation had appeared before us. I had to withdraw my motion and apply my attention to the new regulation. That is what I am doing today.

The Hon. D. J. Wordsworth: You did not know that at the time?

The Hon. R. HETHERINGTON: I did not know this particular regulation was coming up.

The Hon. D. J. Wordsworth: The union had reached agreement long before it.

The Hon. R. HETHERINGTON: I am not particularly worried about that; I am now interested in the new regulation, because this is the one I am now trying to disallow.

As far as I have been able to find out, this regulation will be changed also; this is according to the answer I received to a question I asked in the House. I am not quite sure when, to what extent and what precisely is going to happen. I was not sure when I rose to speak whether or not the Minister might not be tabling today a new regulation, in which case I would have to go through the whole exercise again. But let us not worry about the past; let us consider this new regulation, which is better than the last one. I will

give the Government that much credit; there has been an improvement through continuing discussion with the Teachers' Union.

Once again I say how glad I am that the Minister is now beginning to talk to the Teachers' Union. When he does, regulations do improve. He does not talk long enough or often enough, because there is still room for further improvement. However, we do get a better regulation, because here in this new regulation, subregulation (2) reads—

(2) Where it appears to the Director-General that a teacher may be guilty of misconduct the Director-General shall cause an inquiry to be held by an officer holding or acting in a position that is not less than the position of Superintendent.

In the last regulation it was stated that the Director-General "may" have done this—so it is now mandatory and this is an improvement. Also, the new regulation has got rid of the very unsatisfactory words which were to be found in subregulation (1)(d) of the former regulation, which stated—

whether during his employment as a teacher or not, becomes involved in or advocates any conduct or practice which is contrary to accepted community standards of decency; .

Teachers, the union, various people interested in civil rights, and the Opposition strongly objected to this. I am not sure that what has been presented is any better, but I will come to that in a moment.

I shall make three criticisms of the regulation, a copy of which members have been given so they can follow my argument if they wish. My first objection is to regulation 134, subregulation (1)(c) which makes a person guilty of misconduct if that person is absent from school without leave. I have made inquiries and the union informs me that it has been assured verbally by the department that the way this will be administered will be that if a person is absent without leave without reasonable cause only, he will be disciplined. But this is not in the regulation. I think that teachers would feel much happier—certainly I would feel much happier—if this intention were clearly stated in the regulation. In other words, as the regulation stands now, even if a person were absent without leave with reasonable cause he would be guilty of misconduct. This is the kind of thing we do not need in our regulations.

The part of the regulation which really worries me is subregulation (1)(e). I shall not use my own words, but will do something not completely

characteristic; I shall read from a document tabled today by the President. It is a document from the Legislative Review and Advisory Committee. It is report No. 3 of 1979 which is a report on the amendments to the Education Act regulations. After stating that the regulation is clearly authorised by the terms of section 28 of the Act, the following can be found on page 2 of the report—

It does however raise two matters for comment.

First, notwithstanding that the form of regulation follows the form of the empowering provisions it cannot be regarded as entirely satisfactory. Having provided by subregulation (1) that a teacher who is guilty of misconduct is liable to be dismissed, the regulation goes on in subregulation (5) to make it clear that dismissal is only one of a number of possible penalties. Although it is a matter of drafting rather than a matter of substance, it would be preferable to omit the words "and is liable to be dismissed" at the end of subregulation (1).

This is the minor thing; the next is the important part—

Secondly, and cause for greater concern, regulation 134(1)(e) provides that a teacher who "engages in disgraceful or improper conduct, whether during or connected with his employment and functions as a teacher or not" is guilty of misconduct and is liable to the penalties provided for in the regulation.

The concept of "disgraceful or improper conduct" in a professional respect is well known and it is well accepted—see, for example, the *Dental Act*, 1939-1975 Section 23 ("infamous or disgraceful conduct in a professional respect"), the *Legal Practitioners Act*, 1893-1978 Section 25 ("illegal or unprofessional conduct"), the *Architects Act*, 1921-1978 Section 22A ("infamous or improper conduct in a professional respect"), and the *Medical Act*, (1894-1976 Section 13(1) ("infamous or improper conduct in a professional respect").

The emphasis in each of these cases is on the relationship between the conduct in question and the particular profession.

The "disgraceful or improper conduct" which is said to "amount to misconduct" under the Education Regulations should bear some relationship to the work of the person concerned as a teacher. It should, for example, indicate that he is not suitable to teach children or otherwise indicate that his

conduct requires him, as a teacher, to be disciplined. It may be said in answer that the regulations will be administered in this way but, having added the words "whether during or connected with his employment and functions as a teacher or not", the scope of the provision has been unnecessarily widened, conceding the desirability of extending the regulations to cover conduct outside the school premises. It is the view of the Committee that as presently drawn regulation 134(1)(e) "unduly trespasses on rights or liberties previously established by law or inherent in the traditional freedoms of Her Majesty's subjects in Western Australia".

The document is signed by G. A. Kennedy who, I gather, is an eminent legal practitioner; Sir Ross Hutchinson, whom we all know; and Professor G. S. Reid, who is the Deputy Vice Chancellor of the University of Western Australia.

I am glad that these honourable gentlemen have signed this report on the amendments to the Education Act regulations, because it saves me having to put in my own halting words the sentiments that have been expressed. I am told authoritatively by members of the Teachers' Union that they wanted this piece removed and it was not done. I suggest it would be a good idea if it were removed. It is repugnant and something we could well do without.

The third point I wish to make is that the Minister intends to amend the regulation anyway, because the Teachers' Union has already raised with him the question of clause 134(1)(f) where a teacher could be guilty of misconduct if he—

is inefficient or incompetent and such inefficiency or incompetence appears to arise from causes within his own control, is guilty of misconduct and is liable to be dismissed.

Many people, while they think that an inefficient or incompetent teacher should be dismissed, do not feel that he should be necessarily guilty of misconduct. The Minister said in answer to a question I asked him in this House that this will be lifted out of this section and put into another. In other words, we have in front of us a regulation within which there is one subclause which the department has deemed is not perfect; but it will be administered in a certain way. We have one subclause which the Legislative Review and Advisory Committee does not like at all. Of course, the Opposition does not like it, and did not like it before the report came out. This is one of the reasons that I gave notice that I intended to move for the disallowance of this regulation.

The Teachers' Union did not like it at all at any stage, either. It is a sloppy regulation and should be withdrawn.

The Hon. D. J. Wordsworth: Where do you think the words that are used in the regulations came from?

The Hon. R. HETHERINGTON: I do not care where the words came from; I am looking at the words.

The Hon. D. J. Wordsworth: You do not care!

The Hon. R. HETHERINGTON: I do not particularly care. The words are not good words and I do not particularly like them. After all, I am going to refer later on to words that have come from the Constitution of this State and say that I do not like them, either. No matter where they came from, they have to stand up by themselves and I do not like the words.

The Hon. D. J. Wordsworth: You said the Minister should be listening to the unions.

The Hon. R. HETHERINGTON: I am saying he should with regard to this case. It might be a good idea if the Minister listened to the unions sometimes.

The Hon. D. J. Wordsworth: Other times not.

The Hon. R. HETHERINGTON: In this particular case the regulation is still a bad one wherever the words came from; however it was drawn up.

After some discussion I was told that the union did not object to certain things; however I do. I am still prepared to look at the regulation and make up my own mind whether it is good and put forward an advanced argument. When someone puts forward a better argument than I can I am only too happy to quote him, especially when the arguments are more impeccable than mine.

It is a sloppy piece of legislation which should be disallowed. I have heard *ad nauseam* from very many members of this House that this is a House of Review, and I would hope that is one of the things that a House of Review would do. I do not expect the Minister to do this, because the Minister sitting in this Chamber is, of course, not in any way responsible for the regulation and I am certainly not holding him responsible. He is merely the mouthpiece for the Minister in another place.

I would be glad to see propriety from some of the people who have lectured me about the value of this place as a House of Review and I would hope they will disallow this regulation. Of course I presume, whether it is disallowed or not, it will in due course be withdrawn and rewritten and I will have to look at it again. I hope that

eventually I can be satisfied with it because I regard myself as a reasonable man on matters such as this, and if I am satisfied with it, it might be a good and reasonable regulation. For those reasons I have moved to disallow regulation 134.

Debate adjourned, on motion by the Hon. N. F. Moore.

ACTS AMENDMENT AND REPEAL (DISQUALIFICATION FOR PARLIAMENT) BILL

Third Reading

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [5.08 p.m.]: I move—

That the Bill be now read a third time.

THE HON. R. HETHERINGTON (East Metropolitan) [5.09 p.m.]: I opposed this Bill at the second reading, and I want to reiterate my opposition to the Bill for the reasons I have previously given. It has interested me that whenever I discuss this Bill with anybody—and I keep discussing it with people because it is a Bill that interests me—I find new points which make me dissatisfied with it.

I did mention in the Committee stage that if the Government were amending section 31 of the Constitution Acts Amendment Act it would be a good idea if it amended it thoroughly. For the Attorney General's information I am referring to the "attainted and felony" section. It would be a good idea if it amended it thoroughly and the words were replaced with modern language.

In Committee I raised the question of a felony. I have had a further look at this matter as far as our law is concerned. I will quote from appendix B of the Criminal Code of 1913. Section 3(1) states—

When in any Statute, statutory rule, by-law, or other instrument, public or private, the term "felony" is used, or reference is made to an offence by the name of felony, it shall be taken that reference is intended to an offence which is a crime under the provisions of the Code.

