

Mr. MANNING: The point is not necessarily as to where the greatest need is but the fact that we should do something to prevent this continual drift from the country to the city.

Mr. Ackland: It is merely because they have not the homes to live in.

Mr. MANNING: Yes, they flock to the city in search of a home, thereby creating what I would call false figures, that is, city against the country. I consider that this is one method whereby the State could encourage people to leave the city to go to the country, namely, by making available more homes than are being built in the city. Those figures could be reversed by stepping up the building rate in the country and attracting population from the city. Decentralisation should be our policy. It is a sound policy and it is one method of assisting the country to retain its population. We have reached a stage where the population of the city is growing too rapidly, and we shall presently find that our food production is decreasing because workers are leaving the country to live in the city in order to derive the benefit of the 40-hour week. I contend that the provision of housing is one method by which population could be attracted to country districts.

During the Address-in-reply debate a year ago, I mentioned the Old Coast-road and advocated that it should be taken over by the Main Roads Department and put into good repair so that settlers could be encouraged to take up and develop the land in that vicinity. A committee has been formed consisting of representatives of each of the road districts adjoining that road with a view to furthering the project. I understand that the Minister for Agriculture intends to pay another visit to the district shortly and I hope that this visit will bear fruit.

In the Speech, mention was made of pine planting. We were told that 2,000 acres a year is the present rate of planting. I would urge that the Forests Department give consideration to stepping up the clearing of land and the planting of pines.

Hon. A. H. Panton: The labour is not available.

Mr. MANNING: If houses are provided for the employees, the labour will be available. In the irrigation areas, we have not sufficient plant to grade the land for irrigation, and this shortage is holding up the production of whole-milk, butter, etc. I wish to impress upon the Minister for Works the need for having more of these graders made available in order that farmers may push on with the development of their holdings and the stepping up of the production of much-needed food commodities.

In recent weeks much has been said about butterfat; in fact much was said about it week ago, though the subject has received more publicity recently. I do not wish to comment at length because it is the subject of much discussion in the Press almost daily, but I express the hope that the butterfat price arrangement will soon be finalised and some definite agreement reached.

Hon. A. H. Panton: Seeing that the price of butter is to go up 11½d. per lb. and that the producer is to get only 1d. per lb., can you tell us where the balance is to go?

Mr. MANNING: No. I do not wish to speak at great length tonight. I have touched on one or two points of interest to my electors and to the State as a whole, and I shall defer further comments until later in the session.

MR. LAWRENCE (South Fremantle, [8.4]): I wish to join with other members in expressing my sincere regret at the passing of our ex-Governor, Sir James Mitchell, and also at the passing of two members of this House, Mr. Shearn and Mr. Fox. I feel that by the death of those three citizens, we have sustained great loss, but we have gained from the fact that they showed by example what good citizens we could be if only we followed in their footsteps.

I desire to direct the attention of the Government to the injustices that are being done to employees coming under the provisions of the Workers' Compensation Act. I shall show by a few typical examples that it is high time the Government moved in the matter and introduced some amendments to the Act. We should pause at this stage and consider what the term "compensation" implies. I take it to mean that it is a grant made to a worker as relief for injuries received during or in the course of his employment, but while that may be the correct meaning, we find that there are so many restrictions in the Act that the worker is denied this relief. In my opinion, these restrictions amount to a denial of the right to live for a worker injured during his employment.

I could assume that Ministers would not permit such a state of affairs to exist if they knew of some of the examples that I propose to quote. Therefore I am forced to the conclusion that the Government is not knowledgeable of many of the pitfalls and injustices in the Act. Firstly I shall refer to Clause 15 paragraphs (b) and (c) of the First Schedule, which deal mainly with the drawing up of agreements and which throw the onus on the Registrar of the Workers' Compensation Board to examine these memoranda of agreement, as they are called. It is his duty to examine them, and if he is satisfied that they provide a proper assessment of the injury sustained by the worker, he registers it.

