

Mr SPEAKER - The honourable member for Bass, Mr Patmore. I remind honourable members it is his maiden speech.

Members - Hear, hear.

Mr PATMORE (Bass) - Mr Speaker, it would appear that, for my maiden speech, the convention need not be adhered to. There is no one to interject anyway, by the look of it. But I get off the point.

My learned friend has been speaking on the Budget. He has not addressed himself to the Budget but he has been speaking on the Budget. He has informed us of a campaign to denigrate the Premier, implying that the Labor Party was leading that campaign. I would have thought the Liberal Party was doing that. He informed us just before he sat down that things were really moving. I agree with that entirely. Things are really moving. I hope I will have an opportunity to state what things are really moving and put a proper perspective upon that.

Today in question time, the member, Mr Pearsall, referred to the Westminster system of government and democracy. He used wonderful platitudes but ones which tended to make me a little ill. The reason is that the member was talking about concepts about which I submit he has no real understanding.

One asks why the Premier has acquired so much out of the Budget for his own self-promotion. I believe that perhaps the answer lies in the very brief history of this Liberal Party.

At the risk of being very trite it is obvious that in 1982 Tasmania underwent a change of government. Before that the Labor Party held power for a long time and it supervised very ably the development of Tasmania. The Labor Party held power for so long because at an early stage it took and held the middle ground. That has been accepted by many. It has been discussed by academics; it has been discussed by authors. On page 59 in his book entitled 'The Government of Tasmania' Mr W.A. Townsley states:

'It is often asked why the Liberal team spent so much time in opposition. Possibly the real explanation lies in the failure of the Liberals to trump the Labor policy which in its moderation did not offend conservatives while being sure, in the absence of a militant Labor left wing, of not losing Labor supporters.'

However in 1982 the Labor Party approached the election in a different condition from which it had approached other elections. It was fragmented. It was seen by many to lack a positive direction to aid what was, unfortunately, a divided community. Many would say the Labor Party deserved to lose that election. As a result, the Tasmanian public endorsed a Liberal Party government which it saw at the time as credible and showing a united front. It was at that time perceived as a moderate government.

The Liberal Party took power against a background of legal and parliamentary tradition with a history centuries old - that is, a system of rules established by common law which have evolved by trial and error of reliable jurists and eminent statesmen. The common law has basic tenets which are readily accepted and understood. For example, the sanctity of a person's home and his property from which arises the truism that a man's home is his castle. There is the principle under the English and Australian system of justice that a man is presumed innocent until proven guilty. Such a rule has always been considered a valuable safeguard for the accused in both England and Australia. It is a principle of democracy; a principle of government. Such principles were readily understood by the very capable Honourable E.M. Bingham. I put to members that he was recognised as a moderating force within the Liberal Government.

In any event the Liberal Party was well placed to learn from the experiences of Labor's defeat. Labor certainly learnt. Labor underwent a period of consolidation and self-review and it has now emerged coherent, united and wiser. It has undertaken to regain the middle ground lost to the Liberal Party and that is where things are really moving.

Such an attempt could have been made difficult, could have been thwarted, in those early stages if the Liberal Party had learnt from Labor's mistakes. In deciding whether the Liberal Party had learnt from Labor's mistakes we must look at the Government's present track record and the effects of its legislation, both introduced and pending.

Its leader was a man who appeared to give lip service to the Tasmanian public while he continued all along to play upon the divisions within that public. What should have been a solid attempt to reunite people was perceived as a cynically prolonged process taking much too much time. Anyone daring to disagree with his views was labelled in pejorative terms and dismissed, be he Labor or Independent; be he a government backbencher as well. At that early stage he was still professing to be a Liberal Party leader, a leader of a party which purported to be moderate. And that is where things were moving again. In efforts of self-aggrandisement Mr Gray openly began to emulate the Premier of Queensland, a man who governed a State described in 1976 by Bjelke-Petersen's then Police Commissioner, Ray Whitrod, as a State which had signs of developing into a police state. That was in 1976 and one can draw one's own conclusion as to what has developed since 1976. It is a State recognised as extremely conservative and ultra right-wing, completely dominated by the National Party which holds all Liberals in contempt.