The Attorney General and I waved Bills at each other during the debate and said we really thought that if we had a schedule of people who were disqualified then it should be in a slim volume. Then I looked at this simple matter of felony and, as the Attorney General knows, the volume is not terribly slim. Having looked through the Criminal Code we must suggest to him that he should review it. I suggested this to him, and I do so strongly now after reviewing it again.

This is one area in which a member should be in no doubt at all. Occasionally there is speculation in the Press when a member of Parliament is charged with any offence, especially when the offence is serious enough to warrant his removal from Parliament. I think we should be specific and get rid of the term "felony". In other words, it seems to me that the further I discuss this matter the further my original argument is justified. This is something which needs to come before a Select Committee of this Parliament. Even if this Bill is passed, I think we should appoint a Select Committee to examine the Constitution which in many ways is archaic.

I have been informed by one authority who has looked at this fairly closely—a different authority from the one I was talking to previously—especially at some of the inconsistent provisions, that he believes it is time this legislation was brought up to date. It seems to me that after the report of the then Law Reform Committee which was brought in in 1971 the Government is really remiss if after waiting until 1979 to introduce this legislation it pushes it through without noting the suggestion of the committee that a Select Committee should be appointed.

I suggest to the Attorney General and to the House that should this Bill be passed and should the Constitution be amended then there is still room for a great deal of consideration of the Constitution. As this is discussed further by people who take our Constitution seriously, it will be apparent that other matters need to be amended. I do not think the Attorney General would necessarily disagree with me—I do not want to put words into his mouth because he is quite capable of speaking eloquently for himself. However, I want to make the point once again that except for one or two minor amendments the Opposition is sympathetic towards the Government's intention, but thinks there needs to be further examination of the Constitution and all the concepts being dealt with in this Bill. Regardless of whether the Bill is passed—and I hope it is not—there is still room for a great deal more review, which would then enable us to implement more efficiently the intentions of the Bill.

While I was on my feet previously I made one or two suggestions which would do things better from my point of view, and I think further discussion might in fact reveal a number of ways to carry out better the intentions of the Bill. Therefore we need a great deal more discussion on it. For those reasons we remain in opposition to this Bill.

The PRESIDENT: Before I put the question, I remind members that this Bill requires the concurrence of an absolute majority.

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [5.15 p.m.]: During the second reading debate the Hon. Mr Hetherington substantially made the same comments as he has just made, and I substantially answered them all. I then said that the then Law Reform Committee's report which refers to the desirability of a Select Committee has been around for a long time without any comment of note being made on it. The Bill before the House was introduced last May and for some time it has been available with supplementary explanatory notes and further notes. In fact, all members of Parliament have had ample opportunity not only to study the report of the then Law Reform Committee in the last eight years, but also to study this Bill in the last four or five months.

The Hon. R. Hetherington: Some members have not had the chance to do so in that time. I am sorry about that.

The Hon. I. G. MEDCALF: It is unfortunate that some members have not spent more time studying the Bill, but, as I said during the second reading debate, we could allow another two or three years and I doubt we would be much further forward.

The honourable member referred to the question of felonies and other language mentioned in the Act we are amending. We are not amending those particular provisions. The honourable member is suggesting perhaps we ought to be. He is saying we should not be proceeding with the amendments in the Bill but we should be considering other amendments.

The Hon. R. Hetherington: I think we should be considering the lot.

The Hon. I. G. MEDCALF: He is asking us to bite off a lot more than members of the House would be prepared to chew. I believe we must proceed with constitutional amendments, particularly, in small bounds. We cannot achieve a tremendous rewrite of a Constitution just by having more and more committees. I strongly urge the House to seize the opportunity it now has—which may not readily occur again—to make these amendments which will secure the very important advances we have already debated at some length at the second reading.

Question put.

The PRESIDENT (the Hon. Clive Griffiths): There being a dissentient voice it is necessary for the House to divide. Ring the bells.

Division taken with the following result—

Ayes 18

Hon. N. E. Baxter	Hon. N. F. Moore
Hon. V. J. Ferry	Hon. O. N. B. Oliver
Hon. T. Knight	Hon. W. M. Piesse
Hon. A. A. Lewis	Hon. I. G. Pratt
Hon. G. C. MacKinnon	Hon. J. C. Tozer
Hon. M. McAleer	Hon. R. J. L. Williams
Hon. T. McNeil	Hon. W. R. Withers
Hon. N. McNeill	Hon. D. J. Wordsworth
Hon. I. G. Medcalf	Hon. G. E. Masters

(Teller)

Noes 7

Hon. R. F. Cloughton	Hon. R. Hetherington
Hon. D. W. Cooley	Hon. Grace Vaughan
Hon. D. K. Dans	Hon. F. E. McKenzie
Hon. Lyla Elliott	

(Teller)

The PRESIDENT: I declare the Bill carried with the concurrence of an absolute majority.

Question thus passed.

Bill read a third time and transmitted to the Assembly.

CRIMINAL CODE AMENDMENT BILL

Second Reading

Debate resumed from the 20th September.

THE HON. GRACE VAUGHAN (South-East Metropolitan) [5.22 p.m.]: The Opposition has pleasure in supporting this Bill. The only regret we have is that it has taken so long to come before the House.

I remind members that in his second reading speech the Attorney General gave us the history of the matters which brought about the introduction of the Bill. While the issuing of cautions was a practice of the courts, it was found by the Full Court that the practice was not in fact statutory, and it was decided that magistrates could no longer deal in this humane way with cases in which a caution was seen to be a sufficient deterrent to the offender.

Perhaps this would be a good time to ask the Attorney General whether, in view of all the matters coming before the Law Reform Commission, that body could be enlarged in some way to enable it to handle more than it is handling at the moment. The work the commission is doing is extremely important and beneficial to the community. The only problem is the long time it takes for a matter to be fully and properly discussed and go back to the Government for action.

I may say I think the Crown Law Department has drafted this Bill very neatly. I am one who has sometimes criticised the Crown Law Department for sloppy drafting, but this Bill is very neatly drafted, in that it relates only to section 669 of the Criminal Code.

The Bill breaks new ground in that it broadens the meaning of "first offender" to include past convictions which are not just of the Children's Court variety. This will enable magistrates to do what they were doing previously; that is, caution people. However the provision is hedged around and circumscribed with some restrictions so that it cannot be used in a way which members of the public might think is too lenient.

We are happy to see this Bill before the House and support it fully.

THE HON. I. G. MEDCALF (Metropolitan—Attorney General) [5.26 p.m.]: I thank the Hon. Grace Vaughan for her indication of the Opposition's support of the Bill. Of course, I anticipated the Opposition would support a Bill as worthy as this one is. As she indicated, it works a valuable reform in the law.

It is unfortunate that a long time elapsed before it was brought before the House. The process of enlarging the Law Reform Commission is taking place. Two full-time commissioners are to be appointed to it. At the moment it has no full-time commissioners and we in this State will make a significant advance on Law Reform Commissions elsewhere, in that a number of other States do not have full-time commissioners; in fact, I am not sure any other State has full-time commissioners. We are in the process of appointing two commissioners whose sole duty will be to work full time on law reform projects. They will be legal practitioners of senior status, and I can assure the honourable member these appointments will enable the projects at present before the commission to be dealt with more expeditiously and, I am sure, to the satisfaction of all members of Parliament.

I thank the honourable member for her comments regarding the neat way the Bill has been drawn up. I shall certainly convey her comments to the Parliamentary Counsel and other Crown Law Department officers who were responsible for the drafting of the Bill. The Crown Solicitor also has done a lot of work on it. He and I exchanged a great deal of correspondence on it before it went to Parliamentary Counsel, because we were concerned to have a provision which was easily understood. Therefore, we deliberately framed it in such a way that it uses much the same standards for a person who may receive a caution as for a first offender who may have his case dismissed and be thereupon discharged.

Indeed, we have now included in the Bill the case of drunks, who will now be able to be cautioned even though a penalty of imprisonment is prescribed for drunkenness. It will be possible

for drunks coming under section 53 of the Police Act—the "drunks" section", to use the colloquial phrase—to receive a caution. I am not saying every drunk will receive a caution, but magistrates will be empowered to administer a caution to people charged with simple drunkenness.

The Hon. D. K. Dans: I think we suggested it four or five years ago by way of a private member's Bill.

The Hon. I. G. MEDCALF: It was not a private member's Bill. Amendments to the Justices Act and the Criminal Code were suggested, but they were much too simplistic. A number of associated problems would not have been faced by those amendments. At the time the Crown Law Department raised objections to the particular amendments proposed. It is unfortunate that this amendment has been a long time coming, but I believe we have now covered all the situations and extended the Act in a desirable way.

I thank the Opposition for its support and commend the Bill to the House.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

SALARIES AND ALLOWANCES TRIBUNAL ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th September.

THE HON. R. F. CLAUGHTON (North Metropolitan) [5.32 p.m.]: As the Leader of the House stated in his second reading speech, the aim of this measure is to sever the remaining statutory links between magistrates and the Public Service, and it is complementary to the new Public Service Act. The Australian Labor Party supports the changes. The measure requires no debate because it is of a simple, machinery nature.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

CENSORSHIP OF FILMS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th September.

THE HON. LYLA ELLIOTT (North-East Metropolitan) [5.35 p.m.]: The Opposition has no objection to the principle contained in this Bill. We think it is reasonable that we should bring our Act into line with that of the Commonwealth so that it provides for the return of the sum of \$50 which must be lodged with the censor when an appeal is made against a decision.