I wish to quote the case of J. J. Murray, which arose out of an injury received by him when he fell down the hold of s.s. "Kooringa" and was badly hurt, being forced on to compensation for about two-and-a-half years. At the expiration of that time, the doctors, in their wisdom, said that Murray was permanently incapacitated to the extent of £371 16s., and forthwith an agreement was drawn up for the payment of that sum to Murray and also medical expenses incurred whilst he was under medical attention.

After Murray and the employers had signed the agreement, it was duly sent to the Registrar who, after perusal, registered it. That was in December, 1950. When Murray signed it, he signed away any claim he had under the Employers' Liability Act. While the employers stated in the agreement that they would pay all medical expenses incurred by Murray, in March, 1951, he received bills from various doctors, totalling £45 for fees. This goes to show that the Registrar did not know at the time that these moneys were outstanding and that Murray was not cognisant of the fact, otherwise he could have applied under another section of the Act to get relief to the extent of a further £50 medical expenses, which he would have done had he known these accounts were outstanding. But because the memorandum of agreement stated that the employers would pay all the medical expenses, Murray signed it. Therefore I suggest he signed it under some undue influence, and it is high time that the position was rectified.

A particular point in the Act to which I wish to refer is in connection with the weekly payment which has risen from £4 10s. in April, 1949, to the princely sum of £6, which is the maximum payment today. It is just nonsensical to speak of £6 for an injured worker, whether married or single, in these times when the basic wage is £9 16s. 8d., because that is the sum below which every court in Australia has declared no worker can live on. But, because a worker is injured, through no fault of his own, he is condemned to live—or to exist—on £6. Before I entered this House I was secretary of the Waterside Workers' Union, and approximately 1,800 men were employed in the industry. We had the alarming number of 35 men per day on compensation.

I do not wish to cloud the issue and say that we had 35 accidents a day, but I do wish to be quite clear and state that each and every day we had 35 cases. Mixing amongst these fellows as I did, I could see the bad psychological effect of accidents on them. Firstly they had to suffer pain—in many cases, terrific pain. Then, if a man is married, which most of them are, he quite frequently has two or three children as well as his wife and himself to keep. He is forced, under this

Act, to do that on £6 per week. I suggest to the Government that it is totally impossible for him to do that.

The effect on the worker is so bad that it more or less retards recovery. I have discussed the question with various people and the usual answer is, "If he has three children, he gets child endowment for them." Anyone who adopts that attitude can only be classed as in the ridiculous category. A case which came to my notice a few weeks ago was of a fellow named Gamble who was injured in the course of his employment whilst driving a truck. He hurt his back, and was under three specialists, including some of the best orthopaedic surgeons in the State. Gamble is totally unfit for work. Now, he has eight children as well as his wife and himself, a total of 10 for whom he is responsible. He is forced, the same as a single man, to try to exist on £6 a week.

Another injustice is in connection with the ceiling of compensation payable to a worker under Section 7 (3) (a) of the Act by which a worker who is permanently partially or permanently totally incapacitated cannot receive more than £1,250, inclusive of any weekly payments that may have been allowed to him. I quote the case now of one Walter Turner who, whilst in the employ of the Fremantle Harbour Trust, was knocked off a truck and fractured his hip. He has been on compensation for three and a quarter years. For part of that time he received £4 10s. per week, and for the rest—the greater portion—£6 per week.

For the period he received a total of £817. Now he has been declared by the doctors as totally and permanently incapacitated. In fact, he is a dead loss as far as both he and the country are concerned, because he cannot produce or work. Nothing can be done for him. Whilst the doctor says—and this is the State Insurance Office's doctor—that he is 100 per cent. incapacitated and will remain so for the rest of his life, he can under the Act receive only the difference between £1,250 and £817, a matter of £400 odd, which resembles approximately 33 1/3 per cent. disability. That is definitely an injustice.

With regard to some of the minor provisions of the Act, I propose to refer to paragraph (c) of the proviso to paragraph (c) of the First Schedule. This portion relates to false teeth. I find that where a worker who wears false teeth does not suffer personal injury arising out of an accident, but simply has his false teeth knocked out of his head, he is not compensable. I do not know whether that is by design or by bad drafting; but I say it is an injustice.