What the people of Tasmania saw was yet another shift to the right by the Premier and it is here that I talk about this campaign to denigrate the Premier to which the last speaker referred. It certainly was not the Labor Party at that stage. On 10 October 1983 the Queensland Liberal Leader, Mr White, accused Mr Gray of treachery and disloyalty to the Liberal Party, while back home here in Tasmania the Liberal Party President, Mr David Rowell, confirmed that Mr Gray had gone against his advice. Mr White further described our honourable Premier as 'a political scab and a bad apple in the bottom of the political barrel'. That is not the Labor Party talking. In any event, ignoring the learned advice of Mr Rowell - who, we will recall, he tried to knife only a few months ago - Mr Gray went to Queensland and campaigned with a magnificent man who destroyed the Liberal Party in that State. That is our leader.

Following this event the Liberal Party in Tasmania underwent more purges. It became more of a gray government with the ensuing muzzling of its ministers. Attempts were made not only on the ministers by way of directives, but also to try to control the way the Press obtained information in a manner very similar to Joh's feeding of his chooks. Directives went even further. The Public Service was ordered not to supply information to opposition members of the Parliament. In effect the free flow of information, which is surely an indication of a healthy democracy - a healthy system of government to which our learned member, Mr Pearsall, referred - had begun to be restricted.

However it is in the legislative field that the Government has made, and is making, its own unique mark. Having made it impossible for the Honourable E.M. Bingham to remain, the Government then introduced the Poisons Amendment Bill which, amongst other things, gave police powers to enter a person's home with a wrecking bar if they wanted to and then break open any room, container or furniture with immunity. Police can now arrange for a person's body cavities to be searched and probed. Let us not be coy about the terminology. This means a person's anus or vagina. Right? If a person refuses to assist under the new section 90C(6) -

'such force as is reasonably necessary for the purpose of enabling the search to be carried out'

can be used. That is under Mr Gray, under the Liberal Party Government. What under the Tasmanian Criminal Code was an indecent assault which would normally bring an almost automatic term of imprisonment became a legally condoned act.

This is not the only example. Under the proposed Evidence Amendment Bill the Government, if it has its way, will reverse the onus of proof and centuries of legal wisdom will be ignored. People will then come before the courts guilty until proven innocent. Within the proposed Classification of Publications Bill further powers will be given to the police to enter homes without search warrants for what could be purely

political purposes. The use of a search warrant properly obtained will be a thing of the past; a legal dinosaur, something being put on display in a dusty case; a show of bare bones for an admired and lost species of justice under our learned leader, Mr Gray.

These areas stand out as having moved the furthest from the ordinary procedural safeguards and the substantive principles of responsibility which are - or should I correct myself and say 'were' - thought to be the essence of a common-law system of criminal justice. Even more worrying, these alterations will be introduced by a Government without any real testing of the underlying assumptions that greater penalties and more police powers are needed. All this in just two-and-a-half years - two-and-a-half years to overturn three or four centuries of legal thought.

Thankfully the public is now recognising it no longer has a moderate, reasonable and rational government. The Gray Government has lost all right to that label and is now firmly branded right wing and national. Already what would have been unimaginable under a Labor government has occurred. A civil liberties group is being established, perhaps no wonder when the Government is seen to reject without explanation the introduction of a freedom of information bill which could not be described as a threat to any responsible government.

As time passes our leader, so aptly described by the then Liberal leader, Mr White, becomes more sweeping and more erratic in his manners. The Premier breaches protocol over ridiculous offers of American bases. One can only hope that stupid move was initiated more out of haste and a seeking of sensationalism than a most cynical attempt by a morally bankrupt government to try to find another issue with which to divide the State and run for another term in office.

Without doubt the Labor Party is ready and able to win an election whenever it is called, but it certainly will not be called in the near future - not now. Without doubt also the Tasmanian public will respond to the Labor Party, a Labor party which is united and showing a respect for civil liberties, the rights of Tasmanians and the concept of democracy which the member, Mr Pearsall, should learn a little more about - in other words, a Labor party which shows the attributes the Gray Government no longer has.

Opposition members - Hear, hear.