However, the Opposition is not happy about the fact that no appeal is provided against a decision of the Minister, as set out in section 12B which was inserted in 1976. That section is relevant to this Bill because the Bill deals with appeals and the return of the appellant's \$50. I would like to quote part of section 12B, as follows—

12B. (1) Notwithstanding that any film has been approved by the censor, and regardless of the classification assigned to that film or of any appeal relating to the application, the Minister may, if he is satisfied that such is necessary in the public interest, direct that a classification assigned to a film pursuant to section twelve of this Act shall be ineffective in the State and if such a direction is given—

- (a) the film shall bear a classification assigned to it by the Minister in lieu of the classification assigned pursuant to section twelve of this Act; or
- (b) if the Minister refrains from assigning a classification to the film it shall be deemed to be an unapproved film for the purposes of this Act.

Then the final subsection of that section states—

(6) For the purposes of this section the Minister has the powers conferred on the censor by this Act, and this Act shall be construed as though for a reference to the censor there shall be read a reference to the Minister save that where such a direction is given the provisions of section twenty-two of this Act shall not apply.

Section 22 deals with appeals. So we have the ludicrous situation in which the Commonwealth Censorship Board may approve of the film, but the State Minister may ban it. On the other hand, the Commonwealth Censorship Board may ban a film or classify it in a certain manner, and the person concerned may appeal to the Board of

Review; and if he is successful his deposit of \$50 will be refunded. In addition we have written into our Act that the Western Australian Minister will still have power to ban or reclassify that film, and his decision is final and no right of appeal is granted.

We believe that is wrong. We cannot see why the Minister should be given such power, when the Commonwealth Censorship Board already has the power and a right of appeal is provided against its decision. What qualification does the Minister have which will enable him to say whether a film should be banned?

Several months ago I attended an art exhibition in the Art Gallery, and I found some of the art crude and obscene. I felt some of it was the result of a disturbed mind; however, I am prepared to accept that I am not an expert in art, and some people must see artistic merit in such work. The same principle applies to the Chief Secretary, who has been given power to ban films. Films are another form of art, and if any art form is to be banned—whether it be films, books, recordings, paintings, or whatever—it should not be banned by one man who has the power to say whether the public shall view, read, or hear it. A right of appeal should be allowed to a body qualified in the particular art form. Hearings should be public, and reasons should be given for decisions made not to approve a film.

I am not aware that any similar provision exists in the legislation of other States. Therefore, our Act should be amended to remove the offending section 12B because it is unnecessary and undemocratic.

With those few words, the Opposition supports the Bill before the Chamber.

THE HON. W. M. PIESSE (Lower Central) [5.39 p.m.]: I support the Bill as far as it goes, but I think a few remarks need to be made about the censorship of films in general. I propose to mention some of them.

The Hon. Lyla Elliott has mentioned the fact that a State Minister may overrule a decision of the Commonwealth Censorship Board. We need to look at this whole matter, and in my opinion this should have been done long ago. The legislation was formulated back in 1947, long before we had television. Members all know very well that the matter of censorship of television material is separate from the censorship of films shown in cinemas. Therefore, we are not really talking about television at the moment, albeit films shown in cinemas may well be shown on television in a few years' time. As I said, that is another matter; the subject we are discussing at

the moment concerns the censorship of films in cinemas.

It is a fact that a Censorship Board operates in Sydney. It was established by the Commonwealth Government, and each of the States has become a party to it. I would say very definitely that the States have passed their responsibility to the Commonwealth in this regard. It is high time we had a good look at this because it seems to me that the censorship of films machinery simply is not working. Maybe the situation is the same all over the western world; but it is certainly a fact that it is not working in Western Australia, and that is the area for which we are responsible.

The Hon. G. W. Berry: Then we should change it.

The Hon. W. M. PIESSE: I can see no reason that we should not change it, and I am hoping the Minister will take a very serious look at the matter.

I wish to make a few points in regard to this matter because it is of great importance to me and to many people whom I know. Apparently no set rules are laid down in relation to censorship and classification. No rules are set out in respect of what films may be approved and what films may be banned. However, there must be a reason for the approval or banning of a film. A person who wishes to make an appeal must know what he is appealing against. The Hon. Lyla Elliott said that the State distributor may appeal, but I do not think a member of the public has any right of appeal against a film.

The Hon. G. W. Berry: If you don't want to see it, you don't have to go.

The Hon. W. M. PIESSE: That argument is often submitted in relation to films. However, how does a person know what is in the film until he goes to see it? We can pass all the legislation we like, but when a person reads the advertisements in respect of certain films he is given no conception of what the films are like.

I have carried out a little research on the matter of appeals and their rejection. It seems that in the 12 months to the 30th June, 1979, 32 films were rejected. Eight appeals were lodged against the decisions, and one appeal was upheld. I do not know which States objected to the decisions; perhaps it is not generally known that although the censorship takes place, and appeals are decided, in Sydney, appeals are lodged in the States from which they originate. Hence the need for us to pass this amending Bill because if an appeal originates in Western Australia and it is upheld, the \$50 will be returned to the appellant;

but if the appeal is not upheld the money will be paid into Western Australian revenue.

Appeals are heard by a person who is not a member of the Censorship Board. It is true that each State Minister has the power to overrule the classification of a film shown in his State, but that power apparently has been used only by the Queensland Minister. That is not to say the power should not have been used by some of the other States. As the Hon. Lyla Elliott has said, it is a mighty difficult thing for the Chief Secretary to look at films and say, "This one is no good, and that one is not classified correctly." Therefore we need to have a thorough look at this legislation to ascertain whether any changes are necessary.

When talking about undesirable films, often the argument in relation to art is advanced. I agree there are certain things in art which most of us do not understand; but most films shown in cinemas in this State are shown for entertainment purposes. If the films are classified as such, the entertainment may be expected to be suitable for a family outing. I regret that many of the films so classified are certainly not suitable for family outings. I make that comment based on remarks voiced by parents. That opinion has been expressed quite definitely.

I am trying to cover this matter quickly. Recently I was reading a book called *Film Censorship in Australia*, which covers the whole matter. The book is written by Ina Bertrand. I would like to quote a couple of passages because they illustrate the point I am trying to make far better than I can put it myself. I quote from the bottom of page 14 of that book, which relates to discussion held in 1910. I quote as follows—

Most serious of all, perhaps the subtle influence of the cinema would give young people false values, encouraging them to put money and social position above honour, to reject chastity and virtue, to despise marriage, home, and family, and to decide that the only drawback to crime was getting caught.

That was in 1910. Members can look around and see that is happening now. The quote continues—

Scientific studies which demonstrated the comparative strength of visual influences over others in the learning process strengthened these fears, as did concern that if the effect was a subtle and slow one it would be very difficult to measure and so by the time the results became obvious it would be too late to save this generation at least.

Regrettably that is what has happened. I would like to quote further from page 17 of the same

book, a comment made by Judge Murray in 1914 when sentencing a young offender. He said—

Our Board of Health is empowered by law to stop the sale of physical poisons, yet by the aid of Picture Shows moral poisons are being disseminated. There is no doubt about the demoralising influence of some of the films screened, and the sooner some people are prevented from making fortunes at the expense of the morals of the community the better.

I could not agree more. Something must be done about the situation. It is our responsibility.

Of all the avenues of media information, films have about a 90 per cent influence on our present society. It is well known that since the introduction of films young people in particular, but other people as well, have to a large degree fashioned their mannerisms and their attitudes on their favourite heroes or heroines. Today people see little that is exemplary behaviour on films. It is all very well to say that people should not imitate characters in films or that they ought to be told not to do it; but it is a fact of human nature, that they take their standard of behaviour from films.

The aspect which worries me so much is that this kind of undesirable conduct becomes a promotion. A film becomes a promotion for the kind of behaviour portrayed in it. There can be no doubt about that.

Finally, I ask the members of this House: even if we develop our State, even if we become the wealthiest State in the western world, and even if we have the greatest growth, what satisfaction shall we have or what shall it profit us if we leave the gate open wider and wider for the removal of the self respect of the generations to follow? People laugh about self respect these days; but none can live very well without it.

THE HON. T. KNIGHT (South) [5.51 p.m.]: With due respect to you, Mr President, I do not think any of the previous speakers have been speaking to the Bill. In his second reading speech, the Leader of the House said quite clearly—

This Bill seeks to make provision in the Censorship of Films Act to enable a refund of the prescribed fee to be made in instances where an appeal against the decision of the Censor is upheld, or substantially upheld.

That has nothing to do with censorship of films. It deals with the repayment of a fee which has been lodged, in the case of an appeal being made against censorship of a film—

The Hon. W. M. Piesse: It has to do with the reason for the Bill.

The Hon. T. KNIGHT: As a result, I will digress slightly myself.

The PRESIDENT: Order! The honourable member can speak to the Bill. If in future he feels that somebody is digressing, he is perfectly at liberty to raise a point of order. In the meantime, I will decide whether a member is digressing.

The Hon. T. KNIGHT: Thank you, Mr President.

In most cases, censorship is based on the view of a small group of people who deal with such things as film censorship. The views of people and individuals vary according to their upbringing or background. Therefore, no group will be able to please all the people all the time. I think the people involved in film censorship do a very good job.

The Hon. Wyn Piesse has made the point that one can attend a film and have no indication of what it will be about. Every film is classified, and I think most people in our community understand what the "R" classification stands for. If people have a squeamish outlook on life, they should avoid "R" certificate movies completely.

It is up to an individual person if he wants to see an "R" film. If he goes along, he expects to see something that will be out of the norm. Many people have said that an "R" film is just life brought into full perspective, but some people do not like it.