I can mention the case of a man who, a couple of months ago, was working on a ship at North Wharf. In between decks were loaded cows' heels which had gone rotten. This poor unfortunate individual lifted the hatch cover, and the stench was so terrific that it revolted his stomach to

such a degree that he had to run to the side of the ship, where he vomited, and his teeth went overboard. I say that happening definitely arose in the course of his employment, and that he was compensable. However, the Act says he is not. It was suggested by the employer that he dive for the teeth. The position is that the fellow cannot swim, so, he finishes up with no teeth to eat with.

There is also room for improvement by the addition of further sections, and here I have in mind the sections of the Victorian Act which provide for compensation being payable to a worker who is injured when travelling to or from his place of employment. Such a provision should also be included in our Act. I would like members of the Government to put themselves in the position of a worker. Not that I suggest they are not good workers, but what would be the position of any member who, through overwork, fell asleep and slipped off his bench, breaking a leg in the process? Would he be placed on an allowance of £6 per week on which to sustain himself, his wife and his family? Such a position is not fully realised until it is brought home to us and I think the Government should take a more practical view of the question of workers' compensation and adopt that slogan, mentioned in this Chamber earlier today, "Do unto others as you would be done by." I intend at a later date, when opportunity arises, to speak further on amendments to the Act.

I wish now to deal with the vilification of waterside workers by the daily papers. Being a broadminded soul, I find, on going forth into public life and engaging total strangers in conversation, that they know little or nothing about the waterfront, how it grew, its present strength or many other things peculiar to it. There are today in the Press frequently to be seen anonymous statements by employers. Such statements are usually made by irresponsible people who have not worked in the industry and who know very little about it. That sort of thing has on the men it is levelled against the effect of getting their backs up, particularly if it is untrue.

While not all such statements are false, the bulk of them are. Not only in this State but also in the Eastern States we see reports of lawlessness on the waterfront. I challenge such statements and point out that the waterside industry provides only casual employment. The Waterside Workers' Federation accepts the responsibility of supplying the amount of labour determined by the Stevedoring Industry Board. That body, instituted in its earlier form as the Stevedoring Industry Commission under the Chifley Government, tells the federation from time to time what the port quota shall be.

Under the Stevedoring Industry Act, we are forced—I repeat the word "forced"—to build that quota up to the required strength. The port quota at Fremantle to-

day is misunderstood to the extent that it is advertised at 1,600 whereas we find, on examination, that the quota of the federation is 1,852. According to the ravings of certain employers and other irresponsible people, that quota is insufficient. They say the slow turn-round of ships is our fault because we do not supply sufficient men.

When I was called upon to attend a conference with the Minister for Railways, at that time Hon. H. Seward, I was at a loss to know why he had requested my presence. When I asked the Minister why he wanted to see me, he said it was with reference to the port quota. I asked, "What are your views on it, sir?" and he replied, "We want more men." I said, "Obviously, but why do you want more men, and how many more do you want?" He said, "I want more because you have not enough men and, as regards the number, we want a lot more." I asked did he know who set the port quota, and was he aware that it was set by the A.S.I.B. and, I am sorry to say, the Minister did not know what the letters "A.S.I.B." stood for. I then asked him how many men at that moment constituted the port quota, and he said it was about 700. That, in fact, was 700 short of the correct figure.

I mention that point not in criticism of the then Minister but to show that there are many people in prominent and responsible positions who do not know the true state of affairs. Frequent allegations are made about waterside workers loafing, but I would refer members back to 1949 when 2,000,000 tons of cargo—a record at that time—were handled over the Fremantle wharves. Members may take it as a fact that that cargo did not just fly about of its own volition but had to be moved by wharf labourers, and each man working below in the hatches handled from one to five tons per man per hour, a rate which, I suggest, compares more than favourably with that in most other ports, particularly in view of the outmoded method of working which was then a feature of the Fremantle waterfront.