It has been suggested to me on several occasions that additional information should be given for the people who cannot read or write, or who cannot understand plain lettering. It is suggested that instead of an "R" certificate on a film, it should be "R-sexual", "R-language", or "R-violence", so people know what to expect. It should not have to be spelt out any more than that. People should know that "R" stands for "restricted for people under the age of 18 and over the age of two". As far as I am concerned, it is quite clear what the "R" certificate stands for. Anybody who goes to see a film with an "R" certificate showing on the outside deserves to see what is put on the screen before him.

There is no reason for people to condemn the Censorship Board on the basis that "R" films should not be shown. The point is that the "R" rating is laid down. If I was worried about a film that may be different from the norm in any way, and I saw an "R" certificate on it, I would not go to that film. Any intelligent person would think the same way.

THE HON. G. C. MacKINNON (South-West—Leader of the House) [5.55 p.m.]: I thank members for their contribution, but I express my surprise that Mr Berry did not contribute. I find that quite disappointing, as we have come to regard with great interest Mr Berry's contributions to such debates.

The Hon. G. W. Berry: Mrs Piesse covered it very well.

The Hon. G. C. MacKINNON: There has been very helpful discussion in the past.

Miss Elliott spoke about the fact that there is no appeal from a decision of the Minister when the Minister intervenes and takes over the role of the Chief Censor, as allowed under section 12B of the Act. In the first instance, the appeal is to the Minister; and when the Minister takes over, there is no appeal from him. As members have indicated so rightly, what we are talking about is a matter of opinion absolutely. It is obvious that one can obtain as many different opinions as there are people in a room at any one time.

Over the years I have heard a number of people saying that there should be no censorship. That is a view which is commonly expressed. Strangely enough, when I have tested those people by asking them if they would like to have shown in Perth some of the rather explicit shows that were put on for the "entertainment" of soldiers in the Middle East and some of the jungle camps in the Pacific area, almost without exception the answer is, "No".

What it really comes down to is that everybody has a different point at which he believes censorship ought to stop. One of the problems which was touched on by Mr Knight, who knows a great deal about the screening of films, is in relation to the wonderful techniques which have been developed with regard to the filming of violence. A number of members probably saw the film called, "The Godfather". I would view one film in every two years nowadays, but I saw "The Godfather". In that film, a man was shot in the eye, and the eye literally blew apart in front of one.

The techniques used are little short of miraculous. One can see a fellow shot to pieces, and it is portrayed even more realistically than the happenings on a battlefield. It is quite horrifying. One can see fellows flogged, and with the realistic way in which the techniques of photography allow them to portray it, one sees the whip hit the flesh, and the flesh splits open right in front of one's eyes.

The Hon. Lyla Elliott: It is fairly gory.

The Hon. G. C. MacKINNON: It is very gory; and anyone with any sensibilities would be extremely shocked. The time was when that sort of thing was portrayed by showing a man strapped to a wheel or a tripod, and one would see the whip starting to swing, and then there would be a blackout and the next thing one saw was the gorgeous heroine with a white cap bathing the man's wounds with coconut oil. There was not the shock of the violence.

The same type of thing happened with love scenes. At one time there was the gentle fade-out with romantic music, and it was left to the imagination. Nowadays, so help me goodness, one sees the whole, explicit act.

Sitting suspended from 5.59 to 7.30 p.m.

The Hon. G. C. MacKINNON: Prior to the tea suspension I was pointing out that this matter has been debated over the years. A debate occurred in this place 10 years ago during which a member said he had heard an entrepreneur state that in the next decade he thought explicit sex would be displayed on stage. In certain restaurants in Europe that is a fact; the event has occurred inside that decade.

The Hon. R. J. L. Williams: It does occur in some restaurants in Europe.

The Hon. G. C. MacKINNON: I do not go to that type of restaurant.

The Hon. R. J. L. Williams: I have read about it.

The Hon. G. C. MacKINNON: I do not think we should take notice of hearsay in matters as serious as this.

I was a little disappointed that Mr Berry did not contribute to the debate, but he has handed to me an article which highlights the graphic nature of modern techniques used in filming. The article is headed, "Cinema-goers reel at war film horror". The article bears the dateline, Los Angeles, Saturday, and reads—

Murder, madness and a breathtakingly bloody vision of the atrocities of war—that's *Apocalypse Now*, the most expensive, most horrific and most eagerly awaited war film made.

Hailed in America as "the ultimate war movie" it is smashing box office records around the country and sending awed cinemagoers reeling out of the theatres, stunned by what they have seen.

I agree with the implications of the Hon. Win Piesse's comments. I cannot see how watching this type of picture can fail to brutalise one, or to make one accustomed to brutality. Nevertheless, I

beg the point made by the Hon. Lyla Elliott. I do not see how there can be an appeal to anyone past the Minister when it is purely a matter of opinion. It will not be a case of assessing evidence because what one person considers to be pornographic, another may consider not to be pornographic.

The Hon. Lyla Elliott: Why is it necessary for one man to have this power?

The Hon. G. C. MacKINNON: Because we are political creatures. The only person totally responsible is the Minister.

The Hon. Lyla Elliott: Why should one man have this power?

The Hon. G. C. MacKINNON: Because that is the political system. I find it appalling that I have to go into this sort of explanation. Perhaps the Hon. Lyla Elliott should talk to the Hon. R. Hetherington.

The Hon. Lyla Elliott: It does not happen in other States, why should it happen here?

The Hon. G. C. MacKINNON: It does happen in other States; it happens under 101 different Acts of Parliament wherever the Westminster system is used.

The Hon. Lyla Elliott: Not with regard to censorship. Queensland is different.

The Hon. G. C. MacKINNON: I suppose every State is different in some respect. The fact remains that the authority should lie with the Minister, because those people who do not like what is being done can vote him out of office.

The Hon. D. K. Dans: Not really.

The Hon. Lyla Elliott: That is quite impracticable.

The Hon. T. Knight: It happens, though.

The Hon. G. C. MacKINNON: I do not know what we are arguing about because that is the system under which we work. It is known loosely as the "Westminster system".

I cannot see the point in there being an appeal when it is a matter of opinion. There are four female members in this House and I am sure each one of them would have a different view as to what constitutes pornography or brutality. There may be only a shade of difference in opinion.

The Hon. D. K. Dans: Not only amongst the women, but amongst the men also.

The Hon. G. C. MacKINNON: I mentioned the women because they are the smaller number. I am sure other members would have different views also.

The Hon. T. Knight: It is human nature.

The Hon. G. C. MacKINNON: Yes; one would not be weighing evidence. There is no point at which something ought to be banned. I acted in the position of Minister for Justice for a short period, and I had to check suitcases full of books. Some of them horrified me. However, a committee of over five members had differing views ranging from acceptance to rejection. Usually I went along with the majority decision.

The Hon. R. Hetherington: That is one of the arguments against one man having the power.

The Hon. G. C. MacKINNON: There is still the situation where the decision comes back to one man. The committee was advisory in nature and, in the end, because of the ministerial system the decision came back to the Minister.

The Hon. D. K. Dans: How many would be rejected during a year?

The Hon. G. C. MacKINNON: An amazing number are rejected.

The Hon. D. K. Dans: Irrespective of the Commonwealth film censor?

The Hon. G. C. MacKINNON: I am referring only to books. One series I had absolutely no hesitation in banning—as did the previous Minister (the Hon. Neil McNeill)—was that portraying child pornography.

The Hon. G. W. Berry: I heard on a radio report that child pornography is now rife in the Eastern States.

The Hon. G. C. MacKINNON: Yes. The story is that in one State certain behaviour is no longer an offence amongst consenting adults in private, so the police cannot investigate it. Homes where this occurs were used for photographing child pornography.

The Hon. D. K. Dans: I thought that was wound up eventually.

The Hon. G. C. MacKINNON: It is claimed that is one of the dangers of decriminalising that sort of activity. However, that is another story.

I thank members for their contributions to this measure, and I commend the second reading.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

JUDGES' SALARIES AND PENSIONS ACT AMENDMENT BILL

Second Reading

Debate resumed from the 18th September.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [7.43 p.m.]: The Opposition has perused this Bill and has found that it agrees with it.

Question put and passed.

Bill read a second time.

In Committee, etc.

Bill passed through Committee without debate, reported without amendment, and the report adopted.

APPROPRIATION BILL (CONSOLIDATED REVENUE FUND)

Consideration of Tabled Paper

Debate resumed from the 18th September.

THE HON. D. K. DANS (South Metropolitan—Leader of the Opposition) [7.45 p.m.]: I was not present in this Chamber when the Budget papers were introduced because, as you know, Mr President, I have only just returned today. However, I have had an opportunity to peruse the Budget and I can at least say that the Budget papers are once again before this Chamber. The Budget debate seems to come around more quickly each session.

This is a conservative Budget, brought in by a conservative Premier, for a conservative Administration. I know I am repeating myself when I say that, like all Budgets, it is something like the curate's egg—good in parts and bad in others.

When I label this Budget a conservative one, I am using the word "conservative" in its widest possible meaning. If one looks around the western world today, one sees Budgets of this kind being introduced regularly. They do nothing to grapple with the problems that beset all western societies.

This Budget fails to deal with the problems confronting the people of Western Australia. It does nothing for unemployment and nothing to check the constantly rising prices. It does nothing about our lack of public facilities and the lack of opportunities for young unemployed people. The Budget does nothing to improve our medical and hospital facilities.

If one stops to think for a few moments, one realises that the blame really lies with the Federal counterpart of the Government at present in

power in this State. Every person who either reads the Budget papers or follows the daily Press is aware that the Federal funds to this State have been cut back savagely, disastrously, and irresponsibly. We all know what the Fraser Government has done in that regard, and we are aware that worse is to come. The level of funds to this State will be cut even more savagely next year.

The present arrangement between the States and the Commonwealth expires next year, and if the Federal Government runs true to form, it will take the easy way out and impose more disastrous conditions on the State of Western Australia. The present State Government has not been telling the full and true story about the current economic conditions in Western Australia. We have 41 unemployed people for every job vacancy. Yet we find a very small section of the Budget speech, under the heading, "Employment and Training", relates to this problem. It reads—

The present level of unemployment, especially among young school leavers, continues to be of particular concern to the Government.

I do not deny that it is of concern to this Government; it is of concern to all Governments in Australia, and in particular to the unemployed. However, in the case of this Government it ends at concern, because it has not attempted to do anything of a specific or positive nature to deal with the situation. The Treasurer continued—

The situation has not been helped by the decision of the Commonwealth Government at the last meeting of the Australian Loan Council to reduce the general purpose capital allocation by 13.2 per cent.

If we add a little to that to account for inflation, members will realise just how starved we are for funds. To continue—

As Members will appreciate when I present the General Loan Fund Estimates, every effort has been made to mount a reasonable program of capital works in an effort to support the workforce in this State.

In a further endeavour to alleviate the position of those young people who have been trying but have been unable to get work, the Government will provide funds for a third intake of 250 youths—

I would like to just pause there. It is intended to help 250 youths when we have 41 people unemployed for every one job vacancy! The Budget speech continues—

—in 1979/80 under the Special Youth Employment Training Program which gives young people four months on-the-job experience. The net cost to the State is estimated at \$359 000.

Members can understand the amount of money involved. However, assistance to 250 people will be just a drop in the bucket. To continue—

The construction phase of the North West Shelf gas project will place considerable strain on the supply of skilled tradesmen in Western Australia. It is therefore proposed to commence a Skilled Workers Training Scheme with the aim of training an additional 600 persons in skilled trades over the period 1980 to 1983.

If we commence now this will be a four-year programme and I suggest that the provision of work for 600 people over four years will do nothing for the general level of unemployment in Western Australia. Every time the Commonwealth publishes a new set of figures, we see a marked increase in the number of unemployed in this State. The Treasurer then said—

It is anticipated that, at peak activity, 264 students will be involved in full-time Technical College training in the boilermaking, fitting, electrical and welding trades specifically related to this scheme.

A significant proportion of the cost of this new scheme will be met by utilising existing capacity in technical colleges. However, a provision of \$250 000 is incorporated in the Estimates for additional expenses associated with the scheme.

We are not even scratching the surface of the problem. If we read through the Budget we see the general reduction in the funds made available by the Commonwealth particularly to this State, and we must realise that instead of 41 people for each job vacancy, in the not-too-distant future there will be 51 and even 61 unemployed people for every job that is vacant.

Some four years ago we were told by the present Treasurer that the new phrase coined for the proposed relationship between the Commonwealth and the States—new federalism—would solve all our problems. I well recall that when the Whitlam Government was in power it was assailed as a centralist Government. I submit to members that the present arrangement between our State Government and the present Federal Government under the label of new federalism has promoted the greatest

centralist Government ever known in Australian history.

We all know that Western Australia did not receive anything like a fair go at the last Premiers' Conference. Our general revenue payments were increased by 4.4 per cent in real terms, and our specific purpose payments for recurrent purposes were increased by a tiny 0.4 per cent in real terms. Overall, the general purpose payments and specific purpose payments for recurrent purposes were increased by 2.8 per cent in real terms. However, our general purpose capital funds were cut by 25.2 per cent in real terms, and our specific purpose capital funds were cut by 27.8 per cent. Our total capital funds were reduced by 26.6 per cent in real terms.

As I said earlier, no-one can be under any misapprehension that despite all the drum banging and cymbal clashing about developments on the way, we are facing a serious situation. The North-West Shelf project may or may not get off the ground in the not-too-distant future, although the Treasurer has told us that some 5 000 jobs will be created—not a drop in the bucket. Our Treasurer has stood shoulder to shoulder with the Prime Minister, but if we continue to receive the treatment we have received under the new federalism, our position will become more and more desperate by the minute.

The total Commonwealth payments to Western Australia were down by \$52.3 million—one of the worst financial packages ever handed out to this State. So I do not know why the Treasurer continues to stick by his old buddy and ally in the way he is doing. Looking at the result of the latest poll conducted by *The Age* newspaper of Melbourne, it seems to me that the Treasurer is clinging to a sinking ship.

The financial year 1979-80 is the fourth year of the so-called new federalism. There is not the slightest doubt that the new federalism has been an absolute disaster for this State. I suggest that the Prime Minister is either very persuasive or a very successful confidence trickster. I would think that probably our Treasurer is the only State Treasurer who has a good word to say for the so-called new federalism. Even the leaders in the other Liberal-governed States have taken it upon themselves to criticise that concept.

Over four years we have received a very modest real increase in our general revenue payments and specific purpose payments for recurrent purposes, but our capital funds have fallen by 21.8 per cent. This is not what we were led to believe would happen. We were led to believe that this new agreement would solve nearly all our problems.

However, our problems have become worse because of the lack of cash funds.

In real terms, over the four years of the new federalism, this State has lost funds to the tune of \$134 million. We must bear in mind that across the length and breadth of this land nearly 400 000 people are looking for work. Any member of this Chamber who does not think about these people now will certainly think about them in the not-too-distant future, because every day they are growing older, and every day they are without a job they become more antagonistic to and disenchanted with the people who are governing the country.

We should, not as single political parties but as members of Parliament, join forces with all sections of the community to see what can be done. We are still trying to use conservative methods to solve very complex problems. If we look beyond the shores of this country, we find that the application of this conservative approach has solved nothing. We have the opportunity to be a little more courageous and to try some new innovations. We are not dealing with dollars and cents; we are dealing with people.

I do not want to be a prophet of doom. I had hoped that during one of these Budget debates I could stand up and say, "The level of unemployment in this country has dropped by 100 000 people." I would love to have been able to say that, no matter which party was in power. However, all we see now is a gradually worsening situation in this country.

Gone are the balmy days of five years ago when the Premier promised us 100 000 jobs. I think that, at the time, he really thought he could do it. However, when we take into account the 50 000 people who are now out of work in Western Australia, plus the 100 000 jobs the Premier promised us, we know we are now 150 000 jobs down the drain.

The Hon. N. F. Moore: Oh, come on!

The Hon. D. K. DANS: It is in the Liberal Party policy speech, Mr Moore. The Premier said that he could beat inflation, State by State. To his credit, he no longer makes that assertion in his Budget papers. In a moment I will read a little of what he does say on that subject, because the tune is now quite different.

Perhaps when the Premier was making these predictions he was sincere. After all, this State was extremely lucky. It is easy to be a front runner in a foot race or a horse race. However, the going now has become tough; the track now is heavy. The Premier cannot do the kinds of things he used to be able to do without fear or favour.

Australia is locked into an inflationary situation, just as is the rest of the western world. It is only in this Budget that I at last see the Premier at least admitting this fact. It is not too bad to see the Premier doing that.

However, it does not solve any of our problems. I believe the people in this State and in Australia generally, are paying far too much attention to inflation and not enough to unemployment. The Government's attitude seems to be, "Let us keep unemployment rolling along in order to slow down the inflationary trend. Let us deny people the things they should expect from this country. Let the unemployed numbers rise."

I presume that all of us in this Chamber believe that those people who are going to be so denied will not continue to believe in this system of government for very much longer unless we try to do something for them.

Statistics are only figures. I wish to repeat what I have said on many occasions before: If we have one person out of work and looking for a job, we have unemployment. After all, 100 000 is only a multiple of one. If 100 000 poor souls are suffering all the degradation and misery of not being able to fulfil their role in life, they become the real statistics. They are not dollars and cents or interest rates; they are real people. I have always been led to believe that is what government is all about. When one reads the bulletins and statistical data put out by the Commonwealth Bureau of Statistics and our own Treasury, one does not find comments in regard to people, yet real people stand behind those figures.

My party has argued against the so-called new federalism policy ever since it was introduced. Some four years ago we warned that, eventually, it would involve the States once again in the levy of income tax. Earlier this year the Premier stated that legislation to enable a State income tax to be levied would be introduced, possibly this year. He is the only Premier in Australia to state he is prepared to go along with the Prime Minister and introduce matching legislation.

However, during the parliamentary recess the Premier said he would not proceed with the legislation. It is important to note, however, that what the Premier forgot to say at the end of the statement was the word "yet", because if one listens to and digests the figures I quoted to the Chamber a little earlier, it becomes patently obvious that if Western Australia is to pick up some of the slack, a State income tax of one form or another must be introduced. We cannot lose \$134 million-plus in four years and at the same

time have a giant unemployment and inflation problem and think we are going to get by without such a measure being introduced.

It is to the Premier's credit—I presume—that for political reasons he has endeavoured to hold off making this move for such a long period. If it does not come by way of an income tax levy, certainly it will come in some other areas.

Let me be quite frank about this: I do not know what else any Government could do in a situation such as this. Despite all the lofty promises of the present Federal Government of what a good financial manager it would be, and how it would solve all the problems of this country almost overnight, we find the people of Australia are not particularly enamoured with the performance and attitude of the most centralised Federal Government the country has ever known.