As regards the vilification of waterside workers, let us turn to the dark old days when the waterfront worked under a system known as free selection. It was then a common sight in the morning to see 1,000 men lined up 200 yards away from where the boss stood on a dais. The boss blew his whistle and the men ran. It was not uncommon to see some of the men nearly trampled to death, because that was in the days of the depression. When they reached the dais, the boss stood up and said, "I will have you, and you—" he would then pass a man by—"and you." He passed that third man by because he could probably carry only eight bags where the other three men could carry ten.

That shows conclusively how a man had to work his soul-case out to get a job under that system. However, with the advent of the Chifley Government a system

came into being, known as the roster system, whereby an employer is forced to take his labour as it is allocated to him by the board. Having an intimate knowledge of the industry, I suggest that if that board is removed the shipping industry will fall into chaos—and well the employers know it. However, we see many wild statements in the Press to the effect that the board should be abolished, that attendance money should be taken from the waterside workers, that they are not entitled to annual leave and, in fact, that they are not entitled to anything.

We find that these men who have spent their lives in the industry, grown old in it, and built up the holdings of the ship-owners, in the last 10 years, from £310,000,000 to £900,000,000, are vilified. I wish to quote a report from Dr. McQueen, a Macquarie-street specialist, who was brought in by an outside body—the Stevedoring Board—to examine a batch of waterside workers to determine their condition. Dr. McQueen stated—

I was under the impression, when commencing this survey, that its main object was the detection of malingerers.

Having encountered only one of these crafty undesirables among the first 130 cases I examined, I realised that I was dealing with a quite unique collection of genuine and serious disabilities.

I was forced into a real and surprised admiration for a body of men earning a more or less arduous living, handicapped by gross and serious physical abnormalities. Most of the individuals examined were over the age of 40 and under 60. I can only surmise, with the most profound gloom, the condition of those over 60 years of age.

My chief impression of these men was, that all of them were prematurely aged.

It was rare to find any man who did not look at least 10 years older than his stated age. Their outward appearance was more than confirmed by physical examination. The majority of them showed the usual stigmata of abnormally early and rapid senility.

That quotation gives an insight into the real picture of life on the waterfront as it was, and I conclude from that report that the shipowners are not concerned with public interest but with how much profit they can squeeze out of the waterside workers' bodies.

Touching now on the question of the turn-round of ships, we find today that most ships spend a longer time in port than was the case a few years ago. I voice the sentiments of the waterside workers when I say that we would welcome an inquiry, by any State or Commonwealth Government, as to the true

reason for this state of affairs. Cargoes have increased greatly and I can quote a case, not long ago, of the motor vessel "Annenkirk" which, if the public could have seen it, would most certainly have enlightened them as to why that ship was held up for such a long time.

More than 450 tons of over-stowed cargo were on the one ship, which meant that 900 tons had to be unnecessarily handled; that is to say, 450 tons had to be taken out of the ship and stacked in the shed while the cargo for Fremantle was unloaded. Then, the 450 tons had to be reloaded back into the ship so that that cargo could be taken on to its port of destination. On this question of over-stowed cargo, I wish to quote from the first report of the Australian Stevedoring Industry Board, over the signature of the chairman, Mr. Hewitt. He states—

One of the factors which adversely affected turn-around in the port of Fremantle during the year was the large amount of cargo arriving from overseas, which were destined for Eastern ports, but which was over-stowed on Fremantle cargo. During 1949-50, 19,700 tons of over-stowed cargo had to be removed—so that Fremantle cargo could be discharged—and then re-stowed. This over-stow was the cause of added work to the extent of 39,400 tons handled (i.e., by the double handling of the over-stowed cargo).

That is only one of the minor reasons why these ships are not turned round at a faster rate.