As I said earlier, like all Budgets, this Budget contains a number of things which are good. No-one would deny that the lifting of the pay-roll tax exemption for small businesses and the increase in funds for decentralisation incentives were not good things. The bringing of Government duty payable on some property transfers into line with normal transfer duty is good; the increased allocations for prisons to protect the community is also a sound proposal; the introduction of a fund to provide cultural facilities for regional centres and, later, for other country areas is sound; the training scheme for prospective workers on the North-West Shelf project is good. The only thing I would argue about in regard to the North-West Shelf proposal is that 600 school leavers and 259 students is but a drop in the bucket in our total unemployment situation. However, I would be foolish to stand here and knock the fact that at least the Government is going to create about 1 000 new jobs. As I see it, we will fund this scheme out of our own resources. I hope the North-West Shelf proposal gets off the ground as soon as possible, to provide the 5 000 jobs about which we have been told.

No-one could argue against the proposal to increase pensioner rate rebates and to extend the provision to pensioners whose properties are held under purple title.

That is all very well. However, one inevitably must return to the problem of unemployment. I firmly believe—and this view is shared not only by people of my political persuasion, but also by other people throughout this country—that unemployment is the most serious problem in our community today. In 1977-78, \$5 million was made available for unemployment relief, or for works associated with unemployment. Last year,

that figure dropped to \$4 million. Even that was a fairly healthy sum of money, and indicated that the Government at least was trying to do something out of its slender resources—a situation the Government played itself into by going along with the so-called new federalism concept—to relieve the problem of unemployment. Despite the fact that the unemployment situation had worsened, the Government's allocation fell by \$1 million. This year, there is no allocation for unemployment relief. The scheme was funded pitifully at the start, and was virtually worthless in the number of jobs it created.

If one looks at the Budget papers, one sees that a figure of \$4 million was allocated last year in respect of unemployment. One would be entitled to believe the Government stimulated employment by the infusion of some \$4 million into the economy of Western Australia. The Budget papers say the unemployed had \$4 million worth of help from the Government last year. In fact, they had nothing of the sort.

I do not wish to talk about the Suspense Account, because one of my colleagues will be able to do that quite adequately. However, hidden away in the Suspense Account—which totalled some \$44 million—at the 30th June this year was an amount of \$2.3 million, which appeared under the Budget heading, "Stimulation of Employment: Maintenance and Minor Works". In other words, at the end of the 1978-79 financial year, almost half the funds allocated for the purpose of overcoming the problem of unemployment had not been spent.

I find that quite amazing. An examination of an unemployment graph would show a gradual upward curve; no-one disputes that 41 people are unemployed for each job vacancy. Yet here we have an amount of \$4 million allocated by the Government to the relief of unemployment to enable something to be done, and we find \$2.3 million of that amount was not even spent; it was transferred to the Suspense Account. That is alarming. Surely the Government is not going to plead that it could not find the minor works or even assistance to private industry to allow that extra \$2.3 million to be used; or did the Government simply take the \$2.3 million out of the allocation of \$4 million and place it in the Suspense Account so that it could do something at around election time? I would hope it did not do that, because it would not make the people of Western Australia very happy. It certainly would not make the 41 people looking for each job vacancy very happy.

I believe it was an act of gross miscalculation on the part of the Government if it has hoarded this amount in the Suspense Account, along with a great deal more Government revenue to be spent at a time when it would be most electorally advantageous to the Government. Was it put into the Suspense Account quite deliberately, to help the Government get over a sticky wicket?

From my reading of *The Age* today, it would seem that things are changing very rapidly in Australia, particularly since the new federalism age, which I believe to have been a massive con job on the States. The Premier now realises this, and I suppose it is to his credit he has not scuttled the Prime Minister and run—at least, not publicly. His counterparts in the Eastern States have said to the Prime Minister, "We do not want to know you. Let us get the country going, because the position in Australia is becoming tragic."

The article in *The Age* states as follows—

ALP takes a 10.7 per cent lead

Support for the Labor Party at Federal level has increased 2.3 per cent since April, giving them a commanding 10.7 per cent lead over the Government parties.

That poll was taken at the weekend of the disastrous South Australian election. Yet it was found that in South Australia—despite their opposition to the South Australian State Labor Party—50.3 per cent of the people would have voted for the Labor Party in a Federal election. I emphasise that I am talking now about the Federal scene.

The Hon. J. C. Tozer: Do you base your views on opinion polls?

The Hon. D. K. DANS: The poll in South Australia was very accurate; we know it was in respect of the State election. The polls in the United Kingdom—some of our Commonwealth Parliamentary Association friends have just left the gallery—have not always been so accurate. I am well aware that polls change from time to time.

The Hon. N. F. Moore: They changed from day to day in South Australia.

The Hon. D. K. DANS: They changed quite dramatically in South Australia. On that same weekend, 54.5 per cent of people polled in Western Australia said they would vote for the Labor Party in a Federal election, while only 34.6 per cent said they would vote for the Government parties. That suggests to me—despite the problem with the Labor Party in South Australia—that people are getting tired of the application of these

conservative approaches and philosophies to the problems of this country. They are sick of the Government saying, "There is going to be pie in the sky when you die. When the North-West Shelf takes off, everything will be all right." The Government is running out of puff; the people want something to occur. They have certainly not had it in the Federal sphere. In fact, people of all political persuasions must be alarmed at the lack of Federal Government funds. I have recited these facts previously and they can be obtained from the Treasurer's notes, the Commonwealth Statistician, or from answers to questions asked in Parliament from time to time.

As I have said, this Budget is like the curate's egg; it is good in parts and bad in others.

The Hon. T. Knight: It is good in a multitude of parts.

The Hon. D. K. DANS: I thought Mr Knight said it was bad in a multitude of parts. If one goes through the Budget one will see what the Treasurer has had to say about funds for the police and the RTA. The Treasurer said—

The Government acknowledges the need to maintain both the Police Force and the Road Traffic Patrol at sufficient strength to adequately fulfil their obligations to the community in the enforcement of law and order.

The budget provides for a combined allocation in 1979/80 of \$68.4 million, an increase of \$8.1 million or 13.5 per cent. The extent of the Government's commitment in this area over the past five years is evident when the proposed allocation is compared with expenditure of \$29.6 million in 1974/75.

That is not a very fair comparison, because if one goes through some of the Budget papers and looks at the problem of wage rises, one sees that this increase is hardly keeping pace with wage increases and inflation. I will not go into the nitty-gritty of all that, but the Government's allocation is hardly keeping pace. To continue—

Increased industrial unrest and demonstrations have placed a heavy burden on existing resources. To meet these pressures it has been necessary to move numbers of personnel away from their normal duties to ensure that the safety and security of the public is not jeopardised.

That is not a regular occurrence and so the Treasurer has made a rather sweeping statement.

The intrusion of the Police Force into the field of industrial disputation is something new in this

State. Ours is about the only State in Australia where it is occurring. If there is danger to life, limb, or property, the police should make their presence felt; but the police themselves have complained through their union about being involved in industrial unrest. They believe they are there to uphold law and order. The Treasurer went on to say—

There is also a requirement to staff new integrated complexes at Warwick and Fremantle.

The Hon. G. C. MacKinnon: We have had threats of violence.

The Hon. D. K. DANS: We have had threats of violence right from the days the colony was founded. We have had a very trouble-free community, not only in this State, but in all the States of the Commonwealth. Long may it remain that way.

The Hon. G. C. MacKinnon: That is because we have been blessed with a good Police Force.

The Hon. D. K. DANS: It is not only the Police Force. I do not denigrate the older Australian citizen. The new citizen who arrives in this country generally follows the trend of the ordinary citizen, who is very law-abiding. The only time we get people up in arms about law-enforcement officers is when they get nicked by RTA officers; that is the only time the ordinary John Citizen gets involved with the police. I would say that 99.9 per cent of the community does not break and never will break the law. We all get the occasional complaint about the over zealous patrolman.

The Hon. G. C. MacKinnon: We now have the anarchistic and marxist approach of Carmichael and his friends.

The Hon. D. K. DANS: I did not quite hear that comment. Did the Leader of the House say anarchist, marxist—

The Hon. G. C. MacKinnon: You heard me.

The Hon. D. K. DANS: No, I did not. The Communists have always denigrated anarchy. If one blinks his eyes in those countries one gets one's head blown off or so people say. The anarchists would never allow us to get in the starter's hands over there.

We did not need to double the number of police to deal with the situation in Karratha. The police in the north where the three unionists were involved did not have their numbers increased. The normal contingent handled matters, according to Press reports I read about the Roebourne incident. I have said before that I was

surprised there was so little tension between the police and the people in Roebourne.

The Hon. G. C. MacKinnon: The tension is with Marks and Carmichael.

The Hon. D. K. DANS: They must be very powerful people. Notwithstanding that, I did not even find any antagonism towards the police with regard to Carmichael and Marks. Everything was quite normal.

The Hon. J. C. Tozer: The police were praised in the court.

The Hon. D. K. DANS: Yes. I wonder if we are employing our police in the right areas. No-one will argue about the new police station in Fremantle. It is about 100 years overdue. The Warwick station is overdue.

The Hon. J. C. Tozer: What about Karratha?

The Hon. D. K. DANS: I will let Mr Tozer worry about that. The Treasurer went on to say—

Provision has been made in the budget for the appointment of an additional 84 police officers which will effectively improve the ratio of police to population from 1:495 to 1:488 by June 1980. Sixty-five will be assigned to the Police Department and nineteen to the Road Traffic Authority.

I think this use of the ratio of population in our State in regard to the Police Force is a phoney. If one considers the size of the State and the sparseness of our Police Force on the ground in certain areas of the north and indeed in certain areas adjacent to Perth, one finds that the ratio of police to population has no real foundation.

In many areas of the State the policeman is the community leader; everything that opens and shuts involves him. The provision of 84 policemen and 19 RTA officers will not even take up the slack of officers who will naturally get out of the force.

The Hon. R. J. L. Williams: Just the same as politicians.

The Hon. D. K. DANS: I do not know what Mr Williams is talking about.

We are talking seriously about the Budget and we are talking about the Police Force. In my opinion, there is nothing more effective in the prevention of crime—not the solving of crime—than uniformed police officers. There is nothing more effective than the presence of uniformed police officers around the streets of the city. The 84 additional officers will not even fill the gaps that will occur in the force in the year 1980, whether the gaps are caused by retirement or by the resignation of people who find they are not capable of being policemen.

The Hon G. C. MacKinnon: Wasn't that a net increase? It must have been over and above.

The Hon. D. K. DANS: No. If the Leader of the House looks at the allocation and relates it to the 84 police officers, even he would know it is not more than that.

We are to get another 19 RTA officers. If ever there was a need for increased staff levels it is with the RTA. An increase of 19 traffic patrolmen in the State of Western Australia is a very minute increase. If the Government really wanted to do its job it would discontinue this nonsense of having separate authorities administering the RTA and the Police Force. This situation is soaking up the greater part of the \$8.1 million increase.

There was nothing wrong with the commissioner running everything, where we could effectively use all the force and where every policeman was an RTA officer and every RTA officer was a policeman. I know that the police union and all its members would gladly return to that situation. The Treasurer said—

This substantial increase reflects the desire of the Government to progressively increase the strength and efficiency of the Police Force. It will permit the immediate commencement of a C.I.B. patrol system, restructured to combine with uniformed officers, to provide a continuous service in the metropolitan area. The new arrangement will increase the effectiveness of the force in initial investigations at the scene of offences.

I believe this has been brought about by the lack of police. We are now going to have a special group of one uniformed officer and one CIB man patrolling in cars. None of this is as effective as policemen on the beat. People who commit crimes can see these cars and will wait around the corner until they have passed. The Treasurer then said—

A further \$144 000 will be provided for back-up facilities to the computer at Police Headquarters—

No-one will argue with that. To continue—

—which enables continuous access to records through the Police communications system. This facility will vastly improve the efficiency of police officers in the field throughout the State.

Funds will also be made available for the appointment of an additional thirty crosswalk attendants, affording greater protection for school children from the unthinking or careless driver.

Mr Deputy President, knowing the area from which you come, I am amazed I did not see anything in this Budget that suggests that a substantial amount of money was to be made available to improve the police communications equipment.

All members will know that during the period of cyclone "Alby", police 10 miles away from one another could not be heard over the present police communications network. As recently as a few months ago I was still receiving complaints and requests for help to get effective police communications. People in country areas know this to be true. For some obscure reason the situation was nearly solved, when a halt was called while other tenders were obtained. I will go as far as to say that during cyclone "Alby" the police had to use public telephone boxes to ring their stations to allocate police officers.

I would have thought that one of the first items in the allocation for the Police Department would be something to reassure the people that additional funds had been made available with respect to communications for this vast State of ours, where I have already pointed out that the ratio of police officers to the population is an incorrect analysis.

If we must have a small Police Force, a substantial amount of money should have been made available for the police outside the metropolitan area to have a first-class communications network. There is no such provision in the Budget. If the Leader of the House can get up and state that this has been done I would be very happy. Up to a few months ago it had not been done.

I know country members are well aware of this problem. I would not like another disaster of the magnitude of "Alby" to descend upon this State. I would not like a bushfire to occur which we could not control. When I say "control", I mean that at least we would have control of the situation.

My following comments relate to remarks made by the Treasurer in respect of this Budget. For the first time in four years the Treasurer has, in this Budget, got away from the cargo cult mentality he has displayed in the past.

The Treasurer is at last recognising succinctly that there is a problem which is not confined to Western Australia. It is confined to the whole of Australia and, as I previously said, to all western democracies. The Treasurer stated—

I note that in speaking to each of the previous budgets I have presented during the life of the present Parliament, I have had

occasion to refer to the difficult circumstances in which the budget has been framed.

This year is no exception.

It is a bit of an exception when we consider the 100 000 jobs promised as well as the promises with regard to the beating of inflation State by State while blaming everyone else. The Treasurer continued—

All Governments in Australia, and indeed throughout most of the Western World, are forced to live with a much lower growth of revenue from year to year than was the experience a few years ago.

I concur with the Treasurer. It is lovely to know he said it. I have been waiting a long time for him to do so. He continued—

Against this limited growth in the resources available to the Government, public expectations and demands for a widening and improvement of Government services remain high. Although there is growing resentment against high taxation which is manifested in increasing tax avoidance—

I should not mention the words “tax avoidance” here. To continue—

—and pressure for a progressive lowering of tax rates, the nexus between ever growing government expenditure and high levels of taxation is still imperfectly understood.

I agree with the Treasurer. If we are to maintain anywhere near the standard to which we have become accustomed we must pay taxes. To repeat the claim of the Minister, there are no free lunches. It all depends on which side of the fence one stands. Everyone has a cure for unemployment and inflation. The only problem is that the medicine is carried in the person's hip pocket and everyone wants the other person to take the first dose. The Treasurer continued—

Demands for reduced taxation and increased expenditure on Government services cannot be satisfied simultaneously. One or other must give. This Government has consistently followed the policy of limiting the growth of expenditure to that required to meet essential community needs rather than all the things people say they want without stopping to think that it is they, as taxpayers, who will have to pay for them. We have endeavoured to progressively reduce the burden of taxation on the community.

I will bet pennies to peanuts that before the Treasurer is much older, and whoever the

Treasurer may be, if the Commonwealth keeps slicing off \$134 million-plus a year, more State taxation will have to be imposed. As I said a while ago, we cannot have a situation where we allocate \$4 million to soften the blow on unemployment and then hide \$2.3 million of it in the piggy bank. However, that is what the Government's papers indicate the Government is doing. The Treasurer stated—

In the current world economic climate of stubborn inflationary pressures, continued low levels of economic activity and high unemployment—

Again I agree. It is a most amazing statement. To continue—

—an essential element of any policy aimed at lifting economic activity and creating jobs must be to reduce the call by Governments on the pockets of the general public.

If expenditure by Governments on recurrent services and the funds raised to finance that expenditure grow faster than the total income generated by the nation, the resources available to underpin growth in the private sector and the economy as a whole are progressively diminished. The consequences are likely to be inflation, economic stagnation and rising unemployment.

What the Treasurer is saying in simple economic terms is that the society in which we live undoubtedly has been the greatest producing society of all time. There have never been producers like us. However, in our economic history we have reached a bewildering situation. We are producing goods we cannot afford to buy. When we get rid of the hokey-pokey and all the other economic theories advanced, we realise that we are producing goods that we cannot afford to buy and, day by day, as another person becomes unemployed, the ability of the community at large to maintain the production of which it is capable is diminished; and unfortunately it will be diminished even further.

The Hon. H. W. Gayfer: I do not know. The farmers are not producing goods you cannot afford to buy.

The Hon. D. K. DANS: Mr Gayfer is a member of a very fortunate group of people, as we noted when we were down at CBH the other day. The members of his group had the common sense to get into an orderly marketing situation some years ago. They have a commodity which people must have; that is, food. Only a few years ago quotas were in existence, but I hope they are never restored. Long may Mr Gayfer be in this

House to make interjections like the one he just made!

The Hon. H. W. Gayfer: But you never answered it.

The Hon. D. K. DANS: It is a good enough answer, and the honourable member knows it is. He is selling wheat and the other day I was amazed to realise that Russian ships took wheat from here. I think the statement made at the time was that the first ship to load wheat after the stoppage was intending to take wheat to Russia.

The Hon. D. W. Cooley: He can thank Mr Whitlam for opening up the gates to China.

The Hon. D. K. DANS: We know it goes to China, but not to those horrible, militant Communists!

Several members interjected.

The Hon. H. W. Gayfer interjected.

The Hon. D. K. DANS: I do not mind if Mr Gayfer interjects. He is the nicest interjector in the Chamber!

The PRESIDENT: Order!

The Hon. D. K. DANS: The Treasurer continued—

New job opportunities of the magnitude required today can only be created by the private sector. For this to happen there must be a resurgence of private capital investment, and renewed growth of consumer expenditure which will generate increased activity in manufacturing, mining and production generally. These aims are incompatible with increasingly high levels of government expenditure.

That statement is so far off the mark, that one staggers. The economic policy we are following now could be described loosely as "back to the womb, never to be born", because it is simply not working.

Over the last three or four years we have given private industry all the incentives in the world and it is not producing the goods. It is 1979 now—nearly 1980—and Governments of all political persuasions are beginning to realise that Governments with our tax dollar have a job to do; that is, to initiate public works from which work will flow on to the private sector.

I could go on for hours on the mismanagement of our manufacturing industries, but I will not do so. No doubt members have heard enough from Senator Sim on what should happen to manufacturing industry in Australia. By and large I do not disagree. However, we will not do it, so why talk about it until finally we are

overtaken by an avalanche? To say that job opportunities will be provided only by the private sector is to say something which is not true. We have a private enterprise Government, and all Governments of all political persuasions support the market economy situation.

That is a wrong statement for the Treasurer to make when there are 400 000 unemployed and 41 people unemployed for each job vacancy in WA. The present situation is facing us because the private sector cannot measure up in Western Australia. Of course I agree that our problem is compounded. We have no consumer demand or markets with only one million people. The situation is difficult. We have an overseas consumer demand for our products from our mines, forests, and farms. The industries are not labour-intensive and so we are not getting the desired result in terms of more employment.