Another one of the major reasons for the slow turn-round of shipping is the port itself and the facilities provided for handling cargo. Until a few months ago, at the port of Fremantle, there was not one fork-lift machine for handling cargo. Peculiarly, through the very good work of the new general manager of the trust, that matter has been rectified and, to the best of my knowledge, we have about 50 of these machines operating. While these machines have, to some extent, facilitated the unloading of cargo, the position is still bad. The machines cannot be used to their full efficiency because there is insufficient shed space for the cargo. Until these matters are rectified, work on the waterfront cannot be carried out to a proper degree of efficiency. But, that is not the fault of the waterside worker.

We also hear from the Press, and the irresponsibles I spoke about, how the waterside worker loses a considerable amount of time because of strikes. It is interesting to note some figures and to quote them for the edification of these people. In the year 1946-47, the total man hours worked were in the vicinity of 31,000,000 and the man hours lost were approximately 1,500,000, which gave a

percentage of total man hours worked to hours lost on account of strikes of only 5.8. In 1947-48 that percentage dropped to 2.5 and in 1948-49 it dropped further to 1.78—ample proof, I suggest, that all this talk about the men on the waterfront not working, is misleading.

It is quite evident from those figures, which were supplied by the Government Statistician, that the position is improving and in Fremantle, for the year ended the 30th June, 1950, the percentage of man hours lost through rain was 2.3, while the man hours lost through disputes was .7 per cent. That is further proof that lawlessness on the Fremantle wharves does not exist, even though the Press would make it appear otherwise.

Further, I wish to impress upon members of the Government that the federation does not condone, in any shape or form, and will not tolerate indiscipline on the waterfront to this extent: Every member who works on the waterfront has a working record card. If he commits any misdemeanour it is recorded on the card and he is brought before a select committee of the federation. If he should miss his morning tram, which is not an unusual occurrence in these days of unreliable transport, and on arriving at his place of pick-up happens to miss his number, he is penalised to the extent that he cannot offer himself for employment or receive it for 48 hours, which in these days means a fine of over £5 10s.

If such occurrences become frequent he has to face the select committee of which I speak, and I know from my experience that we have, for repeated offences, expelled members from the federation, which means that they are denied the right to work in any port in Australia. Many times we have suspended men for one month which, in effect, means a fine of approximately £60. That is a common occurrence and I could produce facts and figures for anyone who is interested. Members are fined £5 or £10 for misbehaviour. We call it misbehaviour if we are brought before the judiciary—I refer to the ordinary court—and it is possible that such a breach may be met with a fine of 10s. or £1.

I do not intend to speak at greater length on this question but I feel I should make a plea to members of the Government to try to ensure better relations between employers and employees and that the friendship existing between them is cemented. I wish now to refer to a case which appears in this evening's Press. These six men, in the first place, were prosecuted for attending a one-hour's meeting and, together with nine others, were fined £5.

Hon. J. B. Sleeman: Persecuted!

Mr. LAWRENCE: That was because they refused to do what the working class commonly calls "scabbing on their mates," which is an unpardonable crime among trade unionists. In fact, I suggest it is an

unpardonable crime for any citizen of our fair country to commit. The result of those prosecutions, which I suggest were provocative and intimidatory, was that whilst the State Government was approached to withdraw the summonses, or withdraw even some of them, it refused to take any action for the reason that they were not prosecutions by the Government but by the court. However, because the Government—if we take its word for it—did not have the power, the position has arisen that shipping may be completely tied up in the port of Fremantle because these tug crews have been prosecuted and have given a week's notice.

If we have any sort of bad weather, ships, especially the big passenger liners, will thus not be able to get into Fremantle and those that are already berthed will not be able to depart, which will be a severe blow to the economy of this State. I would therefore appeal to the Government to ensure at all times that better relations are maintained between the employers and the employees and that it will adopt a more lenient attitude towards the employees because, as I have attempted to prove by reference to certain happenings, the fault is not wholly that of the employee—I refer particularly to the waterside worker—that the slow turn-round of ships occurs and that friction arises between the parties concerned. I shall again deal with this question at a later date.

On motion by the Minister for Housing, debate adjourned.

House adjourned at 8.47 p.m.

## Legislative Council

Wednesday, 22nd August, 1951.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.