The private sector needs a stimulus. It requires more money and I think the Treasurer said that. The private sector requires more money so that it can provide employment. When we had large housing schemes in progress, the private sector benefited greatly as it did when the port development was being underpinned by the Government. However, no initiatives come from private enterprise. A big engineering firm in Fremantle—one of the biggest in Australia—has just closed its doors, despite the fact that tenders were being forwarded for the firm. The company decided that there was not enough money here.

When talking about the private sector and its promotion of activities, I must indicate that these days the whole idea is to ensure profitability before one invests capital. Irrespective of on which side of the Chamber we stand, we will not put money into something which we believe is unprofitable. In Western Australia businesses—particularly small businesses—are going over quicker than pins in a bowling alley. It is wrong for anyone to say that we must continue with this "back to the womb" approach to the economic situation because it is not producing the goods. In the alumina industry and other industries there has been a slight improvement but, by and large, there has been none.

The Treasurer went on to say—

The problem Governments face in reining in the previously high rate of growth of expenditure is that the cost of providing Government services is dominated by wage payments.

That is as sure as day follows night. The person on the job, whether he works by muscle or brain, sells his labour for a certain sum. If prices rise,

then no-one will deny—I know the Treasurer does not because he makes provision for it in the Budget—that people have to be paid more wages in order to make the economy turn over. If there is any more constricting of the economy, unemployment will rise and more people in business will bite the dust.

The cost of operating the Government is expensive. When meetings of a certain committee of which I am a member, are held, I often hear arguments about the increasing costs of telephone services in Parliament House. Without disclosing what goes on in those joint party meetings I can say that if we are facing those problems, so are the businesses in St. George's Terrace. Why should the situation be any different in Parliament House? I use that as an example. Prices rise right across the board and affect everyone from the housewife to the managing director. At present we do not seem to know how to stop these price rises.

I said earlier that this is a conservative Budget. It does not contain only bad things. However, I am a little worried about allocations in a number of areas. I am concerned that no real effort has been made to stem the flow of unemployment. Sooner or later we must take the bit in our teeth and some of the cures which may have to be undertaken will be unpalatable.

In the area I represent the Police Force does not seem to be able to get the money it requires. I know that the same situation applies everywhere.

I do not know when the last house was built in the port area. However, I am not going to deal with the cut-back of housing finance. It is disastrous and housing production has been reduced to practically nothing. While this situation exists we are not employing the tradesmen who are consequently not spending any money. The best person to stimulate the economy is the working man with four or five kiddies. He has no alternative; he must spend money.

With the funds available the Treasurer has submitted a conservative Budget. It does not differ greatly from Budgets submitted in the other States. However, shortly we will have to submit Budgets which provide job opportunities. Members will recall that when the Tonkin Government came into office, unemployment was relatively high; and I remember how we were pilloried. We were called to union meetings in Kwinana. We stood on a platform in front of 900 to 1 000 people who were unemployed.

The Government must institute programmes which provide employment. Although the jobs might not provide hundreds of hours of overtime, at least they would provide work. Perhaps that is why the then Labor Government later got the idea of introducing the RED scheme. That was one of the best schemes ever introduced and it provided work, particularly in local authorities. Of course, we all know what happened eventually.

The Hon. W. R. Withers: It was an excellent scheme, but it was abused.

The Hon. D. K. DANS: There were too many managers, architects, and bookkeepers. However, we have a ready-made situation in Australia through our local authorities if we want to plough money into the economy to soak up unemployment. The Tonkin Government had to do this. People did not get \$100 overtime, but at least they did have a job.

That is the kind of thing not only in the metropolitan area but also in country areas I would like to see coming forward in Budgets today. People should be encouraged to stay in the drought-stricken areas. The drift to the city only exacerbates the situation in the city. I believe the problems in many areas, particularly in relation to Aborigines, could have been avoided had the drift to the city been stopped years ago. The other side of the coin is that when conditions do improve it is difficult to get people back to the country.

Naturally, I support the Budget, but I believe the time is approaching when those who sit on the Government benches, whoever they may be, must be more innovative in terms of trying to soak up unemployment and at least trying to stimulate demand. There is nothing mysterious about the economy. Not long ago I heard the Leader of the House lauding Milton Friedman. I wonder what Friedman would say about him. Economists are wise only after the ball is over, but the simple fact is that by creating work we create demand. People who are working will spend money which will employ other people. This Budget contains no such policy. I cannot understand why the Premier salted away \$2.3 million which was part of the \$4 million allocated to soften the blow of unemployment.

Debate adjourned, on motion by the Hon. F. E. McKenzie.

House adjourned at 8.47 p.m.

QUESTIONS ON NOTICE

RAILWAYS

Loan Expenditure

223. The Hon. F. E. McKENZIE, to the Leader of the House representing the Treasurer:

Will the Minister explain why the loan expenditure for railways has been reduced from \$22 173 963 for 1976-77, to \$14 108 726 for 1977-78, and to \$3 723 631 for 1978-79?

The Hon. G. C. MacKINNON replied:

It can be misleading to make comparisons on expenditure from the General Loan Fund only. Because of the availability of funds from other sources, including semi-governmental borrowings, the only valid comparison is the total expenditure on capital works from all sources which is also shown in the General Loan Fund Estimates. The relevant figures are—

	\$
1976-77	22 890 250
1977-78	15 374 022
1978-79	20 152 581.

The reduction in 1977-78 arises mainly from the decision to account for renewals of sleepers and crossing timbers as part of the operating costs of Westrail. This expenditure is now met from the Consolidated Revenue Fund.

WATER SUPPLIES

Country: Service Charge

224. The Hon. W. M. PIESSE, to the Leader of the House:

Regarding the annual service charge for country areas water supply—

- (a) is the service charge of \$33 per meter paid into Consolidated Revenue; or
- (b) if not, to where is it directed?

The Hon. G. C. MacKINNON replied:

- (a) Yes.
- (b) Not applicable.

MANDURAH ESTUARY

Sandbar

225. The Hon. F. E. McKENZIE, to the Leader of the House:

- (1) For each of the last four years, what has been the cost of keeping the sandbar clear at the mouth of Mandurah Estuary?
- (2) (a) Has any consideration been given to developing a breakwater or similar type scheme which will prevent the bar from forming;
- (b) if so, will the Minister provide details; or
- (c) if not, is it possible to develop some scheme which will overcome the recurring expenditure involved in clearing the sandbar?

The Hon. G. C. MacKINNON replied:

- (1) 1975-76—\$5 128
- 1976-77—\$9 305
- 1977-78—\$23 920
- 1978-79—\$20 678.

- (2) (a) Since the earliest days of settlement, numerous proposals have been made from many sources for keeping open the sandbar at the entrance to the estuary at Mandurah, the most recent proposals being those from the member for Murray. When Mandurah was part of the original South-West Province, I made many approaches myself, as have others in the long list of Liberal representatives both before and since. Most of these proposals have involved the use of groynes or similar structures and several have been carefully investigated by the Public Works Department.

Probably the most comprehensive study which has been made was the modelling of the Mandurah bar and the entrance channel north of the Peninsula Hotel. This was carried out at the department's engineering research station at Floreat in 1963 and 1964. A moving bed model was constructed and calibrated and six out of the 12 proposals submitted variously by departmental engineers, the University of Western Australia, the Mandurah Shire Council, Mandurah fishermen and interested citizens were physically tested in the model. The other six proposals were variants of those tested and were evaluated from hydraulic and engineering principles.

The proposals tested were—

- (i) A main groyne at Point Robert extending 1 150 feet in westerly direction into 25 feet of water and an entrance 800 feet wide protected on the west side by a 700 feet long breakwater and on the east side by a retaining wall.
- (ii) A 1 500 feet long curved groyne extending in a general westerly direction from Point Robert. Entrance works similar to proposal (i).
- (iii) A main groyne at Point Robert extending 2 000 feet in a north-north-westerly direction and an entrance channel protected by a 750 feet long groyne on the eastern side.
- (iv) A main groyne located in shallower water to the east of Point Robert and extending 1 500 feet in a north-north-westerly direction and an entrance channel 300 feet wide protected by short training walls.
- (v) An entrance channel 300 feet wide protected by two small entrance groynes.
- (vi) An entrance channel 300 feet wide protected on the western side by a groyne extending 1 500 feet in a northerly direction and by a 300 foot long groyne on the eastern side.

The layout of the existing Mandurah training walls was based on the proposal (vi) tests.

- (b) The entrance bar is formed naturally by the deposition of sand which moves along the shore from south to north around Halls Head. Groynes could be built to trap the sand before it reaches the estuary entrance. However, this would starve the northern beaches of their normal sand supply and thereby generate unacceptable erosion.

- (c) The entrance could be kept open by introducing a by-pass system whereby sand deposited at the entrance would be picked up and moved on by pumping. Such systems are widely used, but are expensive to establish and operate.

QUESTION WITHOUT NOTICE

RECREATION

Water Skiing: Waroona Dam

The Hon. N. McNEILL, to the Leader of the House:

As the Waroona dam is widely regarded as a most popular water skiing venue, is it intended that the dam will be again opened for the sport in the coming season?

The Hon. G. C. MacKINNON replied:

Coincidentally I happened to make a decision on this matter this afternoon. As the honourable member might be aware, there are two conflicting interests with regard to the Waroona dam; one is water skiing and the other is trout fishing. I have been in receipt of a petition from the trout fishermen and had the matter referred to various advisers and to the local shire. It was

pointed out that if the skiers are allowed to use the dam and are given either a specifically restricted area or are restricted artificially by buoys, trout fishermen could still catch their trout. If we keep the dam for the use only of trout fishermen, the skiers would be disadvantaged. The decision I made today was that skiing should be allowed on the Waroona dam, which means both sports can proceed.

